THE

WESTMINSTER REVIEW.

"Truth can never be confirm'd enough,
Though doubts did ever sleep."

SHAKESPEARE.

Wahrheitsliebe zeigt sich darin, daß man überall das Gute zu finden und zu schätzen weiß.

GÖTHE.

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THE

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REVIEW.

JULY 1, 1864.

ART. I.—PUBLIC SCHOOLS IN ENGLAND.

Report of Her Majesty's Commissioners appointed to inquire into the Revenues and Management of certain Colleges and Schools, and the Studies pursued and Instruction given therein; with an Appendix and Evidence. London. 1864.

THE Public Schools Commissioners have at length issued their long-expected and most valuable Report. They have brought together a great mass of evidence, from the highest authorities, upon the system and management of our principal public schools; they have suggested various changes which they think desirable, in the subjects taught, in the manner of teaching them, and generally, in the disposal of the revenues, and the constitution of our schools, and the relations of the different members of their governing bodies. By the terms of their commission they were directed to inquire into "the Nature and Application of the Endowments, Funds, and Revenues" of Eton, Winchester, Westminster, Charterhouse, St. Paul's, Merchant-Taylors, Harrow, Rugby, and Shrewsbury; and further, into "the Administration and Management of the said Colleges, Schools, and Foundations, and into the system, and course of studies respectively pursued therein, as well as into the Methods, Subjects, and Extent of the Instruction given to the Students of the said Colleges, Schools, and Foundations;" and we are bound to state that they have discharged, most laboriously and conscientiously, a great public trust; and have furnished us with information of the highest value, which it would have been

impossible otherwise to obtain; and with a systematic body of general as well as special "Recommendations," prepared with great care, and with great good sense. With the whole of these we cannot, indeed, profess our own agreement; it seems to us that even if the proposed changes were introduced, an undue pre-eminence would still be given to the study of the Greek and Latin classics; but we recognise in them an important advance upon the system pursued at present, and where we venture to differ, we shall differ with hesitation and regret. But on this branch of our subject we need not yet enlarge. It will be necessary for us to go into the question at some length in the course of the present article.

The details elicited in the course of the examinations of boys and masters are many of them curious and interesting. We learn the opinions that both have formed about their schools, the kind of treatment the boys are subjected to, the moral tone of the place, the intellectual tastes of the boys themselves, the subjects taught, and the manner of teaching them, and the results, if any, of the process. Every question that could suggest itself on any subject tending to throw light upon the real state of our public schools, and the efficiency of the education they profess to give, seems to have been asked by the Commissioners, and answered, in most cases candidly, by the witnesses. The results of the Commission appear in four thick quarto volumes. They contain a general and a special "Report" on the points about which it was directed to inquire; an "Appendix" made up of the answers of the masters and governing bodies of the schools to a set of printed questions addressed to all of them, and a good many letters and recommendations upon various points written, at the Commissioners' request, partly by masters of schools other than those included in the terms of their Commission, and partly by Professors and Tutors at the two Universities; and lastly, the oral evidence given by the various witnesses summoned before the Commissioners in person. Of the vast mass of information thus collected, we cannot profess to record more than a few points which have struck us as of especial interest. The volumes themselves are published, and we recommend them heartily to the reader's own attention. No one can read them without being instructed and amused, and, we must add, not unfrequently disgusted and indignant. A decent veil is thrown over some of the worst vices common at our public schools, but quite enough is revealed to tell us of the existence of evils of the first magnitude —evils so great as to make us pause, and ask whether a system which appears to foster them is not too bad to be reformed at all, and whether more harm than good has not, in too many cases, been the result of these time-honoured institutions. It was

chiefly in consequence of the complaints made against Eton that the Commission was originally instituted; and we find, accordingly, that Eton occupies the greatest space both in the "Report" and "Evidence." Its yearly income from endowments amounts to more than twenty thousand pounds. The moral state of the school is not proved to be worse than that of many others with less or no endowment; the bullying is not excessive; the fagging is not such as to constitute a real hardship: the work of the masters is very hard, extending, as it does, over about fourteen hours each day; the boys are stated to attach no value whatever to intellectual eminence, and to consider it a disgraceful thing if any one of their number attends to his lessons. We need scarcely add that the list of Eton honours at the Universities is meagre—very meagre indeed, if we except those gained by the Collegers.

Harrow, with an income of less than two thousand pounds, can show a better list of University distinctions than Eton. In fact, however, the greater part of the boys at both Eton and Harrow come from a class that does not expect to have to work for its own subsistence, and they are content accordingly to yield the prizes for intellectual distinction to schools of a lower social status; to Marlborough, or Rugby, or Cheltenham.

Winchester appears to do the work it undertakes very well indeed. Its *curriculum* is narrow, and there is no wish on the part of the authorities to enlarge it. The staff of masters, too, is somewhat slender. The Commissioners recommend its increase. The aim of Winchester seems to be rather to send up a large number of men well grounded in their work, than to aim at the special cultivation of a few at the possible expense of the many Its list of high honours is not great; but there is no complaint made that Winchester men come ill-prepared to the University.

There is a great deal of conflicting evidence as to the state of things at Westminster. Those who represent the case most favourably for the College allow that bullying prevails to a degree elsewhere unparalleled, and that the fagging is so excessive that, for example, a boy, in the first year he is in College can find no time for his school-work, but is engaged chiefly in lighting fires, or cleaning candlesticks, or running messages for his school superiors. To such an extent is this carried, that an average boy, according to the head master's statement, regularly loses ground during the year in which he is a junior.*

The state of Charterhouse appears satisfactory enough in all but the unhealthiness of its position. As Charterhouse is chiefly

* Vol. iii. p. 510, § 3473—3477. The whole of this evidence seems the most extraordinary with which the Commission have been favoured. *Sont-ce là des hommes ou des bêtes féroces?*

a boarding-school, the evil admits of a very obvious remedy, not equally applicable to St. Paul's and Merchant Taylors, which suffer in the same way, though to a less extent than Charterhouse.

The system of teaching at Merchant Taylors seems good and thorough. The boys do well at the Universities. St. Paul's has, on this point, been characterized somewhat more favourably than it deserves. It may be said in its defence that its boys come chiefly from the lower middle class, and are not trained for the Universities. It is not, however, in the lower part of the school that the evil exists.

The chief praise bestowed by the Commissioners is reserved for Rugby and Shrewsbury. Both of these schools show a good list of really high honours at the Universities. The Rugby list is absolutely the best, and far beyond any other; but Shrewsbury, it must be remembered, is a small school, with no great revenue, whose boys and masters must work hard if it is to keep its place with our larger public schools. We may add that the list of Shrewsbury distinctions, as compared with most others, is too good to stand in any need of an allowance for these disadvantages.

Rugby boys have been long known as bringing up with them to the University a more formed character than is the common result of the training at a public school. Their highest honour is for intellect, not for cricket; and they demand, too, that intellect itself shall be directed to a worthy end, before its claims upon their respect can be admitted. Rugby "moral earnestness" has been a little laughed at, but for all that, in boys and masters too, it is a very grand reality. We speak, of course, only of the best class of Rugby boys. There are bad, and indifferent, to be found; but it is not in their power to become leaders of public opinion, as they are elsewhere. Rugby men are not the most popular at College; they do not come up as well fitted for the mixed society of the little world as men from Eton or Harrow. They are a little too uncompromising; a little too obtrusively high-principled; and not unfrequently a little too conceited. They are full-grown men before they have really ceased to be boys; and they have formed their opinions and can deliver them off-hand upon most subjects under the heavens, or above them. But these are merely surface faults, not easily forgiven, indeed, while they exist, but quite certain not to last for ever. The character which they disfigure is often a very noble one, and it becomes known and recognised as such when the offensive outside has been worn away.

The spectacle of Rugby seems fairly to have carried the Commissioners off their legs with enthusiasm. Their style rises with their subject. They write no longer prose, but dithyrambs.

After telling us that "the moral and religious training of the boys at Rugby is considered by the masters as the end of a Rugby education paramount to all others:" that "the tutors aim at this in their intercourse with the pupils, and the Sixth Form are looked up to by the younger boys, though still in the character of boys, yet as the guardians of the school's good name," and that "smoking is generally condemned as affectation, drinking* as bravado;" they proceed to sum up these and many other excellencies in the following eloquent passage:

"A head master whose character for ability and zeal and practical success promise to make him conspicuous on the list of Rugby head masters; a staff of assistants who combine with skill, ability, and knowledge such a lively personal interest in the School as induces them to make habitual sacrifices for its welfare; a system of mental training which comprehends almost every subject by which the minds of boys can be enlarged and invigorated; a traditional spirit among the boys of respect and honour for intellectual work; a system of discipline which, while maintaining the noble and wholesome tradition of Public Schools, that the older and more industrious should command and govern the rest, still holds in reserve a maturer discretion to moderate excess, guide uncertainty, and also to support the legitimate exercise of power; a system of physical training which, while it distinguishes the strong, strengthens the studious and spares the weak; a religious cultivation which, although active, is not overstrained, but leaves something for solemn occasions to bring out;—such are some of the general conditions which have presented themselves to notice during our investigation. They go far also, we think, to explain that public confidence which the School has for many years possessed, and never since the days of Arnold in larger measure than at the present moment."†

The picture is a telling one, but it is the work of an artist, rather than of a Commissioner. It would have been more life-like if the colouring had been more subdued, and laid on a little less profusely. Perhaps, too, in mere artistic effect it would have lost nothing by the change.

It is obvious that the schools which we have named, about which the Commissioners were directed to inquire, are quite sufficient to enable us to get a pretty thorough insight into the system of public education established in this country for the upper and middle classes. Of course many well known public schools are not included in the list; and we might ask whether Manchester Grammar School, for example, had not, considering the number and quality of the men it sends to the Universities, at least as much right to be counted among our great national institutions as St. Paul's, which seldom sends up a decently

* Vol. i. p. 259, § 53.

† Vol. i. p. 298.

qualified man at all. Radley, Rossall, Marlborough, and other schools of the kind, were omitted, we presume, as unendowed. But with all these exceptions, and it would be easy to add many more, we have quite material enough upon which we may form a judgment of our system, and of the manner in which it works; and we have, further, information furnished us to enable us to compare it with the system pursued in schools of the same class in France and Germany. On one point, indeed, of no slight importance—the relative cost of education here and on the Continent—we are told nothing; but we are told that a boy's school bills for a year at Eton sometimes amount to two hundred and ten pounds, and that a hundred and fifty is not more than a fair average. If we were told, as we might have been, that a better education was to be had by a boarder in a French lyceum for thirty-six pounds a year, the contrast would have been at least startling; and it would not have been made less so by the enumeration we find of the many sins of commission and omission, of which the higher authorities at Eton are habitually guilty. On the comparative expense, however, of English schools among themselves we gain a good deal of very interesting information. We learn, to give the results as briefly as possible, that an oppidan's annual bills at Eton range from a hundred and fifty to two hundred and ten pounds; that at Winchester the corresponding bills range from a hundred to a maximum of a hundred and fifty, the average being about a hundred and sixteen; that at Westminster the average expenses are about the same, but the maximum a little lower; that at Charterhouse the head master considers that a hundred pounds represents fairly the average school expenses of each boarder; that at St. Paul's, a day-school only, the instruction given is wholly gratuitous; that at Merchant Taylors, a school of the same class, the charge is ten pounds a year, and that a good deal more is actually paid for extra tuition; that the average expense at Harrow ranges from a hundred and thirty-eight pounds to a hundred and fifty, with a maximum of about a hundred and eighty—an amount, however, not frequently reached; while at Rugby the range is between a hundred and a hundred and fifty, with an average of not more than about a hundred and thirty; and at Shrewsbury the average falls as low as about a hundred, and the whole necessary expenses can be defrayed for as little as ninety pounds a year.

All these schools are, of course, endowed; some of them, and Eton in particular, endowed very largely. We could wish the Commissioners had insisted more upon the necessity that these charges should be reduced. The lowest terms, where board as well as instruction is given, are such as to make it quite impossible for the greater part of the middle classes to enjoy the

advantages of a public school education; while the possibility of their reduction may be proved by the fact that at Marlborough, with little or no aid from endowment at all, as good an education is given at about half the expense—the name, and prestige, and associations of an old foundation being the only things in which a school like Marlborough can be thought deficient.

If we turn from England to France, from Eton to the Toulouse Lyceum, the difference in expense is still greater; while the quality of the education varies probably in about an inverse proportion to the expense. At the first-class Academy at Toulouse "a boarder" (we quote from Professor Arnold's report) "pays for his whole board and instruction, in the lowest division, twenty-four pounds a year; in the second division, twenty-six; in the highest division, thirty-six pounds. In the scientific class the charge is two pounds extra. The payments are made quarterly, and always in advance. Every boarder brings with him an outfit *(trousseau)*, valued at twenty pounds: the sum paid for his board and instruction covers, besides, all expenses for keeping good this outfit, and all charges for washing, medical attendance, books, and writing materials. The meals, though plain, are good, and they are set out with a propriety and a regard for appearances which, when I was a boy, graced no school-dinners that I ever saw." Add to this, that to every lyceum which receives boarders, public scholarships are attached which clear their holders from all expense for their education; and then, side by side with this scale of charges, put the bills of an oppidan at Eton, or of a college whose education ought to be wholly defrayed from the school endowments, but whose annual expenses are estimated at about fifty pounds, and really range between seventy and ninety.

This question of the cost of education would be an important one, if we looked at it merely as a matter of pounds, shillings, and pence. But it is much more, very much more than this. An expensive school is all the more likely to be a bad school—a place where habits of industry are positively discouraged—whose scholars are taken from that select portion of the upper classes which can boast, with truth, that it has never been compelled to be of any use, and whose younger members promise well to keep up the traditions of their high order. Of course, a connexion such as this is eminently respectable; we judge of the real value of a thing by what we should find ourselves compelled to pay for it; and it would be felt, no doubt, that to make Eton cheap would be to lower its social dignity. We find, however, that this kind of dignity is not to be maintained without its corresponding drawbacks—serious enough in any place, especially serious in a place which professes to give boys the highest edu-

cation possible. "Position and influence in the school," say the Commissioners, in their report on Eton, "are gained chiefly, and almost* exclusively, by excellence in the cricket-field or on the river. The character, indeed, of a boy is important to his position; but intellectual distinctions have little weight in this respect. There is nothing that makes work fashionable among the oppidans. A boy has no chance of becoming one of the leading boys of the school by work. 'If he can do anything else, if he can row or play cricket, or any other athletic game I do not think,' says a good authority, Mr. Mitchell, 'that he is thought the worse of for reading.'" It would be a waste of words to add any comment on such a statement as the above, brought forward as it is, and endorsed by the Commissioners themselves. We will say only that it would be most unfair to allow the blame to rest wholly on the school authorities. The causes of the evil are far more deeply seated; they depend, really, upon the whole condition of our English social system.

It will be better, perhaps, without going into further detail about the comparative success of our public schools as places of teaching, to enter upon a general account of the kind of knowledge which they profess to aim at giving, and of its fitness to be made, as it is, the chief and recognised means of education both at schools and at the universities; to raise the question, in short, whether and within what limits the study of Greek and Latin literature should be pursued? The matter, we must premise, is one upon which schools have hardly any choice allowed them. Their system of education is almost necessarily based upon that established at our universities. The chief aim of a schoolmaster's teaching is, that his boys may start well on their career at College; and the rewards which they succeed in winning furnish, perhaps, the fairest standard by which his success as a teacher can be measured. The classical system, however, is adapted to three orders of men, and to three only; and for these it has been found to answer admirably. In the first place, there is the very large class of men with independent means, who go up to College chiefly that they may associate with those of their own age; make acquaintances—perhaps friends—who may be useful to them in after life; take a degree, if possible; and return home to enjoy the congratulations of their friends, and the amount of credit which attaches to an Oxford or Cambridge Bachelor of Arts. Intellectual culture is a thing which, of course, they do not need. They would resent any attempt to force it upon them. They thank God, if at all, because they *are* as other men are, and are not pedants or philosophers. All that

* Vol. i. p. 91.

they have gained at College they might have gained as well by going into the army, or travelling on the continent. They have enjoyed themselves well enough, have practised, or learned, the manners of gentlemen, and have had some experience either of the wretchedness of getting into debt, or of the comfort of living within their means; and if so, they have reached the object for which they were sent to the University at all. The society in which they are henceforth to live will not be very critical in its judgment of the measure of their literary attainments.

Secondly, there are the men who are going to the Bar, and these need to have their faculties so trained and exercised as to fit them for the work which lies before them. It is much the same to them what subjects they learn, provided only they be sufficiently complex and difficult. Oxford science or Cambridge mathematics will serve about equally well for them to whet their wits upon. In their case, it is the process of acquisition that is of value, and not the thing acquired. They are well contented to forget the substance of what they have learned, and to retain only the habit and power of learning. They are aided in their work at the Universities chiefly by the eager competition which is excited by the high and valuable rewards which are offered for real success.

Thirdly, there are the men who are intended to take Orders in the Church. These form the largest class of all, and their peculiar wants are, perhaps, the most embarrassing. The standard of examination must be low, or they would, very many of them, be unable to pass at all; and, at the same time, they must be sent out into the world so trained as to be able to assume the position of superiors over those whose guides and teachers they are henceforth to be. These requirements, inconsistent as they may appear, are met by the peculiar nature of the subjects selected for their instruction. If their claim to superiority were based upon a knowledge of history, or physical science, or modern literature, they would not long be able to maintain it. But of all these things they are, as a body, confessedly ignorant. They have gone to the fountain-head; they have studied the great writers of antiquity; they do not concern themselves with shallow modern thoughts, or erroneous modern discoveries. In other words, they have acquired, after about fifteen years' study, a minimum of Greek and Latin scholarships, which might fairly represent something less than a twelvemonth's real hard work; and they live for the rest of their lives upon a reputation for knowing more than they do, about subjects of which their congregation may probably know nothing. And this reputation of theirs is, by common consent or connivance, very firmly fixed indeed. It survives their conversation; it survives even their

sermons. They continue to be "superior men." The system of instruction devised for them has been certainly an eminent success; but to attain such success, or to bestow such instruction, can scarcely be considered as within the proper business of an University.

We say nothing of the small band of scholars, to whatever profession they may nominally belong, who are not contented to confine themselves to the subjects which the University proposes as its necessary and regular course; who have a sense of what education really means, and who endeavour, apart from the stimulus of honours, to carry out their ideal, loving, above all things, truth and knowledge, and desiring, themselves, as far as may be, to attain them. We say nothing of these—not that there are none such at the Universities, but that their work of self-education is well-nigh all their own, and goes on with little either of assistance or encouragement or reward. It would be about equally unfair to ignore the fact that such men are to be found, and to select them as proper instances of the results of university education.

Now, as long as the battle as to what kind of education was desirable was waged between the advocates of an existing system, which proposed to train and develope the intellectual faculties, and the advocates of a merely professional teaching, which was chiefly to aim at imparting such knowledge as could be turned to immediate account in after life, the victory of the former was comparatively easy. It was felt that there was a real danger of narrowing a man's mental range within the limits necessary for his profession, and that his success, even in that, would be imperfect, if his powers had been cultivated only as far as their cultivation might be expected to prove immediately remunerative. Great names, it is true, were to be found on both sides of the question, and great ability was displayed in the support of either position; but the victory, by common consent, was adjudged to the defenders of the existing method, and the system, as a whole, was allowed to remain unaltered. The course of time, however, has wrought some changes since the days of Edgeworth and Sydney Smith, of Davison and Coplestone. It is true, indeed, that classical studies have kept their old pre-eminence. Our practice as a nation seems still to rest upon a belief that it is through them only that the highest education is possible; but the number of dissentients is daily growing larger and more respectable, and other studies, too, are beginning to raise their heads, not indeed, as yet, to an equality with classics, but so as to be recognised as at least useful adjuncts, and, in their way, even necessary. This is about the state of things which is now established at our Universities, and the Commissioners content them-

selves with recommending that corresponding changes should be introduced into our public schools. Classics are not to be the only things taught. Modern languages, physical science, and music or drawing, are to take a place with mathematics, as auxiliary studies; but classics are to occupy as much time or more than all the rest together, and it is on them that the chief reliance is to be based for a sound and thorough education. The following table will show the relative importance which the Commissioners attach to the respective studies, if we may judge from the number of hours which they would wish to be devoted to each of them :—

"It is essential," they say, "that every part of the regular course of study should have assigned to it a due proportion of the whole time given to study—a proportion to be measured by its requirements, and by its relative importance.

"The following scheme for the distribution of the school or class lessons in a week is suggested as furnishing a comparative scale :—

I.	Classics, with History or Divinity	11
II.	Arithmetic and Mathematics	3
III.	French or German	2
IV.	Natural Science	2
V.	Music and Drawing	2
		20

"It is here assumed that the school lessons take about an hour each, and that they will be such as to demand for preparation in the case of classics ten additional hours, and in those of modern languages and natural science respectively, at least two additional hours in the course of the week; and that composition will demand about five hours."*

They recommend further that substantial marks should be given for non-classical subjects, and that proficiency in them should affect a boy's place in the school. By these means, and by special prizes, they hope to counteract the tendency of a principal study to encroach upon, and unduly depress the others, to monopolize the energies of the masters, and draw to itself the whole respect and attention of the boys.

We gladly welcome the proposed changes as constituting a very great advance upon the system at present followed. At all the nine schools, indeed, which came under the Commissioners' notice, the old *curriculum* has been so far varied, that attention is already paid to other subjects than Greek and Latin; but the plan followed is far from uniform, and physical science in particular, is almost totally neglected. If the above scale of hours were made (as, in the absence of a better, it ought to be) compulsory, the non-classical subjects would occupy a sounder and firmer position than they can be thought to do at present; the

* Vol. i. p. 34. § 9.

subjects themselves would be felt to be worth learning, and their teachers (an almost essential matter) would be more likely to command the boys' respect. But we should be glad to put the classical system, even so modified, a little upon the defensive, and to ask why so much time should still be devoted to classics, to the necessary exclusion, *pro tanto*, of other subjects, which might well appear to possess a higher interest in the present, and to need a very strong case to be made against them as the proper means of education?

The point is one upon which the Commissioners speak decidedly. They are of opinion "that the classical languages and literature should continue to hold,* as they now do, the principal place in school education." One of the chief merits of the public schools has been, they tell us, that in spite of many defects in their working, they have at least kept alive and cherished a taste for such literature. They have done little else, it is true, and have not even done well the little they have attempted; but their boys, ignorant indeed of all that the world around them knows and values most highly, have been flogged through their Greek and Latin grammars, have been forced to commit to memory a vast number of Greek and Latin verses, and have been trained to a certain kind of perfection in a certain kind of doggerel Greek and Latin composition, mannered in a style which English ears have been taught to consider good, but which would be as little appreciated by the rest of Europe, as it would have been by the nations themselves whose literature is thus parodied.

But the possession even of this amount of skill and knowledge is far from following as a matter of course, even from a long public school education. The majority who leave school could not be termed scholars, even by courtesy; while a large number whose work is afterwards tested at the Universities, and of course a still larger number who never appear at the Universities at all, have contrived to pass from form to form in a state of chaotic ignorance of classical and of all other learning—an ignorance disgraceful alike to the boy and to his master.

"If a youth," we read, "after four or five years spent at school, quits it at nineteen, unable to construe an easy bit of Latin or Greek without the help of a dictionary, or to write Latin grammatically, almost ignorant of geography and of the history of his own country, unacquainted with any modern language but his own, and hardly competent to write English correctly, to do a simple sum, or to stumble through an easy proposition of Euclid, a total stranger to the laws which govern the physical world, and to its structure, with an eye and hand unpractised in drawing, and without knowing a note of music,

* Vol. i. p. 30.

with an uncultivated mind and no taste for reading or observation, his intellectual education must certainly be accounted a failure, though there may be no fault to find with his principles, character, or manners. We by no means intend to represent this as a type of the ordinary product of English public-school education; but speaking both from the evidence we have received, and from opportunities of observation open to all, we must say that it is a type much more common than it ought to be,—and that the proportion of failures is, therefore, unduly large."*

But this sort of thing, it may be urged, is the fault, not of the system itself, but of the manner in which it has been worked, and of the subjects submitted to its operation. Neglect on the master's part, aided by stupidity on the part of the pupil, might produce such a result, perhaps singly, certainly combined, under any system of education, however perfect in theory, and however capable, if properly applied, of fulfilling its intended functions. A classical training should be judged by its best, not by its worst products—by its successes, not by its failures, though the latter may be far too common to be passed over as exceptional. There is truth, no doubt, in this. We will observe only that if it were desired to make the number of such failures as large as possible, it might best be done by selecting a study at once the most unattractive to the pupil, and the least likely, for anything he can see, to be of the slightest use to him, and that experience has shown that these conditions are fulfilled by Greek and Latin; and will pass on to consider the kind of objects which the advocates of a classical system propose in education, and how far classics are necessary for their attainment. On this subject we find the following opinions expressed in the Commissioners' General Report. After stating that they believe it to be desirable there should be some one principal branch of study to which the largest share of time and attention should be given, and that the study of the classical languages and literature does at present occupy this position in all the great English schools, they go on to speak of the special fitness of this study, to which they consider that the foremost place has, not without reason, been assigned.

"Grammar is the logic of common speech, and there are few educated men who are not sensible of the advantages they gained as boys from the steady practice of composition and translation, and from their introduction to etymology. The study of literature is the study, not indeed of the physical but of the intellectual and moral world we live in, and of the thoughts, lives, and characters of those men whose writings or whose memories succeeding generations have thought it worth while to preserve.

* Vol. i. p. 31.

"We are equally convinced that the best materials available to Englishmen for these studies are furnished by the languages and literature of Greece and Rome. From the regular structure of these languages, from their logical accuracy of expression, from the comparative ease with which their etymology is traced and reduced to general laws, from their severe canons of taste and style, from the very fact that they are 'dead,' and have been handed down to us directly from the period of their highest perfection, comparatively untouched by the inevitable process of degeneration and decay, they are, beyond all doubt, the finest and most serviceable models we have for the study of language. As literature they supply the most graceful and some of the noblest poetry, the finest eloquence, the deepest philosophy, the wisest historical writing; and these excellencies are such as to be appreciated keenly, though inadequately, by young minds, and to leave, as in fact they do, a lasting impression. Beside this, it is at least a reasonable opinion that this literature has had a powerful effect in moulding and animating the statesmanship and political life of England. Nor is it to be forgotten that the whole civilization of modern Europe is really built upon the foundations laid two thousand years ago by two highly civilized nations on the shores of the Mediterranean; that their languages supply the key to our modern tongues; their poetry, history, philosophy, and law, to the poetry and history, the philosophy and jurisprudence, of modern times; that this key can seldom be acquired except in youth, and that the possession of it, as daily experience proves, and as those who have it not will most readily acknowledge, is very far from being merely a literary advantage."*

In addition to this, there may be collected from the volumes before us a vast mass of evidence tending in the same direction, and given with the authority of great names, and of men engaged in the practical work of education. There is, indeed, a general consensus of opinion, not in favour of the exclusive study of classics, but in favour of their being recognised as the principal study in our schools and our Universities; and expression has been given, not without reason, to the great practical difficulties in the way of any fundamental change in the *curriculum* hitherto established. Far be it from us to decry the study of the classics, or to ignore the difficulties felt by those who have the best right to speak on such a subject. It may be that the change, if it is to be made at all, can only be made gradually, and that the Commissioners have done all that they could in insisting upon the study of other subjects, subordinate indeed to classics, but still to be followed as a necessary part of the recognised school course. It would be an immense gain, no doubt, if even this were done; it would be difficult to over-rate

* Vol. i. p. 28. The whole subject is discussed at some length in this and the following pages.

its vast importance; but we will venture, still, to put forward some considerations which induce us to believe that such a change cannot be final, and it would be in the interest of the highest education if other subjects were put in the place of classics as a principal study.

In the first place the amount of time given up to classics, even in the scheme proposed by the Commissioners, is out of all proportion to the amount of knowledge of them which it is desirable that boys should acquire, or likely that they will acquire. It is easy to teach them up to a certain point, and very difficult to go beyond that point. More time and more labour do not produce anything like proportional results. Now, if one-half, or rather more, of a boy's working hours, from nine to nineteen, is to be devoted to classics, that time can only be filled up, in the majority of cases, by spreading the work, intentionally, over a longer time than necessary, and taking ten years to do what might be done very well in two. Composition in the dead languages may especially be regarded as a mere waste of time. The kind of excellence which is attainable in it can have only a fancy value. Like good china, it is curious in its place, but of no great use; while, for the vast majority of our young classical poets, the real parallel for their verses is not china at all, but some bad imitation of it, to be palmed off, if possible, upon the unwary. If composition, however, were wholly cut out of the *curriculum*, and boys were allowed to begin their classics at a later age than they do now, and after a proper training, which they do not now receive, in English, and French or German, they might acquire in two years, or, in cases of exceptional stupidity, in three, as much knowledge of Greek and Latin as they ever do now after ten or twelve years' study. The experience of Professors in the London "Ladies Colleges" may be adduced in our support. Young ladies who leave school at sixteen or seventeen, after an education proverbially defective in method and thoroughness, but who have practised something of English composition and have picked up some sort of knowledge of modern languages, do, if they are properly taught, learn Latin fairly in about the time we have stated as the *maximum* necessary for boys of ordinary capacity; and this though they pursue it by no means as a principal study, but only as sharing their attention with a variety of other subjects. Is it too much to suppose that boys could do the same, giving, as they would, more hours to Latin, and putting Greek in the place of some one or more of the other subjects which necessarily occupy a lady's time and attention? Those who could not had better resign mental cultivation to the other sex, and sacrifice to the graces instead with music and dancing, and ornamental needlework.

The question of the teaching of the classics as a means of education seems, too, to be hardly fairly raised, if Greek and Latin are always spoken of together, as they are in fact by the use of the word "classics" at all. It appears to be thought that the reasons in favour of each of these are just the same; and that, if one is abandoned, the other must fall with it. Now, this is far from being true. We do not believe that, under any changes, however sweeping, the study of Latin can be discontinued; at least, if education, and not merely professional training, is the object aimed at. Modern law and modern history cannot be learnt thoroughly without a good knowledge of Latin. There may be no good reason why Latin composition should be practised; there is abundance of reason why a boy should be taught to read a Latin author with facility. For the Middle Ages in particular, most of the original documents are inaccessible to any but the Latin scholar. Latin, too, is the key to many modern languages in a sense in which Greek is not, just as Roman jurisprudence and Roman history are the key to our own law and our own history, and to that of continental nations even more than to our own. The more closely modern history is studied, the more it will be seen that it is closely linked to Roman history; that feudal Europe grew necessarily from the state of things established during the empire; that the ecclesiastical system of the Middle Ages, its peculiar dogmas, and the more valuable part of its moral teaching, were in great part already developed before the close of the Western Empire, and partly, too, originated from Roman modes of thought, and from the circumstances of a situation which was of essentially Roman origin. There are different reasons—good reasons, perhaps—for the study of Greek, but it should never be forgotten that they are different. There is a perfection in the Greek language, and a divine perfection in Greek literature, which we do not find in Latin. Greek thought and Greek philosophy have been the immediate parents of modern thought and modern philosophy. Greek civilization was, most properly, an æsthetic and an intellectual civilization. It would be scarcely possible to set too high a value on the works which it has left us—scarcely possible to feel too keen a regret for what we have lost. But we are separated by so wide a gulf from the social and political system of ancient Greece, that it can never be worth our while to study them in the same sense in which it is worth our while to study those of Rome. The thread of Greek history was too completely broken by the Macedonian and Roman conquests. Greek thought survived, but it was long before it was incorporated with modern thought. Greek art survived; but it admitted of no such incorporation. But Greek thought may be appreciated, imper-

fectly indeed, but perhaps sufficiently, without a knowledge of the Greek language; and in place of the perfect models of Greek art, we may employ in education the equally perfect models of mediæval and modern art. Homer and Pindar may be exchanged for Dante and Milton. We may learn to follow in the footsteps of Aristotle, though we have never read Aristotle. It will not be without loss that we shall cease to study Greek. The type of a civilization so distant and different from our own, has a peculiar value, as well as a peculiar charm, through that very distance and difference. The real question for us is whether we shall not attain more valuable results in education by devoting the same time and energy to other and more pressing subjects. There can be no danger that Greek will ever be neglected. Some will continue to study it, and will find their reward in doing so, but we venture to doubt whether, in a scheme of education for the present century, it should continue to be forced on all. We admit fully the necessity of Latin, but we do not think that an equal case can be made out for the necessity of Greek.

We need not say much on the study of physical science. Its absolute necessity as a part of education is fully recognised by the Commissioners, as indeed it is now by most sensible men. The only strong opinion which we find expressed against it is in the evidence of the head master of Winchester. The subject was forced upon the authorities of Winchester by the late Oxford Commissioners; the College undertook, with evident reluctance, to engage, from time to time, the best lecturers of the day, in the various branches of physical science, to come to Winchester and give the scholars successive courses of lectures, and has tried its best, since, to do as little as possible in the way of fulfilling its engagement. In fact only ten lectures were given in the course of a year, and these not regularly; and even when they were given, the attendance at them was not compulsory. The head master of Winchester, Dr. Moberly, when he was questioned by the Public Schools Commissioner as to the use which he conceived might be made of physical science as a part of the school *curriculum*, and its value as a discipline of the mind, just allowed that the entire subject was one which a gentleman would be the better for knowing, but added that "compared with other things, a scientific fact, either as conveyed by a lecturer or as reproduced in examination, is a fact which produces nothing in a boy's mind. It is simply a barren fact, which he remembers or does not remember for a time, and which, after a few years, becomes confused with other facts, and is forgotten. It leads to nothing; it does not germinate; it is a perfectly unfruitful fact." A good deal more of the same kind follows this bit of evidence. Even "what you call 'principles'"

fall under a similar condemnation, and physical science is dismissed altogether as a subject not devoid of some interest for a man in his idler hours, but quite undeserving serious attention, unless, indeed, it has to be studied professionally.*

Now if any proof were required of the imperative need there is to force this subject upon our school authorities, and of the kind of difficulties which will inevitably be opposed to its admission, it might be found in the fact that a gentleman of some mental culture, earnest in the cause of what he deems education, and who has fulfilled, not unworthily, for about twenty-nine years, the kind of duties which a head master of Winchester is expected to fulfil, can be found to give expression to such views as the above on the subject of the physical sciences; in the fact that he can ignore all that those sciences have done already, and promise to do, in dispelling illusions and supplying forms of thought, even to those who most steadily resist their influence, and can think it of more importance that his boys should learn by heart seven thousand lines or so of the classics each half-year, than that they should be made familiar with the results of modern thought, and be trained to think as the world around them is learning to think, about subjects divine and human. He might answer, it is true, that it is no duty of his to dispel illusions, but to encourage them, and that modes of thought which seem to foreshadow the speedy coming of Antichrist are things which the youthful mind had far better be untrained in. But, in truth, he does not ask even this excuse for his neglect. His complaint of science is, not that it does harm to the mind, but that it does nothing; not that it teaches boys to think erroneously, but that it does not really teach them to think at all. He would view a chemical experiment with the same kind of interest as a conjuring trick of the Wizard of the North, and be well contented to limit his acquaintance with physiology to the "scientific facts" of Wombwell's Menagerie or the eloquence of Barnum's showman. If more than this were needed in the way of subjects of which "no highly-educated gentleman should be entirely ignorant," it might be found in the true story of the whale by which Jonah was swallowed, or of the ass that could talk Hebrew. His evidence deserves attention, because we are too apt to forget that there are such men living still among us, and it is well to know the kind of opposition in high quarters which every movement of reform will have to count upon.

We must add, however, that a portion of the blame must be allowed to rest on scientific men themselves. They are too apt to regard the one science they profess as complete in itself, and

* Vol. iii. pp. 344, 345.

to ignore its relations and its place in a rational system of the sciences. Chemists, for example, press forward into ground which belongs really to the biologist; and biologists, in their turn, attempt to explain facts which admit of no explanation until history is called in to aid. The most ardent advocates of the cause of physical science are too often compelled to allow and to lament that it has fallen into the hands of men incompetent to teach it to any good purpose—of men who are as much inferior to classical scholars in mental power, as they are superior to them in the accident of their subject. This is one among the many practical difficulties in the way of change which it is useless to ignore, or to regard as other than very serious. We shall be compelled to return to it, and to state the only kind of remedy of which it seems to us to admit, when we consider more at length the various obstacles which we must be prepared to meet in an attempt to introduce a new system of education into our great public schools.

Perhaps the strongest arguments in favour of the classical system have been that it introduces us to a great period of history which we might pass over without due attention, if we were not taught Greek and Latin. It has no doubt been of immense value in this way. It is a fact of no little significance that the Middle Ages closed with the Renaissance, the causes that brought it into being having already sapped and overthrown Catholicism. At a time when a doctrine, absolute in its claims, and yet merely provisional, was taught and accepted as absolute and final over the whole of Western Europe, at a time when it appeared to furnish a sufficient clue to human life and man's past history, and seemed adequate to guide and superintend the course of his whole future development, its influence was shaken, and the high position it had asserted for itself was doubted and finally disallowed, through the combined operation indeed of a great variety of causes, but not least because Western Europe had been brought face to face with two great worlds to which Catholicism was unknown, each with its own independent history and independent civilization—the Mahometan world of the present, and the old world of classical antiquity. Greek philosophy, as expounded by Aquinas, had been, it is true, the humble servant of Catholicism, but in the hands of Averroes and Avicenna it became its strongest and most deadly foe. The Church of the Middle Ages had played its rôle, and had passed away already, before Luther appeared on the stage, to revive, among the least educated people of Europe, a portion of a doctrine which was elsewhere wholly discredited. The causes of the overthrow of Catholicism may be found in the Renaissance far more truly than in the Reformation.

Now it is obvious that for that time, and for the centuries

which immediately followed, the history of the Middle Ages could furnish no proper object for study. There were many ready to do battle in favour of Catholicism; there were many to do battle against it; there were many, too, to whom Catholicism and its fanatical assailants were alike objects of indifference or of disgust; but the time had not arrived when men could judge calmly of the real service which Catholicism had rendered in the past, and could do it full justice without being in the least likely to believe any of its doctrines. The time had not arrived then, but we believe that it has arrived now; we believe that, although we can never neglect the history of the older world, yet for us there is a teaching of greater value in the history of the Middle Ages. It may become to us what the histories of Greece and Rome have been to our forefathers—a history so closely linked to our own that we may learn from it best our own relations to the past and to one another, and yet so removed from us by the lapse of time and the change of circumstances, that we shall be in danger of no delusion as to the kind of guidance that it is really adequate to supply. We believe, in a word, that the history of those ages, and of the links which connect them with the present, has a claim upon our principal attention which is superior to any other; and that all history, whether classical or not, taught in our schools, should be subservient to this, and should be used chiefly to assist in its better and more complete elucidation.

We should find, too, in this kind of study, a deficiency supplied which has been long complained of in an education chiefly classical. The advocates of such a system are often eloquent in its praises as affording the best means for the development of the intellectual faculties and for the acquisition of literary power, as though such a development and such an acquisition were the highest object that any education could attain. We do not believe that even for these it is the best means possible, but, even if it were so, it leaves unattempted the higher object of qualifying a man for citizenship in a state which is itself an integral part of the commonwealth of Western Europe. The knowledge upon which the sense of such a citizenship depends, the feelings which should accompany it, the habitual frame of mind which it implies, must be acquired and trained in youth, or the sense itself will suffer for the omission, as in the vast majority of cases it does suffer, if indeed it is ever subsequently developed. The events of Greek, and even of Roman history, need something to connect them with our own before we can learn from them the lessons which they really contain. They are too distant from us, too wholly different; as they are ordinarily taught, they might be, for all we feel to the contrary, the record of the fortunes of another race, situated in another planet. It would not be easy

to find a graver charge against our present system of education than is implied in the acknowledged fact, that it leaves the judgment untrained on the highest social and political questions, and does not fit a man, but rather unfits him, to feel his position and to discharge his duty as an Englishman and an European.

We should say, then, in reply to the reasons which the Commissioners have urged for making classics the principal subject of study in our public schools, that although the study of language and literature is of the highest importance as supplementing the deficiencies of a merely scientific training, it need by no means be concluded that Greece and Rome must furnish us with the best and most useful models for either one or the other. In the vast majority of cases a boy's education is over as soon as he has left school, and though it is true that he may never make himself acquainted with Greek and Latin if he has not learned them earlier, yet the deficiency will be more serious if he has learned them, and has learned little else, and forgets, as he soon will do, even them, when his attention is fully occupied with the calls of his profession or his business. A principal "subject," too, should not be determined on by a somewhat arbitrary selection of one subject from among many, and by afterwards making up for its defects as an educational instrument by tacking on to it three or four other subjects, to be pursued quite independently. Such a plan as this could have no other effect than to hinder a boy's mind from ever attaining a conception of the unity of all knowledge. The boy's attention would be distracted by the multitude of unconnected details thus forced upon him, and the man who had grown up under such a system would be likely to go on to the end of his life, furnished perhaps with a good amount of multifarious information, but having never, in the highest sense of the word, learned anything, and with little enough prospect of ever doing so now. For a principal subject to have any right to its place, it must be shown in its behalf that it can form a real centre about which can be arranged all else that will have to be taught beside it, and while this claim has never even been asserted in favour of Greek and Latin, it will be admitted without hesitation in favour of history, to which Greek and Latin themselves may hold a fair rank as subordinates. We have already stated our reasons why early modern history should at present be preferred to any other, but its study might be supplemented, without any loss of unity, by Greek and Roman history on the one hand, and by later modern history on the other. Language, and literature in all its forms, might be pursued to any extent as a part strictly of the same plan, and so might the physical sciences, and they would gain and not lose in importance by being treated thus historically.

Every good result that could follow from the study of many isolated subjects, would follow from the study of one subject around which the others could be grouped as accessories, and there would be the further advantage, of quite incalculable value, that the mind of the learner would be trained as soon as possible to stand above and not below the mass of information which it would receive, and would acquire the habit of viewing everything in strict relation to the one subject of highest human interest—the progress of the human race. And it would be likely, too, that such a principle of unity would retain a firm hold upon the mind that had once admitted it, for it would address itself to the affections not less than to the judgment, and might exert, therefore, a continued influence, even when the professed work of education was supposed to be finished and over. The man would continue ever better to appreciate the lessons which the boy had learned, and would be furnished with rational forms for thought and rational objects for feeling. He would have gained, from his early training, all the advantage which the knowledge of many things can offer, and more than all the power which the present system proposes as its single aim. It would not of course be every mind that could reap the full benefit of such a method; there would be a more and a less in the results attained by it, but all might learn something which they would value. Special knowledge would be as well gained as ever by those who were unable to master the simplest philosophical views, while the pariahs of the intellectual world could do their "anything else," as they do now at Eton; they could "row, or play cricket or any other athletic game," with no worse interruptions than they are exposed to from Latin and Greek.

But we should not conceal from ourselves that there are difficulties in the way of any change in our educational system which appear at present almost insuperable. It is better to face them fairly. The fact that such difficulties exist need not alter our views as to what is desirable; it may make us aware that something far less is alone possible. The classical system has the advantage of possession, supported by a long and almost undisputed title. Some hours it has been compelled to surrender for the pursuit of other subjects, but its supremacy is still unshaken. Classics, taught as they are taught in our public schools, are the recognised means by which the faculties are to be trained and disciplined. They are almost the first thing which the boy learns at school; they are almost the only thing which the man learns at College.*

* These and other similar remarks apply more necessarily to the Oxford than to the Cambridge system. At Cambridge, mathematics have been long recognised as a subject for which the highest honours are given, and by which fellowships and other prizes of the kind are to be reached. But it is pretty

There is a well-established standard for them, by which knowledge can be fairly measured and ignorance infallibly detected and exposed. The system of instruction is, at least in theory, pretty well complete. The student knows what to read, and what to avoid, and how to set about his work, with a certainty of the best possible result. There is nothing actually ready to step in and take the place which classics occupy. There is no trained body of teachers, fit for their work, in sufficient numbers to undertake it. The regular prizes for success are almost monopolized by classics, and there is a tradition and a strong prejudice in their favour, powerful alike with boys and masters. A thorough change would be certain, for a time, to work at best indifferently; it would fail in just the very points in which the classical system most eminently succeeds. And lastly, there is a vast body of men who have a kind of vested right to live by teaching, and who can teach nothing but classics.

These difficulties are real and formidable; they stand in the way of change, and must be overcome if any change is to be successful. There is one power alone which can supply the stimulus necessary to overcome them—the power of public opinion. If this were on the side of real reform, the way to effect it would very soon be found. But public opinion, in its present state, is by no means opposed to the present system. It is not strongly in favour of it; there is a sort of lazy acquiescence in the traditions of our great public schools that is spread pretty widely through the English middle classes. They wish their boys to be taught classics; they do not know why, except that such is the recognised education of gentlemen, and such the education necessary for success at the University. In the present state, therefore, of the public mind, it is useless to hope that the course of change will be rapid. We shall be well contented if some small part of the Commissioners' recommendations is forced upon our schools by Parliament. There will certainly be a decent show of doing something. The state of things revealed in the evidence before us as to the practical working of the schools is too flagrant an abuse to be passed over. The middle classes will not wish their sons to be trained at Eton in habits of time-honoured idleness, or to have the intervals of bullying filled up by menial services at

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generally recognised that the Cambridge course is more narrow than the Oxford, and far more unphilosophical in its aim and its results. The dread of being compelled to adopt so poor a substitute is one among many reasons why men still cling to classics. Even at Cambridge, however, a large number of honour men, and all the passmen, devote their chief attention to classics in their most meagre and most useless form, with little or no reference to the history and philosophy which may be joined with them. So much it is necessary to state, to prevent the possible misapprehension that, while pointing out defects in Oxford, we have any thought of proposing Cambridge as a model.

Westminster. It is likely, too, that a more efficient use will be found for endowments which have been chiefly employed in keeping a useless or mischievous body of men in the enjoyment of unearned luxuries. It is vain to conjecture about the possible action of Parliament in the coming session. The tone adopted by the press, and by our public men, does not lead us to hope for much. The upper classes are indifferent about education ; they do not feel it, at present, as a real and pressing danger. The classical system is at least safe and harmless. If a real attempt is made to substitute for classics a sounder and better system, they will be indifferent no longer, but will take their place, of course, as its natural and most bitter enemies.

Art. II.—Novels with a Purpose.

1. *The Ordeal of Richard Feverel.* By George Meredith. Chapman and Hall.
2. *Emilia in England.* By George Meredith. Chapman and Hall.
3. *Lost and Saved.* By the Hon. Mrs. Norton. Hurst and Blackett.
4. *Recommended to Mercy.* Saunders, Otley, and Co.

THE novelist ought to be the happiest of all authors. He enjoys the most perfect freedom known to literature. Any ray of genius, any special faculty whatever which he may happen to possess, is at full liberty to develope itself in the direction which best suits it. The novelist almost alone among his brethren of letters may "walk his own wild way whither that leads him." He is allowed an almost complete immunity from the trammels, and prescriptions, and pedantries of criticism. No one thinks of ordaining for him that he must tread in one particular path and no other; that he must beat round and round for ever in one prescribed circle. For him there is no dignity of history. For him there are no dramatic unities. For him there are no laws of rhythm, no dactyles and spondees, no Alexandrine and *ottava rima*, or Spenserian or English heroic. There are no codes of critical laws to ordain that a romancist must follow this or that pattern, must not deal with this or that topic, must only introduce this character or situation on these given conditions. There are no contending schools of romance-critics ; there is no mutual persecution among romancists ; there

is no wrangling of classic and romantic known among the free races who write novels. Innumerable are the poets who have been blighted because of Virgil; the dramatists who had to waste all their life's energies trying to dance in the Sophoclean fetters, or to jump in the Terentian sack; the historians cursed to everlasting stupidity and oblivion, because critical custom prescribed that they must write in a dead language which was the living tongue of Sallust and Tacitus. Corneille might have moved the whole world and all generations if he had not been condemned to observe some supposed adherence to imaginary laws of Greek tragedy. The imbecile pedantry of the rules of epical poetry finally killed the epic poem altogether, and now the age of the epic seems almost as extinct an era as that of the mastodon. Dante was only saved by a happy venture of reckless audacity from becoming a petrifaction in the Latin tongue; and there was a point in the career of Molière when he seemed likely to fall a victim to the memory of Plautus. Indeed in poetry and the drama, and we might perhaps even add in history, hardly any man has ever become great except by braving in the first instance the literary dangers and penalties of rebellion. The motto of Danton was almost always the watchword of him who desired for his epic, his tragedy, or his history a better fate than the critical approval of to-day, and the contempt or neglect of all succeeding generations.

All this the novelist escaped. Le Sage was not condemned *in limine* and out of hand because the first volume of "Gil Blas" failed to follow in the track of Cervantes. No one insisted that "Tom Jones" ought to have talked in the style of the "Grand Cyrus," or for ever held his peace. The existence of "Tom Jones" did not necessitate sentence of death upon "Waverley;" nor did "Waverley" interfere with "Oliver Twist," nor "Oliver Twist" darken the rising prospects of "Pendennis." If a man or woman attempt to be a novelist and fail, the blame cannot be laid to the account of pedantic critical legislation. Perhaps this happy freedom was greatly owing in the first instance to the fact that criticism deliberately ignored the novelist altogether, and regarded him as a creature outside the pale of art, no more responsible to rule and law of critical courts than Richardson's show is expected to conform to the dramatic unities. It is only of recent days that critics have begun seriously to occupy themselves in the consideration of prose fiction. It forced itself on them by its popularity and its influence. When it became utterly impossible to ignore it any longer, when criticism must either condescend to recognise the new and growing power or submit to abdicate its own special functions altogether, then only did it acknowledge the novelist as a man having

a distinct and important place in literature. It was then, however, too late to set about laying down laws, and forming schools, and prescribing this and proscribing that, and attempting all the freaks of pedantic power in which criticism delighted to indulge from the days of Zoilus to those of Rymer, and from the age of Rymer to the age of Schlegel. In our more liberal generation, we seem to have got rid almost entirely of the canonical laws and ecclesiastical courts of literature. Our poets do as they like, and so long as they do it well remain unwhipt of justice. Our dramatists, if we had any, might develope their genius with the freedom even of eccentricity, and no critic would venture to hint of unities neglected or Elizabethan models ignored. We have all come at last to recognise the great truth, which if perceived earlier would have saved authorship much suffering and criticism much blundering—the truth that genius, like the strong man and the waterfall of Goethe's axiom, makes its own channel. The novelist, therefore, now obtains that leave and licence by right of matured public opinion which he formerly obtained only by virtue of his outlawed social position. He was always free, but at one time his was only the freedom of Bohemia and the *demi-monde*—a liberty to do as he liked, because society regarded him as beneath its dignified notice, and outside the pale of its virtuous laws. He may now write for a purpose or for no purpose, he may be a politician, a satirist, or a mere teller of stories; he may be a realist or an idealist; he may be mirthful or melancholy; may find his subjects anywhere, and conduct his readers whither he will; he is sure to be criticized and judged on the ground which he has spontaneously assumed. He will be valued for what he is, and not simply condemned because he is not something else. He will be estimated for what he has done and for his manner of doing it, and is not likely to hear a word of complaint urged because he has not done something which he never professed or desired to accomplish.

One result of all this is that the novelist's art is by far the most fresh, vigorous, and flourishing of all the literary professions of the day. We have, or we had until within a few months, two great, supreme novelists; two men who would have been justly accounted great at any period or in any country; than whom, indeed, no age ever produced a contemporaneous pair more distinguished in their art. But besides these, the present generation of English literature reckons many novelists and romancists who are entitled to high and honourable distinction in the field of letters. Mr. Disraeli's political novels still remain, in their own peculiar range, unequalled, and we venture to think not to be surpassed. Mr. Trollope has brought easy realism in the painting of a certain section or two of English life to a degree of perfection

such as nobody, not even Thackeray himself, had attained before. As a novelist and a man of genius he is indeed not to be compared with the author of "Vanity Fair," but within the narrow range which he prescribes for himself, he has realized something which assuredly no English novelist had done before. Charlotte Brontë was a woman endowed with a power which, in any literary age, would fairly have been regarded as extraordinary, and a longer life might have enabled her to reconcile that power with an equal degree of artistic refinement and matured self-command. The career of the authoress of "Adam Bede" and "Romola" is yet, we trust, only in its opening, and no other woman ever contributed to English fiction with anything like the same promise of capacity to attain a supreme place. We could mention many others endowed with remarkable gifts, even if we were to leave out of our consideration that much-admired and much-abused class—that class whom nearly all critics condemn, and nearly all readers now run after—the Sensation Novelists. But there is something to be said in defence of that most popular section of our romancists too. In the first place they are an inevitable reaction against the realism of far greater authors; and in the next place, with all their grievous sins against art and taste, and perhaps even in one sense against morals, they are, on the whole, much superior to the sensation novelists whose tales lifted the hair and curdled the blood of a preceding generation. Even Miss Braddon's poisonings, and stranglings, and conflagrations, and plunges into wells, are but modest and inoffensive incidents when compared with some of the sensational events wherewith Maturin was wont to delight his horrified readers. Considering the facility with which novels are written, published, and read in our day, considering that a certain public is to be found for anything which issues in three volumes and calls itself a romance, it is really much to the credit of the age, and testifies highly to the progress of public education, that so many books of this class are produced which deserve to be read, and that so small a number, comparatively, are worthy only of utter contempt or positive condemnation.

The novelist is now our most influential writer. If he be a man of genius his power over the community he addresses is far beyond that of any other author. Macaulay's influence over the average English mind was narrow compared with that of Dickens; even Carlyle's was not on the whole so great as that of Thackeray. The readers of "The Idylls of the King" were but a limited number when compared with the readers of "Jane Eyre;" nor could Mr. Browning's finest poem pretend to attract as many admirers, even among people of taste and education, as were suddenly won by "Adam Bede." Yet our English novelists are not by any means the most cosmopolitan in the public they

address. No British authors are read in France as George Sand, and Victor Hugo, and Sue; and Dumas have been read in England. It may be doubted whether any contemporary English work of fiction was read so extensively even in England as "The Mysteries of Paris," or "The Wandering Jew," or the "Count of Monte Christo." All this shows how decisively the current of public feeling at present sets in favour of prose fiction. The influence of the novelist is beginning, too, to be publicly acknowledged of late more frankly than was once the fashion. For a long time his power over society, except as a mere teller of stories and provider of easy pastime, was ignored or disputed. It was, indeed, something like the power of women in politics; an influence almost all-pervading, almost irresistible, but silent, secret, and not to be openly acknowledged. Anybody in politics who suddenly throws down the screen is sure to find Lady Teazle behind it. But it is generally thought better not to throw the screen down, and not to acknowledge that we hear the rustle of the petticoat. So it used to be with regard to the novelist. We all felt his influence, but were rather ashamed to acknowledge it. Only of late years have cabinet ministers ventured to quote from popular stories, and princes paid tribute to the genius of departed novelists.

Can this influence be turned to any direct and deliberate account? Is it given to the novelist to accomplish any definite social object, to solve, or even help towards the solution of any vexed social question? Is his mission, to use the conventional phrase, merely that which Lessing assigned to art—to delight? We are not undervaluing that mission. Taken in Lessing's sense it involves all that art needs to attempt or to accomplish. It contains a distinct social purpose; having an independent, important, elevated influence; an essential part of education, civilization, and progress. We do not ask therefore in any depreciating tone, but merely as a question interesting and appropriate, whether this is all the novelist can do? Can he without detriment to his artistic faculty set himself to solve some difficult social question, or to preach down some evil social influence? Is there any real use in producing that class of books which our readers can easily and distinctly identify if we call them, for lack of a better generic title, Novels with a Purpose? The temptation to use the novel as a political or social pamphlet, satire or sermon, is so irresistible that earnest and clever, as well as flippant and shallow men and women, are continually making efforts, more or less unsuccessful, towards this end. There is always the chance that some successful hand may yet reconcile imagination with social philosophy, and so produce a work which shall be great as a story, and likewise great as a sermon, or a social science essay,

or a political pamphlet, or a tract. The books which we have named at the head of this article are grouped together for our present object, because they are all of the class which we venture to call Novels with a Purpose. In each case the author seems to have written, not because he or she felt inspired to tell a story, but because certain meditations, or convictions, or doubts, on some subject connected with human society, seemed to find convenient and emphatic expression through the medium of a work of fiction. In each of these books the philosophical critic of humanity, the social reformer, or the social accuser, stands behind the story-teller and inspires and guides his utterance. In some instances the author has a direct and distinct purpose to accomplish; in others he only expresses, vaguely perhaps, the general result of his meditations upon human life as seen in modern society. But in all alike the story is not the end, but only the means; and this is the general characteristic which distinguishes the class of books we now desire to notice.

Mr. George Meredith is a novelist of the philosophic school. He is one of the boldest and the ablest of his class in our day. No man we know of has more resolutely gone into literature with a total disregard of popularity. His "Shaving of Shagpat" produced something like a sensation, but he has not sought after sensations of any kind. Men without a tithe of his intellect have found a far wider celebrity. He is, indeed, but little known to the novel-reading public in general, and the announcement that a new novel has issued from his hands does not, we suspect, create any particular excitement among Mr. Mudie's ordinary subscribers. The public for whom one of Miss Braddon's novels must appear in a second edition the very day after its first publication, and for whom a third edition follows the second before the week is well out, is not likely to be fascinated much by a philosophical author with whom thought is everything and incident nothing. Mr. Meredith's novels are not bought at a railway station to beguile a journey, or carried in the hand down to the seaside to while away the tedium of a semi-fashionable autumnal holiday. They are not amusing. A man or woman must be really in earnest to care much about them at all; and the grand requisite of the popular novel of our day undoubtedly is that it shall require no thought or trouble of any kind. But those who read steadily through Meredith's books will find themselves well rewarded for their pains, if they have brains and culture enough in themselves to appreciate brains and culture in their author. Perhaps not a large proportion of the novel-reading public have now any distinct recollection of "The Ordeal of Richard Feverel." It was published in 1859, and we doubt not that the tramp of the Napoleonic legions an the cannon of

Solferino and Magenta somewhat disturbed and deafened at that time the ears of the reading community; and, indeed, we hardly know whether the English world has since had time to settle down into the temper which a philosophical novel requires. "The Ordeal of Richard Feverel" is a novel of the thoughtful, deep, half-cynical, wholly earnest kind which has so often striven, perhaps not with signal success, to arrest the attention of a public only craving for easy entertainment. It is somewhat in the style of Sterne; a good deal more in the style of one who, acknowledging himself a follower of Sterne, had a warmer heart, a purer soul, and a richer, quainter fancy than the British sentimentalist, we mean Jean Paul Richter. Mr. Meredith is often strikingly like Richter in style, with, almost as a matter of necessity, a considerable dash of the Carlylese phraseology. Here and there, indeed, something of unmistakeable and pure Carlyle flashes in. Life, as seen in certain worldly and cynical eyes, is for instance described as "a Supreme Ironic procession with Laughter of Gods in the background," and many such sentences occur here and there which read as if they were fairly plucked out of "Sartor Resartus" or "The French Revolution." But the general character of the book is that of a sort of British Richter—Richter adapted to the ordinary course of English life, describing British schoolboys and aristocrats, and ladies of fashion, and ladies only too much in fashion, and country farmers, and Pimlico lodging-house keepers, and used-up, worthless men about town. There is nothing of imitation about all this, nor is any particular passage to be easily pointed out which seems to have been too palpably tinged with the "Titan" and "Hesperus" dyes. But the mind of the author appears to be, within its range, quite akin to that of Richter, and the affinities of fancy and feeling have no doubt been strengthened by close and loving study. "The Ordeal of Richard Feverel" is full of passages which are rich in quaint poetic beauty; full of keen, pungent, epigrammatic sayings; of sharp, shrewd reflections, revealing much insight into the realities of human nature; of the warm glow of an ardent, manly heart, and of a tender, graceful, genial blending of love and pity. Uutterly unlike in its plan and its personages, the book somehow reminds one frequently of Richter's "Flegeljahre;" only that with George Meredith the ways and weaknesses and virtues of the two brothers seem fused into the one form of Richard Feverel. It is essentially a book with a purpose. Richard Feverel is the only son of a man of high rank and noble nature, who, disappointed in his domestic life, and left alone with his child, turns philosopher, and resolves to bring up the boy upon a grand, supreme system, which shall defy all the temptations and dangers of the world, the flesh, and the devil. It is to be a moral and physical education combined,

and all the resources of science and wealth (love appears to have been hardly considered in the matter) are to be exhausted to produce this perfect *homunculus*, this human wonder-flower. Of course the system fails, not extravagantly, or grotesquely, or farcically, or more, indeed, than any other system for the nurture of any other *homunculus* must almost of necessity fail. The *homunculus* cannot be kept in the glass bottle. Richard Feverel turns out on the whole a truthful and honourable man, but he is not much nearer to absolute truth and honour than most of the rest of us, and his life is neither happy nor perfect. He marries merely for love and not at all for science, and he is not much more true, it must be avowed, to the one guide than to the other. He whom high moral principle was to have ruled supremely, is little better than the mere slave of impulse. All the good christening gifts which the fairy Science gave are more or less counteracted in their operation by the one malign spell cast by the fairy Passion whom the wise parent would fain not have bidden to the ceremony at all. This is in a few words a sort of bald argument or bare outline of a brilliant, fanciful, and withal, earnest and thoughtful book. It is not a very pleasant book. The mere quaintnesses and fantastic eccentricities of the style, although modest and sober when compared with those in which Richter revels, are quite enough to warn the commonplace novel reader at the very beginning that these paths are rather thorny and tangled for his easy lounging walk. But apart from merely superficial objections, the story, with all its beauty, tenderness, and boldness, leaves a melancholy, and what is perhaps worse, an unsatisfactory impression behind it. People in general do not now, we think, read Rousseau's "Emile;" but those who are familiar with that masterpiece of a dead philosophy will probably agree with us as to the profoundly unsatisfactory and disheartening impression which its catastrophe leaves on the mind. Was it for this, the reader is inclined to ask, that science and love did their utmost to make one path smooth, one human existence bright, and noble, and happy? Was Emile from his birth upward trained to the suppression of every selfish thought, to the scorn of all ignoble purpose, to an absolute devotion for truth, courage, purity, and benevolence, only that he might be deceived in his dearest affections, and that the crowning act of his existence might be an abnegation of self which we can scarcely even regard with admiration? The author had a right to shape his moral and deal with his creations as he would, yet we feel pained and shocked that he should have deemed it right to act thus harshly towards the beloved offspring of his system. Something of this surprise and disappointment fills the mind when we have reached the close of Richard Feverel's ordeal,

and find that he has left his brightest hopes and dearest affections dead and buried behind him. The book closes with a sharp snap or crash; we feel as if something were suddenly wrenched away with pain and surprise; a darkness falls down upon the mind. Artistically we cannot help regarding this as a defect, although of course it is strictly in keeping with a recognition of the possibilities and even the daily chances of life; but the course of the story does not lead us to expect anything of the kind, while its whole construction does lead us to expect a harmonious and dramatic conclusion. If Lady Castlewood in "Esmond" were to die suddenly of an unexpected fever; if Romola were to be killed off, like the wicked personage in one of Massinger's plays, by a flash of lightning, no one could say that either of these catastrophes was out of the common range of human probabilities. But a work of fiction, whether novel or drama, requires harmony, coherence, or sequence; and, although talent can assert its power over us in defiance of this law, yet it assuredly forfeits some of its legitimate influence when it fails to acknowledge it. We cannot at all see why poor little Lucy, Richard Feverel's gentle, innocent, loving wife, should be sacrificed in order that the ordeal of her husband should be made the more severe. In human nature, is such an ordeal really purifying and strengthening? Is heavy, unexpected, and, it must be added, really unmerited calamity calculated to make the sufferer brave, and strong, and faithful? Truly we doubt it. And we doubt still more whether the ardent, impulsive, fitful sort of being Mr. Meredith has painted as his hero, would become any the better for having so fantastic and remorseless a penalty attached by fate to his father's system and his own single transgression. A novelist is free to write a book with a purpose if he likes, but having done so, he must submit to be judged according to the nature of his purpose and the clearness with which he has developed it. In this respect we read "Richard Feverel" fascinated, we lay it down dissatisfied. What of the sowing of wild oats, whereof the novelist has so much to say, of which he has so many remarks that are fanciful and humorous, and so many that are sound and shrewd? Are they to be sown or not, these wild oats? Richard Feverel does not sow his in time, but he scatters just one little handful rather late in season, and it produces such a ghastly and Cadmean crop, that all the early flowers and fruits of his life are choked and blighted. We do not feel that we are brought any nearer by the experience of Richard Feverel to the solution of that great social question about the sowing of the human wild oats. The author approaches it boldly enough, and sometimes alludes to it in words which may perhaps have caused startled hands occasionally to cover very modest eyes. But even those who, like ourselves, think the business of art as

well as the business of life, sometimes requires a little putting away of formulas and suppression of scruples, do not find that we derive much more of distinct and wholesome counsel from Richard Feverel, than we might have had from the most decorous and maidenly of the John Halifax school. Roderick Random is one type of young man. We acknowledge him truthful, plain, and vigorous enough, but he cannot do much to help us on with the work of human improvement; for while he frankly acknowledges all his errors, he clearly does not think that there was the slightest need to avoid them, or desire that his sons, in their spring-time, should be any wiser than their sire. John Halifax is another type of young man—such a type as one may find among the saints whom young ladies of High Church tendencies are fond of painting and of contemplating. But ordinary life benefits little from the example of John Halifax. It is of no use bidding us poor creatures of clay to be like the illuminated saints, with dovelike eyes always looking piety, and gentle hands folded in perpetual devotion. That is the clever young lady's type of what masculine humanity ought to be; and a very admirable type it would be, well deserving of strenuous imitation, if men could by any process be so re-moulded as to have the souls and impulses of good young women instead of their own more rugged and passionate natures. Then there is the Arthur Pendennis type—picture the most elaborate, faithful, perfect known to our day, inspired by the very light of genius itself, the whole soul, spirit, and character of the English young man of Victoria's reign put into the form of a novelist's hero. But Pendennis's author declined to approach the wild oats question; frankly acknowledged in so many words, that he had duly considered the matter, and preferred to omit it altogether, believing that the age had grown too picked to bear an honest argument of it, and refusing to set it out in any plain and plausible way for the use of boarding-schools and genteel society. The world, it seems to us, lost something thereby. No man of our time could have touched this pregnant question so delicately, yet so effectively, as Thackeray could; for, with a perception of man's ordinary nature which nothing could elude, he had at once a gentle, pitying sense of human weakness, and a high and noble standard of human duty. Richard Feverel does attempt frankly and boldly to approach the wild oats question; but having borne the risk and odium of approaching it, he suddenly shrinks back from it again, and, on the whole, we do not feel that we have learned much more than Miss Muloch could have taught us—that all men, and all women too, ought to be perfect, if they could only contrive to reach that blest condition. This much may be said in disparagement of the book, regarding it as a novel with a purpose; but as a mere novel

of character, it would not be easy to speak too highly of the talents which it indicates. Some of the men drawn by Mr. Meredith are sketched with a hand so light, and yet so firm, that a sense of their reality impresses itself imperceptibly, and yet indelibly, on the mind. The women, perhaps, are less happy, and the author often sacrifices to that odd freak of modern taste which requires perfect ignorance as well as innocence in womanhood. He gives, for example, a heroine, so ineffably unconscious of the world's ways, that in the absence of her husband she spends her evenings *tête à tête*, and in the twilight, with a renowned London profligate of fashion, and never once suspects that he devotes himself to her society with any other motive than a disinterested desire to improve her knowledge of history. Indeed Mr. Meredith's women are, on the whole, much open to the objection so commonly urged in disparagement of Thackeray's female characters—they are pretty, loving, innocent, and silly; or they are clever, selfish, and bad. They know nothing at all; have, in fact, a perfectly Eden-like and Fayaway kind of innocence, difficult, we should think, to be retained up to years of discretion in this modern world of ours; or they know rather too much, and are a good deal too fond of hinting at their knowledge. Their innocence rather too much reminds one of the *fausse Agnes* style of thing, and leaves the suspicious mind in a sort of doubt whether it is dealing with hypocritical affectation or with downright idiotcy.

Mr. Meredith's habit is to seize one or two central figures, and to lavish upon the development of their natures the fulness of his artistic power; all other forms and objects are merely thrown in as accessories, as furniture, as a mere background. Carelessness, haste, frequen tvagueness, sudden bursts of caricature, are naturally the common phenomena of this artistic condition. In the novel which has issued from his pen within the last few weeks, that which we may call the psychical interest is even more engrossingly developed than in "Richard Feverel." "Emilia in London" is the unfolding of one human nature, the examination of one human heart. It is not an amusing, we can hardly even call it an agreeable story. There is something melancholy and occasionally harsh about its prevailing tone. Though it closes hopefully, its general effect is rather disheartening. Yet "Emilia in London" is in its general structure perhaps an improvement on "Richard Feverel." It is more of a novel and less of a philosophic essay. The style has fewer eccentricities in it, and there are indeed scarcely any of the fits and starts which disturb the reader of "Richard Feverel." Its supreme merit consists in the fact that it has added to fiction one thoroughly original and perfectly natural human character. The

story is simple in its outline. A girl, the daughter of an Italian living in London, is blessed with a wonderful voice and a passionate love for music. Italy and music are the organic passions of her existence; but there grows up over these a new and still more consuming passion. She falls in love with a young cavalry-officer, —a man not without brains and not without heart, but still much below her in truthfulness and depth of nature. He is divided between her and the world; and at last she sees that the heart she seeks is not in him, and she has strength to put him away. Emilia is stricken down, but not wholly crushed. She has received a fearful wound, but not a mortal blow. She suffers cruelly, but she survives. This is in few words the argument of the story. Emilia's own character is the life and the beauty of it. She is genius without culture; goodness without rule; love without worldly restraint. Her passion for music, for Italy, and for Wilfrid, is blended with consummate skill. We remember no character in modern literature that so faithfully pictures the nature which is filled with a genius for music. Not even Consuelo, in George Sand's novel, is so perfect an impersonation. The musical and the poetic are not represented in life by the same sort of human nature; but in books there is hardly any distinction ever drawn. The novelist commonly acts as if there were but one kind of artist nature, and as if the sole difference between painter, poet, and musician were contained in the different modes wherein the genius of each expresses itself. In life every one must be to some degree conscious how entirely unreal is this assumption. The most gifted musician often disappoints in intellectual companionship all but musicians. Intellect, and strangely enough the more poetic phase of intellect, seems often wanting in the singer whose whole soul is filled with music. Mr. Meredith has expressed his sense of this peculiarity in the admirably drawn character of Emilia. In everything, save that which regards song alone, her intellectual nature is commonplace and prosaic. Passion lifts her to heights which are in themselves essentially poetic and dramatic; and a pure, truthful simplicity keeps her always above the vulgarities of existence. That which would vulgarize others is dignified by her; but still she has nothing whatever in her honest childlike heart which reminds one of the Sappho or the Corinna; or even of the stage singer whom ordinary romancists have sometimes painted. There is nothing ideal about her, and she walks the earth with the tread of a mere woman. After the somewhat too theatrically arranged incident which introduces her to the reader, we never again quit the beaten highway of modern prosaic life. In her moments of exaltation and her deep sufferings, her artist's passion, and her fervent woman's love, this singular, simple child of genius is

affined by nature to the plainest and least romantic creature who ever cooked a husband's dinner. If there seems anything strange and fantastic in the character of Emilia, it is only because simple reality seems so often strange and fantastic when boldly introduced to supplant some long-established conventionality of fiction.

Emilia is not by any means the only original and yet faithful character in this remarkable book. Mr. Pericles, the Greek millionaire, with his passion for music, and for the discovery of prima donnas, his cold selfish heart, his coarse nature, and his thin varnish of French polish, is drawn with a bold and masterly hand. We do not remember anything like Mr. Pericles in a novel before; but we have seen him and heard him talk in real life many times. Mr. Pole, the British merchant, and the three Miss Poles, are realities; and Mr. Merthyr Powys is a manly, gallant being, whom England's sympathies with Italian struggles have made real in many forms for our generation. Perhaps beyond these few figures all becomes hazy; although there are some well-painted scenes occasionally even where these are not. But the art which sets a whole group of people before us full of individual life, to be remembered separately and distinctly always, has not yet been attained by the author of these volumes. Even where the three Miss Poles are concerned, it takes a long time before the reader has the idiosyncrasies of each firmly fixed in his mind; and he often finds himself turning back to the first chapter to ascertain which of the three he has just been meeting, as people reading a play have to refer to the *dramatis personæ*, to refresh their memories about the identities of Diego and Pedro and Lorenzo and the rest. The title of the book and the manner of its conclusion alike lead us to expect that we are yet to hear more of the career of Emilia. We have read only of her life in England; and may look with interest and hope for further tidings of her—for she is the one only personage in the book who inspires the reader with a genuine interest. Herein lies one heavy defect; such a defect, indeed, that if Mr. Meredith deserves censure for having permitted it to exist, he may claim admiration for having in any manner succeeded in surmounting it. Except for Merthyr Powys, who is but slightly sketched, there is no creature, man or woman, in the book (after the heroine, of course) capable of filling the mind, even for a moment, with interest or affection. It is not that the people are more selfish, more full of defects, than any ordinary group of people taken from life at random, but they do not interest us as the most commonplace beings in Thackeray's or even in Trollope's pages always do. If they have marked peculiarities, we do not seem to care to observe them. If they have no marked peculiarities, we allow them to glide away

from our memory altogether, without the slightest effort to retain them. Affection for any of them seems out of the question, even where one feels convinced that people having such and such qualities in real life could scarcely fail to win our affection. Even Sir Purcel Barrett, the disinherited owner of an empty title, fails to awaken anything like real interest; although his melancholy, morbid condition of mind, in the gloomy haunted border-land between sanity and madness, is analysed with much skill. His sudden and tragic end is but a mere surprise and shock. It produces bewilderment, but hardly any other sensation. In truth, most of Mr. Meredith's secondary characters are not realities: they are walking types, embodied aphorisms; conceits, or fancies, or crotchets of the author put into human shape, as the magician turns a broomstick or a distaff into the semblance of a human creature, and draped, according to the author's whim, in pantaloons or petticoats. Their conversation is often unintelligible; a mere interchange of verbal subtleties and quiddities. The author seems indeed to have deliberately chosen in some instances to render his meaning, and the meaning of what his personages do and say, an absolute mystery. The result is that he rarely reaches, still more rarely commands, the feelings of the reader, although he almost always engages the intellect. Only where he has to deal with Emilia herself does he abandon himself to the mere impulses of his artistic genius. That he can put aside the critic at all, may well give us hope for his greater success hereafter. Aphorisms, however epigrammatic and brilliant, reflections upon life, however quaint, fanciful, and truthful, can at best be but the ornaments of a work of fiction. The character of Emilia is to us the first completely satisfactory evidence that Mr. Meredith really has in him the essential qualities of a great novelist. This alone makes his latest work a sign of progress since the days of "Richard Feverel."

What then, on the whole, is the fair judgment to be passed on the works of Mr. Meredith? They reveal to us, undoubtedly, the operations of a mind endowed with great and genuine power; of a quick, sensitive, feeling nature; of a rich and sometimes a prodigal fancy; of an intellect highly cultured, and matured by much observation. Still the books are hardly to be called successful in themselves. They exhibit a combination of faculties entirely above the ordinary range, they are distinguished by a freedom from the commonplace rare indeed in our days; and they have the power to set the reader thinking more often and more deeply than even the productions of greater intellects can always do. But the intellectual man predominates in them; and therefore they are not great works of fiction. The fusing heat of emotion which melts the substances of a novel into one harmo-

nious and fluent whole is wanting. The glow of absolute genius is never felt. The moment of projection never arrives; the several substances never combine into the golden mass; they remain cold, solid, and individual to the last. The reader is never carried away by the story; he never loses sight of the narrator; he never for a moment feels as if he were moving among the people of the novel, sharing their trials and their joys. Mr. Meredith falls into the common error of intellectual men who go about to construct a story upon purely intellectual principles. It is not enough to draw men and women with vigorous and lifelike touches. Mr. Meredith has done this in many instances with entire success. Emilia is a character wholly new to literature, and painted with consummate skill. Adrian, the Wise Youth of "Richard Feverel," is such a picture as Bulwer in his brightest days might have been proud to own. It is not enough to have a keen observance of the shades of human feeling; it is not enough to write eloquently, epigrammatically, and pathetically; to have a racy faculty of humour; even to have deep feeling and the capacity to express it in words and scenes. All these faculties, or most of them, are essential to the entire success of a novelist. But besides all these, there is something else needed. These are the ingredients; but there must likewise be the capacity to combine and fuse them into one harmonious whole. There must be in fact the story-teller's essential faculty—the capacity to tell a story. Whatever the gifts a man lavishes over his work, the first thing we must demand of him, if he is to be a novelist, is the power of holding firmly the attention and interest of his readers. Whether he writes for a purpose or without it, this faculty is equally essential. It may not be the highest quality, but it is the most indispensable. Whatever poetic inspiration a man may have, it is obvious that if he have no ear for rhythm or music he cannot be a poet. So of the novelist, he must be a story-teller first of all. Now Mr. Meredith has not as yet developed in himself the faculty of the story-teller. It is quite possible that he may yet prove it to be among his gifts, but his novels thus far do not sufficiently display it. Men of faculties far inferior to him have this gift to a degree incomparably higher. Some men have it, and having scarcely anything else, take a high place and exercise a wide influence by virtue of that faculty alone. The best story-teller our age has seen is a man to whom the phrase "inspired idiot" would seem very fairly to apply—we mean the inexhaustible author of "The Count of Monte Christo." In our own literature Mr. Wilkie Collins is undoubtedly an admirable story-teller. He is not to be compared for a moment with Mr. Meredith in intellect, and fancy, and true perception of human feeling; but he is a good story-teller, and his books are read everywhere, while

Mr. Meredith's novels only extort the half-reluctant admiration of some rare groups of intellectual readers. No doubt one reason is that Mr. Meredith always seems to write with a purpose. He is always apparently meditating on some phase of human life, some tendency of human nature, some melancholy confusion or misdirection of human effort; and his whole soul is not in the work itself, but in something behind it, and of which it only faintly shadows out the reality and the meaning. He is too much of a thinking man: he needs the spirit which abandons itself wholly to the work, becomes lost in it, and has for the time no *arrière pensée*, indeed no individual existence apart from it. The critical faculty is too strong in him, and therefore, even when he begins to grow earnest, he forthwith sets about to analyse this very earnestness, and it naturally vanishes in the effort. "I have never thought about thinking," says Goethe. Mr. Meredith seems almost always to think about thinking. He is like one who, half waking in the morning out of some vivid and fascinating dream, endeavours, instead of allowing the beautiful images still to float perceptible but unquestioned across his sensations, to seize them distinctly, to master their meaning, to individualize their outlines, and then finds them fading away, to be followed only by cold, grey reality. If one will be a dreamer, let him abandon himself to his dreams. In the land of fiction, feeling and fancy must guide; intellect must be content to follow. Mr. Meredith does not want the feeling or the fancy, he only gives them the wrong place in his combinations. He must endeavour to keep the critic and the philosopher a little more in the background, and let the poet or the story-teller take the leading part. It was Virgil and not Aristotle who conducted Dante to the places where he saw the marvellous sights, and found the materials for the wonderful story. Mr. Meredith has much of a poet's nature, and only needs the courage to trust it more fully. Among his poetic qualities is one peculiarly rare in our day; so rare, indeed, that most of our writers seem to have lost it altogether—that which appreciates and idealizes as woman's highest charm, her womanhood. He can therefore describe the growth of young and passionate love as few in our day can or will do. The lover of our English romance to-day is a creature without sex. The hero adores the heroine because of her virtues, or her gifts, or her modesty, or her truth, or her physical beauty; but the element of her womanhood is almost entirely eliminated from his sensations. Either humanity is supposed to have lost the sentiment, or it is ashamed of it. The late Nathaniel Hawthorne was one of the very few authors of our day who endeavoured to restore the love of woman to its old, poetic, human, sensuous, yet unselfish nature. Mr. Meredith has striven in the same direction, and the very effort in itself proves a mind

which is capable of perceiving and expressing some of the realities which are most truly poetic, and of rendering to them their reality and their idealism at once. Some of the early love-scenes in "Richard Feverel" are themselves sufficient to justify the most serious regret that one endowed with so much of the poet's sympathies and the romancist's vivid power, should too often be induced to sink the story-teller in the critic, the poet in the social philosopher.

In passing from "Emilia in England" and her predecessor to the other novels which we have cited, we change our ground as completely as though we had overleaped a century of literature. Against these latter, at least, no charge of indistinctness can be urged. They have their purpose written clearly on them like a motto, and they hold to it perseveringly. The greatest social difficulty in the England of to-day is not that which is created by the relations between wealth and poverty. These, however painful, still are hardly any longer perplexed. They seem at least to be brought as directly in the way towards a gradual adjustment as human enlightenment and benevolence can place them for the present. The object cannot be attained by any rapid process; but we seem to be in the right way for a gradual approach towards it. A much more complicated difficulty is found in the relations between man and woman. If we are to believe the teachings and the revelations of newspapers, sermons, pamphlets, speeches, and stories, the social life of England to-day shows scarcely any improvement in this direction. The principal difference between ourselves and our ancestors is, that they took society as they found it, and never troubled themselves on the subject; while we are self-conscious and perplexed. We see the difficulties and dangers, but we do not see the way out of them. The institution of marriage might almost seem to be, as was said, on a remarkable occasion, of constitutional government, just now upon its trial. What English people used to think Madame George Sand very wicked years ago for saying, newspapers, and books, and even sermons, not uncommonly say now. It is discovered that throughout English social life immorality is a much more general institution than successful and satisfactory marriage. Leading newspapers have admitted grave and earnest argument to prove that the mistress is a far cheaper, more convenient, and agreeable companion than the wife. Fashionable young ladies in London are reputed to make no secret that they dress and get themselves generally up after the pattern of certain more successful sisters, whom once it was accounted a vice to know. Anonyma's portrait hangs in almost every photographer's window. Anonyma's biography is bought by thousands, and elaborately reviewed in fashionable weekly journals. Anonyma

is to a certain extent the pet of the age, and is openly pleaded for by many practical moralists as a present necessity to the convenience and harmony of the world. But as no one has the courage to say that he thinks Anonyma is in herself a desirable institution, and as even her warmest admirers only profess to stand up for her as a temporary arrangement, a passing convenience, a sort of living bridge over which humanity is to cross from absolute vice into final and roseate virtue, it is but natural that we should all incline much to the consideration how the transit may be most rapidly and easily effected, and how Anonyma may be most promptly got rid of, and having served her ignoble but convenient purpose, may be pushed from her place and allowed to drop once for all into the depths of the gulf which lies between the two conditions.

Now to this theme, or at least to some topic bearing on and connected with it, some novelists who write with a purpose to-day are boldly addressing themselves. We readily admit its great importance, and quite as readily acknowledge the utter folly of ignoring it. That sense of propriety which is satisfied by simply pretending that we do not see and hear things which no human precaution can shut out from our eyes and ears, is worthy of nothing but contempt. The innocence which is ignorance becomes impossible after a certain age, and if it were not impossible it would be merely despicable. When Mrs. Norton published her "Lost and Saved" she was criticized rather sharply because of the peculiar nature of her subject. She was reminded by one reviewer that such reading was not good for the young. Her defence of herself was, we think, unassailable. It might, indeed, have been summed up in a sentence. The book was not intended to be read by the young. Its peculiar nature was to be sought for in the fact that it was not meant to be reading for the young. It was meant to teach something which cannot be taught by "Goody Two Shoes." It was designed to expose certain social dangers which are not described in the "Seven Champions of Christendom." To condemn such a book out of hand because it was not pretty reading for school-girls, is like condemning Mill's "Political Economy" because it cannot be converted into nursery rhymes. This much is fairly to be said for the principle of Mrs. Norton's novel. Strangely enough, however, the authoress was assailed for her purpose, which deserved all praise; and generally praised for the manner in which she accomplished the purpose, wherein she seems to us to have merited but very doubtful panegyric. We admit that "Lost and Saved" is a decidedly clever book; we were about to add "for a woman," but when we remember what some women have done in our day, we feel that the qualification would be entirely out of place. It is full of vivacious writing; it has two

or three characters admirably drawn; it is enriched with the most varied illustrations and experiences drawn from social life, and it has some passages which occasionally rise almost to the simple dignity of the pathetic. But although clever, it has scarcely any originality; it exhibits a common-place cleverness from beginning to end. There is no real thought in it, but only a clever imitation of thought. It differs from any ordinary young lady's story only inasmuch as the authoress has had a real and lengthened experience of the fashionable life she describes, and has the talent to turn her knowledge to effective and showy account. But the story is the old, old story over again. A beautiful young girl is ensnared by a handsome, selfish young aristocrat: she is deceived by a pretended marriage, and finally abandoned with her child. Then she suffers all the neglect, misconstruction, and harshness of a cold and cruel world, and is reduced to terrible exigencies—selling her drawings, and offering herself as a model, and the like; until at last the time comes for bringing the tale to a genial close, and she is saved by the love of a charming Italian nobleman, who marries her, and makes her wealthy and happy. There is a great deal of fashionable selfishness touched off vigorously enough in the novel; and there are some smiling, delightful, and very wicked ladies of Belgravia; and there is a tolerably vigorous use of strong poison here and there, when an inconvenient personage has to be killed-off. But while all these incidents are certainly so skilfully put together as to make an entertaining and sometimes even a brilliant story, one cannot help wondering here and there what new light on life the authoress supposed herself to be shedding, what original and valuable moral lesson she believed herself to be expounding? For there is scarcely a page of the book which does not indicate to us that the writer feels conscious of a high purpose. What is it? That it is wrong to seduce young women by means of a pretended marriage all the world, including even the criminals themselves, will readily admit. That the man who so deceives poor Beatrice in the novel was justly punished when he swallowed a dose of poison intended for somebody else and expired in agonies, we for ourselves are quite ready to concede. That fashionable ladies do sometimes deceive their husbands, correspond with their lovers through cyphers in the *Times*, and make assignations through the medium of "that political pretence, the Ladies' Gallery in the House of Commons;" all this is possible enough. And all this—as a mere illustration of certain lives, and characters, and ways—may be read with interest. But the book is evidently designed to expound some moral, and we fail to understand what the moral is. The authoress is sometimes very hard upon that impersonal scapegoat of individual wrong-doing—Society. She seems to think

that society treated Beatrice Brooke very cruelly, and that society somehow was responsible for the greater part of her misfortunes. Now, we have long been of opinion that romance has rather overdone the complaints against society. At least, it seems futile to pour out sentimental complaints, if no one will or can help society to mend its ways, or even suggest how an approach towards amendment may be essayed. Was society to be blamed because it declined to receive into its house, as governess for its children or companion for its wife, a young unmarried lady with a baby? For we fear the complaint against society in "Lost and Saved" narrows itself to this somewhat practical and homely issue. Or was society much to blame because it hesitated to believe the marvellous story about the marriage which was not a marriage after all? As a mere matter of fact, society was right in this case, and Beatrice Brooke was wrong: for society refused to believe her married, and the event proved that she was not married. A stern attorney declines to give Miss Brooke a "character" that she may become a governess or companion, and the authoress seems to think this was very cruel of the attorney; but was it not a simple act of honesty and truth? Supposing even that the attorney did not himself condemn Beatrice, would he have had any right to give her a character which omitted all notice of her "misfortune"? True, the attorney's own wife was not a spotless personage, and besides a little taste for intrigue had a taste for poisoning as well; but the attorney was not aware of these proclivities: and even if he had been, he was not about to send his wife out as governess or companion. True, several fashionable ladies in the book are far worse than Beatrice, who, poor girl! is indeed innocent of all but amazing simplicity; but society does not and cannot stop to scrutinize everybody's private life. If it finds a palpable offender in its way, it pronounces condemnation, harshly and hastily, no doubt, in too many cases; but we do not see how the justice or injustice of the particular sentence is affected by the fact that there may be other offenders just as bad, whom society has not taken the trouble to find out. The authoress of "Lost and Saved" does not take up George Sand's early views of life, and argue boldly that love is all—marriage and proprieties nothing. Right or wrong, that view of the question would be intelligible. Society and its code might justly be assailed from this stand-point. Society does at present deliberately, theoretically, and practically regard the one error of a too loving and perhaps unselfish woman as a crime infinitely greater than a whole life passed in selfishness and meanness, in the seeking of petty, ignoble objects, in the ignoring of all the better aims of human existence, in a condition which is but legalized prostitution. An author who chooses boldly to assail

society on that ground has a fair, distinct, and noble cause of quarrel. All that can be said against his pleadings is that in the present condition of English social ethics, he merely wastes his time and calls aloud to solitude. But the authoress of "Lost and Saved" by no means accepts that issue. Her complaint against society seems to be that society believed a young woman guilty of sin who really was not guilty; while society did not discover or overlooked the errors of some who were genuine sinners. We confess that we think there is a good deal to be said for society in this quarrel, and that what is fairly to be urged against it is hardly worth the saying. Nor do we think very highly of the value of that moral tendency which runs through so many modern books, and which would almost entirely relieve of responsibility the tangible individual, in order to shift the burden to the impalpable shoulders of the abstraction, Society. It is quite open to question whether much more evil than good is not done by the stern and implacable sentence with which society visits certain offences in women. It can hardly ensure any really good purpose to create a pariah class from which there is to be no redemption. Of course, the evil effect is much aggravated if the sentence is necessarily uncertain and capricious; if the scarlet letter be affixed to the bosom of the poor victim of an error, while half a dozen dexterous and callous offenders escape unbranded. But while the punishment may be far too severe, we yet would not diminish the individual responsibility. We would not teach women that they are mere puppets of man's passion, soulless creatures for whom, as for children, an absence of all individual responsibility may be claimed. It is a great pity that novelists in general delight to make their heroines such hopeless idiots, and demand for them only the kind of reverence which the Oriental acknowledges towards idiotcy. The author of a recent novel entitled "Recommended to Mercy" has had the courage to strike out something of a new path. This book (for which an apologetic preface pleads that it is a "not wholly imaginary, but somewhat hastily written tale") has the sense not to lay upon society's shoulders any of the original sin of his heroine's fall. The Helen of this novel frankly despises marriage, and is, like Dryden's Antony, all for love. She braves society, lives with the man she loves, is abandoned by him, and redeems her error of principle or judgment by a life devoted to active and unwearying benevolence. The book does not possess any sustained merit. It opens with a thrilling scene which at first leads the reader to believe that he has met with a new intellect of fresh and uncommon power; but the little burst of inspiration soon collapses and is gone, and the story degenerates into an ordinary tale of complicated mystery and extravagant sensation. Its general purport, however, seems to be a healthful insistance that

a life shall be judged in its whole, and not by this or that chapter cut out and printed in letters of gold, or burned by the hands of the common hangman. It introduces us to a good many scenes whereon propriety must look astounded and shocked, and where the life of the *demi-monde*, naked and not ashamed, confronts us at almost every turn. Artistically there is not much to be said for the book. It has chiefly commended itself to our notice because here at least is one woman for whose fall beneath society's surface of smooth propriety none of the conventional excuses of romance is pityingly urged. The heroine sees and understands her risk, accepts it, suffers for her venture, and pays the penalty with a brave heart. The error was committed by herself, and her fate is redeemed by herself. We own to a much greater sympathy with this description of heroine, than with the forlorn creatures of the ordinary British novel, who are always crying "I didn't mean to do it" when the evil is done, and for whose individual errors the pitying author makes society a whipping-boy. If any real good can come of treating such social questions through the medium of fiction, the good, it seems to us, must be attained rather by endeavouring to increase than to lessen the sense of individual responsibility. The best justification for the adoption of such topics as the groundwork of novels destined for general reading assuredly is that women may perhaps be thus redeemed from the possibility of remaining in that imbecile and ignorant condition which the romancist commonly regards as innocence, and which woman is so generally encouraged to cherish as her special virtue, even by those who are so earnest in describing it as the principal cause of her ruin.

Are, then, such topics suited for fiction? Are novels with a purpose likely ever to prove successful works of art? "That," the critic may fairly say to the author, in the words of Hamlet, "you must teach me." It is yet for some man or woman of great genius to solve the problem. Experience thus far is discouraging. The novels which we have just glanced over do not warrant us in saying that the question is yet any nearer to a satisfactory solution than it was in the last generation of romance. No doubt efforts will always be made, and rightly, towards this end. Any real success thus obtained ought to be a triumph well worthy of a life's struggle. Yet nothing can be more certain than the fact that the greatest novelists have not made any such effort, or having made it, had to confess themselves defeated. We do not recollect even one great novel with a purpose. Cervantes certainly did not produce "Don Quixote" in order to smile Spain's chivalry away. Le Sage had no great moral object in view while developing the life and character of "Gil Blas." Fielding wrote with no deliberate purpose, and "Tom Jones" is immortal. Smollett had

no grand social reform in his mind when he plunged into the adventures of "Peregrine Pickle"; and the world will always read of Peregrine, and Trunnion, and Pipes. Richardson, on the other hand, had a great moral purpose, and where is poor Pamela now, and who cares about her queer virtue—her "anatomical chastity," as Heine would have called it—which found such an appropriate coronal in the hardly-won marriage-ring? "Robinson Crusoe" is not a book with a moral purpose; neither is "The Vicar of Wakefield." Scott is a splendid story-teller, but his novels are not tracts. The didactic portions of "Wilhelm Meister" are insufferably tedious. Dickens has always failed where he has set out to write a book expressly for some specially philanthropic object; and the great fault which a certain class of practical persons find with Thackeray is, that he had no purpose whatever, and that his books illustrate no moral. The greatest book with a purpose produced for many years is Victor Hugo's "Misérables"; and of that we cannot help thinking that the story was nearly crushed by the weight of the moral, while the moral went astray because it had to entrust itself to the guidance of the story. In the books which we have just been reviewing, all the old difficulties and objections revive. It is very hard indeed to serve two masters; it is especially hard to serve them both at once. Mrs. Norton's story makes sad work of her moral purpose, and reduces it indeed to inanity. Mr. Meredith's philosophic temperament interferes in every chapter with his artistic success. If the latter would really win a lasting name, he will have to choose his path more decisively. He must resolve to do justice to his own genius, and let the world go its own way, as it is very likely to do no matter how the philosopher lectures it.

We have already alluded to a peculiarity in the books just noticed, which may in many eyes seem a serious objection. To us it does not thus present itself. It is worthy of notice, because it raises a somewhat important question relating to the morale of the novelist's art. Each of the four books we have noticed is a practical protest, more or less direct and bold, against the tacit arrangement by which fiction in our day is expected to ignore all the perplexities, dangers, and sufferings springing from the relations between man and woman. We think the protest was needed. We can see no reason whatever why the novelist should be expected to shrink from taking into account one of the greatest sources of human trial, difficulty, and fall. We sympathize with the author who feels impelled to infuse more reality into his work than is necessary to make a pretty prose idyll or humorous caricature. There is no need to allow into our literature any taint of the prevailing vice of the French novel and the French drama. Nine out of every ten French novels of to-day, and nearly all French dramas,

turn upon what is called in polite English prose illicit love. Life, indeed, as depicted by the French novelist, is occupied in an unceasing pursuit of our humble neighbour's daughter or our wealthy neighbour's wife. Now we should be sorry indeed to see this style of art imported into English fiction. If there were no other reason for objecting to it, it would be enough to say that it presents an entirely false view even of French social life. It would be as absurd to judge of the domestic life of France by the pictures which Feydeau, and Dumas *fils*, and Edmond About, and the author of "Madame Bovary," and dramatists of the Sardou school, have drawn, as it would be to conclude that every English family circle must include at least one murderer or murderess, and one maniac, because Wilkie Collins and Miss Braddon have found it convenient thus to represent the social existence of English people. Besides, the whole tone and temper of French fiction at present is corrupt and degrading. There is an absence of earnestness and of heart about it which in itself is an evil. Vice is either painted in alluring, fascinating, and sensuous colours, or it is touched off with a dash of gay and pleasant cynicism as something which sensible men and women do not think it worth their while to avoid, or to lament, or to condemn. But between this style and that of most English authors, there surely might be a middle place conveniently and effectively found. The world of most of our British novelists of the present day is really no more like the real world which we all see around us, than the pastoral life of the opera is like the actual condition of the Swiss mountain peasantry. The author of "Pendennis" complained that since the days of "Tom Jones," no great English novelist had ventured to draw a faithful picture of an ordinary young man. The complaint had sufficient justification. In Dickens's books, for instance, if a man is not simply wicked he is simply good. The heroes, and still more the heroines, walk through the world absolutely without passion of any kind that leads to temptation. Common-place young men, if they are only meant to be the heroes of the stories, pass through the worst dangers of life as unscathed as a virgin martyr of old over her red-hot ploughshares. Nay, the most extraordinary part of the matter is, that we are not even allowed to acknowledge the existence of the ploughshares, although we know well enough, every one of us, that there they are, red and glowing, and that even very good fellows who turn out decent members of society have not escaped without burnt skin from the contact. The world of fiction is still, for the most part, a nursery and bread-and-butter world. Terrible dangers no doubt are described as therein to be met; dragons, and ogres, and giants, and strangely wicked people,

waiting to devour the good little boys and girls. But the familiar, homely, real, seductive dangers of grown-up human life are not to be talked of there. The heroine of the modern novel seems always as if she still ought to wear short-clothes and trousers with frills round them. Even the downright bad people in most novels are not bad as in the ordinary world. They are so hopelessly bad that we feel no claim of kindred with them at all. Their wrong-doing affects us not in the least; it carries no more warning or moral to ordinary living human beings than would a diatribe against the cruelty of a tiger or the unbridled excesses of a shark. The great source of human temptation, and discord, and unhappiness affects the romance people not in the least. The hero has but one desire in his life—to marry the heroine; and as he never felt any movement of passion before his eyes fell upon her, so having married her, all human weakness, all anger, envy, jealousy, selfishness, impatience, are purged thoroughly out of him, and he and his wife are rapt away in a roseate cloud from the ken of common-place mortality. The women of course have no passions at all. Even the wicked women—the harsh stepmothers, and jealous sisters, and heartless coquettes—have no pulse whatever in their frames which could throb for one moment to an improper emotion. When a girl in a modern English novel is seduced, it is always an example of the old conventional tale of the tempter and his hapless, guiltless, too confiding victim. The victim never, except in some instances of rare audacity on the part of the novelist, conduces in the slightest towards her own wrong. She is passionless, guileless, only to be wept over. Even Charles Dickens's Nancy, who, one would think, must have sounded the lowest depths, talks delightful sentiment, and melts away into refreshing Sunday-school piety and pathos. We scarcely remember in a modern English novel of note any single instance, except that of Hetty in "Adam Bede," where a seduced girl is acknowledged to have advanced one willing step, and with her eyes even half open, towards the ruin which awaited her. We feel convinced that the conventional mode of dealing with such subjects, if it has any effect whatever, has an influence for evil. There is no good end attained by trying to persuade ourselves that women are all incorporeal, angelic, colourless, passionless, helpless creatures, who are never to suspect anything, never to doubt anyone, who regard the whole end and passion of human life as ethereal, Platonic love, and orderly, parent-sanctioned wedlock. Women have especial need, as the world goes, to be shrewd, self-reliant, and strong; and we do all we can in our literature to render them helpless, imbecile, and idiotic. When Charlotte Brontë endeavoured to do otherwise, we can all recollect that a prudish scream was raised

against her, and genteel virtue affected to be horrified with the authoress who drew women and girls endowed with human passion. Something of the same kind has been said against the authoress of "Adam Bede;" and there was a time when a discreet Englishwoman would have blushed to acknowledge acquaintance even with a chapter of George Sand. We are so thoroughly impressed with the conviction that art and morals alike suffer by the prudish conventionalities of our present English style, that we are inclined to welcome rebellion against it merely because it is rebellion. We are disposed to give a friendly reception to George Meredith and Mrs. Norton, were it for nothing but the mere fact that conventionality might be inclined to shriek out against them. A Parisian critic lately, when noticing some objections urged against the numerous undraped Graces, and Bacchantes, and Nymphs, and Ledas in the season's Exhibition, drily remarked that so long as vast skirts and hoops and spoon-bonnets endured, it was a relief to get a glimpse of the true outlines of womanhood under any circumstances. We own to something of a kindred feeling in regard to our English fiction. While it is coldly, stiffly, prudishly agreed to paint for us as a rule only such life as might be lectured on in a young ladies' boarding-school, we feel thankful to the novelist who has the courage to approach some of the great problems of existence, and to show us human creatures as we know them around us, tried by the old passions and quivering with the old pains.

ART. III.—LIBERAL FRENCH PROTESTANTISM.

1. *Christologie : ou Essai sur la Personne et l'Œuvre de Jésus-Christ, en Vue de la Conciliation des Eglises Chrétiennes.* Par ATHANASE COQUEREL, un des Pasteurs de l'Eglise Réformée de Paris. 2 tomes. Paris : Cherbuliez. 1855.
2. *La Mort Seconde et les Peines éternelles. Deux Sermons.* Par ATHANASE COQUEREL, &c. &c. Paris : Cherbuliez. 1851.
3. *L'Orthodoxie Moderne. Nouvelle édition, avec une Introduction sur cette Question—" Qu'est ce que l'Orthodoxie ?"* Par ATHANASE COQUEREL, l'un des Pasteurs de l'Eglise Réformée de Paris. Paris : Cherbuliez. 1855.
4. *Histoire du Canon des Saintes Ecritures dans l'Eglise Chrétienne.* Par ED. REUSS, Professeur à la Faculté de Théologie et au Séminaire Protestant de Strasbourg. 2de éd. Strasbourg : Treuttel et Wurtz. 1864.
5. *Etudes critiques sur la Bible—Nouveau Testament.* Par MICHEL NICOLAS. Paris : Michel Levy. 1864.
6. *Essais de Critique Religieuse.* Par ALBERT REVILLE, Docteur en Théologie, Pasteur de l'Eglise Wallonne de Rotterdam. Paris : Cherbuliez. 1860.
7. *A Manual of Religious Instruction.* By ALBERT REVILLE, D.D., Pastor at Rotterdam, &c. &c. London. 1864.
8. *Sermons.* Par T. COLANI, Directeur de la Revue de Théologie.
   1re Recueil. 3me éd. Strasbourg. 1860.
   2me Recueil. 2de éd. Strasbourg. 1864.
9. *Jésus-Christ et les Croyances Messianiques de son Temps.* Par T. COLANI, Pasteur et Directeur de la Revue de Théologie. Strasbourg. 1864.
10. *Le Christ et la Conscience : ou Lettres sur l'Autorité de la Bible et de Jésus-Christ.* 2de édition, avec une Introduction nouvelle. Paris : Cherbuliez. 1864.
11. *De l'Avenir du Théisme Chrétien considéré comme Religion.* Par F. PECAUT. Paris : Cherbuliez. 1864.
12. *Revue de Théologie et de Philosophie Chrétiennes.* Publiée sous la Direction de T. COLANI. 1re Série, 1850—1857.
    2me Série, 1858—1862.
    3me Série, 1863—1864. Strasbourg : Treuttel et Wurtz.

13. *Le Lien, Journal des Eglises Réformées de France. Revue de la Semaine Chrétienne, paraissant le Samedi.* (Sous la direction de MM. les Pasteurs ATH. COQUEREL, fils, et ETIENNE COQUEREL). Paris.

THE clerical parties which during the last few years have affected or felt an alarm at the supposed undermining of Christianity in this country by a few clergymen, have made constant use, in the place of better argument, of the cry of exploded Germanism. It is likely that most of those who repeated the cuckoo cry were really unaware of the extent to which Biblical criticism and the inquiries into the origin and essence of Christianity have recently been carried simultaneously in many parts of Europe—more particularly in Holland and in France. Among ourselves the recent rapid spread of liberal opinions concerning the Bible and Christian doctrine, has been somewhat quickened by the attempts made to extinguish Professor Jowett, Dr. Williams, and Mr. Wilson by episcopal *taboo* and ecclesiastical prosecution. Very similar, as we expect, will be the result of certain proceedings of the orthodox Protestant party in Paris, in the matter of M. Athanase Coquerel *fils*. These proceedings are recited as follows, by an orthodox evangelical person, the Rev. R. Burgess, describing himself as Hon. Sec. to the Foreign Aid Society, in a letter to the *Times*, dated April 22 :—

"On the 26th of February last, the Presbyteral Council of the Reformed Church of Paris, by a majority of 12 votes to 3, refused to renew the license to M. Coquerel, the younger, as assistant-pastor (suffragan) in the Consistorial Church of Paris, in consequence of his public avowal that he doubted the supernatural birth of Christ; that the dogmas which were called fundamental—such as the Trinity, the Atonement, the Inspiration of the Scriptures, and such like—were taken by him in a sense diametrically opposed to what was called orthodox; that he had spoken with too much admiration of *La Vie de Jésus*, and, as he (M. Coquerel) dispensed with all that was supernatural (miraculous) in the life of Christ, so far agreeing with his bosom friend, M. Renan, he had a leaning towards the doctrines of the sentimental professor."

It is curious enough that one ground of these proceedings is alleged to be a too sympathizing review of the work of M. Renan ; just as in England the most vehement outcry was raised against Dr. Williams for a too sympathizing review of Bunsen. It has given the greatest possible offence that M. Coquerel, while declaring that he is not a Socinian, should have accorded to Socinians the name of Christians. To contend that Bunsen was a Christian, though not an Anglican, was a mighty offence in Dr.

Williams in the eyes of his prosecutor, an intolerance in which he was supported by the Judge of the Arches Court, but not by the Privy Council. It is also worthy to be noticed that precisely as certain clergymen in England have contended for their right to maintain their opinions as not excluded by the existing formularies of their Church; so M. Coquerel has not desired to make any schism. We apprehend, moreover, the resolutions of the Conference above mentioned in support of this revocation of M. Coquerel's licence as *assistant*-pastor by the Presbyteral Council of Paris amounts to no more than a confirmation by an Archbishop in this country of a Bishop's withdrawal of a Curate's licence. If M. Coquerel junior had himself been *Pasteur*, he could not have been removed from his status. The French Protestant Pastors are not bound to any Confession of faith, although a certain party desire to give effect to the old Confession of Rochelle. The leaders of liberal Christianity, that is of the van of Protestantism, are now perfectly aware of the weakness which has heretofore followed from repeated schisms, are on their guard against the narrow dogmatism which is liable to be generated in a sect, and foresee the danger of extinguishing Christian life in mere ecclesiastical controversy. They are determined, if possible, to avail themselves of the organization of existing Christian Churches—in which they have been bred, to which they owe their religious instruction, to which they owe that they have been able to become, as they believe, more far-seeing than their fathers—they are religiously anxious to turn these organizations to a better account in the future than they have subserved in past times.

The English people may see reason to be ashamed of their own timidity, when they understand the manner in which the questions concerning the origin of Christianity have been dealt with by the liberal Reformed party in France. Undoubtedly this party forms as yet but a small minority, even in the Reformed Church; but it is organized; its members, though of different shades of opinion, co-operate honourably, undeterred by personal considerations, for a common object; they are not like English liberals, both political and ecclesiastical, ready each of them to shuffle out of the companionship of another who may be a little more unpopular than himself: besides contributing articles from time to time to the *Revue Germanique et Français* and to the *Revue des Deux Mondes*—a sufficient evidence of their high position in the literary world—they have organs of their own, a weekly journal, *Le Lien*, and the *Revue de Théologie*, which appears quarterly.

Till very recently, France had produced nothing worthy of note in theology since the Revocation of the Edict of Nantes. Previously to that fatal event it was at the head of Protestantism in Christian science and inquiry. Then was cut short a develop-

ment of criticism and speculation which promised the most fruitful results to the Reformed Church. Louis Cappell had distinguished himself in opposition to the maintenance of a textual inspiration of the Holy Scriptures. Amyraut had softened the harsher doctrine of predestination and election by his theory of Universalism; and Claude Pajon had maintained the mediate communication of Divine grace. Subsequently, as long as the old *régime* continued, the Protestants in France were unable to lift up their heads. In the eighteenth century Catholicism had deistical and materialist antagonists, but no Protestant or Christian adversaries. Since 1802 the Reformed Church has been allowed to reorganize itself in local congregations, and happily without a reconstitution of the ancient National Synod. Thus room has been left for the free growth of the school, or party, of which Colani, Scherer, Réville, the Coquerels, are the principal ornaments. This party is likely to exercise a lasting influence upon Western Christendom. The critical movement in Germany was a professorial one—this is a ministerial one. Colani, the Coquerels, and Dr. Réville are pastors. The movement in Germany was in great measure speculative or philosophical; the French movement is thoroughly and warmly Christian. Its leaders shrink before none of the questions raised by the German critics; but they hold with unshaken faith to the conviction that in Christianity will be found the religion of the future—that Jesus is the final prophet and Redeemer of humanity. A knowledge of the positive hold of religion—and especially of the hold upon the person of Jesus Christ retained by such divines as Colani and Réville—would be most instructive to feeble though high-placed ecclesiastics among ourselves—all whose hopes in time and eternity as yet stand or fall with the truth of the story of Noah's Ark.

Nothing of importance has even been attempted in this country in reference to the dogma founded on the New Testament, or to the history of the New Testament itself. Even Bishop Colenso has not ventured to carry his method into that inner inclosure. Yet the ultimate question is, whether the New Testament is true, or to what extent and in what sense. If the narratives of the Gospel history rest on sufficient evidence, criticism may do its worst with the Old Testament. Its more astounding prodigies will either be acquiesced in as mysteries, into which it can serve no good purpose to inquire, or may even be acknowledged to have grown out of tradition, poetical amplification, or other infirmities of the human instruments of transmission in course of ages. Such concessions may be made with a certain plausibility and with perfect safety, though not on the every jot and tittle theory, so long as the New Testament and the doctrine founded upon it are be-

lieved to be intact and unattackable.' There are, moreover, obvious differences between the Old Testament and the New Testament literature, which appear to justify a difference in their treatment. The former spreads as a literary growth over at least many centuries; the latter was all composed, on any supposition, in less than one. The former embraces many matters only indirectly, if at all, connected with the history of religion; the latter is immediately concerned throughout, with the most remarkable of all periods in the religious history of the world. Many of the miraculous accounts in the Old Testament were undoubtedly not written down, as we have them, for centuries after the events are supposed to have happened; the New Testament histories were recorded within about a hundred years. The authorship of the separate books of the Old Testament is far more uncertain than that of the books of the New. We cannot attach the books of the prophets to the names of the persons to whom they are attributed, with the same certainty that we can assign the greater part of the Pauline Epistles to St. Paul. The books of Kings, Chronicles, Samuel, and Judges are confessedly anonymous; for none of these is there the same claim to authorship of known individuals as belongs to the Synoptic Gospels, however deficient that may be. Nor again is there evidence that the Pentateuch was attributed to Moses for many hundred years; while there is evidence that the fourth Gospel was attributed to St. John about the middle or third quarter of the second Christian century. Hence the dogmatic party have a strong line of inner defence in the New Testament, even after being driven from the position of the plenary inspiration of the Old. So long as they are not assailed on the ground itself of the New Testament, they may, with considerable plausibility, assume that even if the Old were untrustworthy in many particulars, the same does not hold good of the New.

Nothing effectually bearing on this discussion has been advanced by any liberal Biblical critic or theologian, in our own country, to whom the English people would attend; and notwithstanding the value of recent legal openings to the English clergy, and notwithstanding the logical importance, as premisses, of certain positions which they have made good, we do not see any immediate prospect of much progress in that direction by our clergymen. We therefore think it may be useful to direct attention to what has been done by persons in a very similar position abroad, and whose method of treatment is more congenial than that of some German critics to our English modes of thought.

Confining our notice of the principal results at which the Strasbourg theologians have arrived strictly to the New Testament, they may be distributed under three heads:—I. Concerning the Books of the New Testament; II. Concerning the testimony of the Books

to historical facts and their value as evidence; III. Concerning the theological or religious inferences which may follow from such facts as shall appear to be established.

I. The origin and formation of the New Testament writings have been treated in the works, Nos. 4 and 5 at the head of this article, and in various contributions to the Strasbourg Reviews. These inquiries are, of course, carried far beyond what is usually understood by a critical determination of the Canon of the New Testament. The ascertaining a book of Scripture to be Canonical as distinguished from Apocryphal has an importance in the Romish controversy; but there is no difference between Roman Catholics and Protestants as to which books make up the New Testament. Nor again, in such inquiries as those we have in view, does the ascertaining a Scripture to be Canonical imply, as many Protestants think, that it must be infallible in all its statements either of fact or doctrine. Such an assumption or definition of the word Canonical, leads the inquiry into a *cul-de-sac.* Even if that assumption were involved in such expressions as *κεκανονισμενα βιβλια*, which it is not, Protestants, on their own principles, ought to demur to it, for they do not recognise any infallible authority outside of Scripture which could pronounce Scripture itself to be infallible. The reception of the Christian books implies a certain verdict or opinion of Christians at given times and places; if such opinion went even to the extent that the books were of infallible authority, it could not make them so to those who thought otherwise at other times and places. The only facts thereby established would be the facts of the reception and estimation of the books at certain dates. Now the word Canonical itself, from which so much is sometimes inferred, was not even the word used in the really primitive period to designate the genuine books of the Old and New Testament. The word was *homologoumena*, acknowledged or received. The *Canon Ecclesiasticus* of the ante-Nicene period, was either the Rule of Faith found in the assumed unison of the Prophetic and Apostolic Inspiration; or the custom of the Church; or the *Regula Fidei*, that is, the traditional creed.* Canon and Canonical are first found to designate the books of the Bible in a festal letter of Athanasius (A° 360); and the custom of so designating the Bible is traceable with great probability to the general settlement of the books of Scripture in consequence of the collection of them which Constantine authorized Eusebius to make, and of which he was to procure fifty copies to be fairly transcribed for the use of the Churches.† The notion of authority which came to be implied in the word Canonical was thus as much Imperial as Divine.

* See Credner, Geschichte d. Neu-testamentliche Kanon. 1860, pp. 103, 104.

† Euseb., in Vit. Constant. 4. 36; Credner, pp. 207-212; Reuss.

It was, however, only by degrees that the scriptures of the New Testament were defined by separation from other Christian writings—were set on the same footing as the books of the Old, an eminence which none of them claim for themselves, and were regarded as embodying the teaching of the Apostles. It is, moreover, clear that the Gospel, in whatever it consisted, was at first orally transmitted. The first believers, looking to an early return of their Master, to usher in the "restitution of all things," the Kingdom of Heaven, or the Millennian reign, had no anxiety or need, as they thought, even to record the acts of his first manifestation, or to form a code out of his teaching. And they continued to consider the orally transmitted word as of more value than the written, even after this expectation had been disappointed. Papias did not think he derived so much benefit from books as from the living voice of those still surviving elders who had heard the Apostles. (Euseb. *H. E.* b. iii. c. 39.) Papias himself was a companion of Polycarp, but does not profess to have known any of the Apostles. He must be set in the first half of the second century, and therefore long after the supposed composition of the first three Gospels, and considerably after that of the fourth, if it were written before the year 100. But none of our present Gospels seem to have been known to him. He speaks of Matthew "having compiled the sayings of the Lord in the Hebrew (Syro-Chaldaic) language"; and of Mark, the companion of Peter, having "set down the words and deeds of Jesus, though *not in order*," as he heard the preaching of the Apostle. Such a description does not tally with either of our first two Gospels. Our first Gospel contains, undoubtedly, a preponderance of discourses of the Lord, but not discourses exclusively; and the present Gospel of Mark does pretend to present a continuous history. Papias, as reported by Eusebius, makes no allusion whatever to Luke or John as authors or compilers of the Lord's history. We cannot, therefore, suppose Papias to have been acquainted with any of our Gospels in their present form: and even if he were acquainted with any of them, he preferred, as he states, to collect the accounts which were still orally transmitted, as more to be relied on than those which were written down. In his selection of his material from such sources for the composition of his perished work *Expositions of the Lord's Discourses*, he, no doubt, exhibited an entire want of judgment, as appears by what is reported of him both by Eusebius and Irenæus. But the fact remains that a person of some eminence, coming so near the Apostolic times, brought up in the school of the Apostle John, and apparently intimate with John the Presbyter, should either have been ignorant of, or have ignored, all of our now existing Gospels—and especially the third and fourth, one of which was expressly

designed to present the Lord's history in a more accurate and orderly narrative than others had been able to set forth; and the last, which has been so constantly held as supplying all that was still necessary to be recorded of the Gospel history. Moreover, if Papias was ignorant of our existing Gospels, it seems hard to avoid the inference that John the Presbyter and Poly carp must have been ignorant of them before him.

The inference from this silence on the part of Papias and the Apostolic men does not certainly go so far as to disprove the existence of some Apostolic element in the four Gospels; but it does go so far as to show, that if extant then in their present form, they were not as yet universally received, or held to be of Apostolic, much less of divine, authority in all their parts. It will be seen, at all events, how entirely the chain of evidence is broken which would connect the Gospels as we have them with the four persons whose names they bear. The testimony of Justin used to be appealed to, but it is entirely defective. He wrote between the years 140 and 160. He speaks of the *Memoirs of the Apostles*, and says that they recorded everything concerning Jesus Christ—that these memoirs are called Gospels—but he nowhere quotes a Gospel by the name of any of our Gospels, nor does he speak of them as four in number; he cites *the Gospel;* his citations correspond most nearly with our own Matthew's Gospel, but he appears to have employed a Gospel nearly resembling what was afterwards known as Tatian's Diatessaron. There is no sufficient evidence that he was acquainted with the fourth Gospel, though he makes a few references to the words of the Lord corresponding incompletely with passages which may now be found in it. It amounts therefore to this. We have no right to assert any one of our Gospels to be the work of an eyewitness of the events which it relates. The identification of the persons of the authors wholly fails; and the absence of external evidence is not supplied by the internal structure and composition of the writings themselves? It is not likely that any criticism will ever arrive at a complete solution of the many questions which arise upon a comparison even of the first three Gospels; but it may be observed that as "difficulties," they must be infinitely more embarrassing to the believer in an infallibly inspired Scripture than to the critic who approaches the documents as a natural human growth. They are consistent with the natural, inconsistent with the supernatural. The failure, however, of any one hypothesis hitherto offered to account for all the phenomena, the differences as well as the coincidences, which characterize the Gospels, is now generally acknowledged. Neither as to the order of composition will a single hypothesis suffice—such as that Mark abridged Matthew, or Matthew amplified Mark; for there are

passages in Mark containing more details than the corresponding ones in Matthew, as well as *vice versâ*. And if the author of the third Gospel wrote third, or after the two former, how came he to omit many passages, particularly Matt. xiv. 22—xvi. 12, in a work which professes to present an exact and complete account. In fact, as M. Nicolas observes (*Etudes Critiques*, p. 60) :—

"In whatever order we place the Synoptics, whatever combination we adopt, it will always be evident that they who wrote subsequently do not relate all the facts recited by those who wrote before them. On any system of mutual dependence of the Gospels, these can only be considered as omissions, and admit of no satisfactory explanation. Upon this rock the hypothesis of dependence will always be wrecked."

Eichhorn's supposition of a primitive Gospel fails to account for the differences, and still more for omissions. Marsh's complicated theory required the existence of eight different documents, translations, or revisions: it is confirmed by no external evidence, and fails to account completely for all the phenomena. It is scarcely supposable that so many written sources should have left no trace in history. Hence a greater probability attaches to the supposition of oral sources of the Synoptic Gospels. It is evident from the preface to the third Gospel, that the written histories preceding it were derived by tradition from the original eye-witnesses; and we have found Papias, at a time when the oral tradition and the written accounts existed side by side, preferring the authority of the oral tradition. But another element must necessarily be allowed for, along with the two preceding: that is, the tendency or special purpose of the actual compilers of the Gospels. It has constantly been acknowledged that a polemical or doctrinal purpose presided over the composition of the fourth Gospel; and the same thing has, in fact, been admitted when it is said that the first Gospel was designed for the use of the Palestinian Jews; the second, or Petrine Gospel, for the use of the Latins; the third, or Pauline Gospel, for the service of the Greeks. M. Nicolas attributes little influence to literary design; yet it ought not to be wholly excluded from consideration. The result of the whole discussion, as far as it has yet been carried, is at least to show that no one simple cause can be assigned, adequate to account for the appearances of the Gospel writings. And, says M. Nicolas:—

"None of our Synoptic Gospels is original; they all belong to a secondary deposit of the Christian life, even to a third stratum, if we take into account the previous tradition. Everything shows us that at first Christianity was propagated by oral tradition and not by writings. Undoubtedly this tradition soon gave birth to writings, but it does not appear that these writings, of which a certain number were known to Luke, were identical with our Gospels. Fragmentary and

incomplete, they served for a transition between the oral tradition and our existing Gospels, the aim of which is to embrace the whole life of Jesus, and which thereby caused those preceding undertakings to be forgotten."—p. 123.

Thus the first three Gospels have no pretension to being original works: they are reproductions and combinations of previous fragmentary compositions, themselves founded on tradition. The fourth Gospel is of a distinct character. It has the appearance of being, for the most part, homogeneous—of having proceeded, with some exceptions, from a single author; and there is claimed for it, and according to some it claims for itself, to be the work of the Apostle John. It therefore must stand much higher or much lower, as evidence, than the other Gospels. If it was the production of the Apostle, it was the production of an eye-witness of the events which it relates, which cannot be said of any other of the Gospels as we now have them. If it was not the production of the Apostle who is supposed to have been present at the transactions it narrates, and yet claims to be his production, it is less worthy of credit than the writings which have been founded on tradition: they may not be true, and yet not be intentionally false; the first three Gospels may be more or less unhistorical, but are not on that account to be termed fictitious. The Gospel according to John, if it be not by John, is not only unhistorical but fictitious. Of course, there must be borne in mind a double aspect or character of this Gospel: a large portion is directly speculative or doctrinal, other portions are, in appearance at least, primarily historical. We are not now concerned immediately with the obviously doctrinal parts of the Gospel; and it must be allowed that they might convey true doctrine, or be true theoretically, even though the historical parts of the Gospel were fictitious: the discourses, moreover, which are put in the mouth of Jesus himself might contain true views of his person, even though he never uttered them. Nevertheless, where these doctrinal views do not approve themselves as self-evidenced on their enunciation, or are not otherwise confirmed; where they are mystical and obscure, we can only take them as the views of the writer. Nor if the veracity of the rest of the narrative be disputable can we attach any special importance to the circumstance that certain discourses are put into the mouth of Jesus himself: for this may well be no more than an artifice of composition, or literary form, whereby the author delivers his own conception concerning the indwelling of the divine in the humanity of Jesus Christ. For all purposes, therefore, the inquiry into the date and authorship of the fourth Gospel becomes of the profoundest interest. We have seen that Papias, as far as reported by Eusebius, makes no allusion to any Gospel by John, or to John having written anything.

The absurdities related by Irenæus concerning the Millennian vines, and things of that sort, as having been derived by Papias through tradition from St. John, can in no way be connected with such a composition as the fourth Gospel, though they may have some connexion with the grosser Jewish expectation of an earthly paradise to be found in the Revelation. It is equally unaccountable that Justin, whose opinions concerning the divine Reason or Logos had so much affinity to those which we meet with in the fourth Gospel, should never have cited it, or even mentioned any writing by the name of John. The earliest recognition of the Gospel of St. John, that we know of, is that by the heretic Heracleon (*circa* A.D. 150), who is said by Origen to have written comments upon it. Hence it would seem not unlikely that Justin purposely avoided referring to a book which must have been known to him. In that case, what the Gospel gains in antiquity it loses in reputation or authority. Theophilus of Antioch is indeed the first orthodox writer who speaks of the Apostle John as the author of the fourth Gospel. M. Reuss (p. 100) thinks that this does not amount to a disproof of the authorship, which certainly it does not, though it must be admitted, we think, to throw serious doubts upon it. He points out that the Gnostic writers had already employed it for their own purposes, which may account for the silence respecting it on the orthodox side till so late in the second century. It is true we may thus presume the Gospel to have existed for a considerable period before we have express mention of it, but we are not thereby enabled to attach it with any greater certainty to its supposed author.

Here we should take notice of the remarkable fragment which is known by the name of Muratori. It was discovered by that celebrated antiquary in the convent of Bobbio, in Piedmont, and is now in the Royal Library of Turin. It is in the Latin language, showing African forms, and in a handwriting of the 8th or 9th century, of the Scoto-Irish type of that period; it is therefore a transcript, but the approximate date of the original is determined from internal evidence. It consists of eighty-five lines, being defective by a line or two at the commencement and a line or two at the end; but these defects existed in the original from which the copy was taken. It is not properly called the *Canon* of Muratori, because, as we have said, in the period to which the original belonged that term was not used to designate the official list of the New Testament writings, and the title now at the head of the fragment belongs to the age of the transcript. The books enumerated are the Gospels [of Matthew, Mark,] Luke, and John; the Acts attributed to Luke; the Epistles of Paul, in the following order—2 Corinthians, Ephesians, Philippians, Colossians, Galatians, 2 Thessalonians, Romans, Philemon,

Titus, 2 Timothy: the Epistles to the Laodiceans and to the Alexandrians (possibly the existing Epistle to the Hebrews), are said to be falsely attributed to Paul; the Epistle of Jude, two of John (or ascribed to John in his honour), the Apocalypse of John, and likewise of Peter: to which is added:—"Hermas lately, in our own time, wrote the Pastor in the city of Rome, when Pius the bishop, his brother, occupied the seat of the Church at Rome, and therefore it ought to be read, but it cannot be published to the people in the Church, either among the Prophets complete in number, or among the Apostles, to the end of time."* Pius, Bishop of Rome, who was succeeded by Anicetus, appears to have died about the year A.D. 157; the *nuperrime temporibus nostris conscripsit* supposes a certain lapse of years; and this, the earliest list of the received books of the New Testament, may therefore be reasonably assigned to the date *circa* A.D. 170. Reuss observes, that this list describes the ecclesiastical usage as to the Christian books in the compiler's day, but that it does not pretend to be an authorized list. For the purpose we have in view in our present remarks, that is not important. We find it to be a list of about the year 170, recognising as then received the principal books of the New Testament as we now have them. The omission of some books —as the second of Peter, the Epistle of St. James, and that to the Hebrews—may cause a difficulty to those who imagine some kind of infallibility and divine completeness to belong to the collection, as such, of the Scriptures afterwards termed Canonical; or to those persons who would find many texts serviceable for dogmatical purposes withdrawn from them by the absence of the last-named Epistle. We are, however, for our present object, in search of evidence as to the existence of those books on which the belief of the Gospel history can be founded, at the nearest date to which we can bring them to the supposed history itself; and we are now concentrating our attention principally on the fourth Gospel. It may fairly be supposed that since it is enumerated in the Muratorian fragment, being of the date of 170, it must have been current and currently attributed to St. John some time, say twenty years, previously. This earliest tradition about the fourth Gospel is, however, remarkable. It says:—"Of the fourth Gospel, John of the number of the disciples [was the author]; to his fellow-disciples and bishops exhorting him, he said—'Fast with me to-day for three days,

* Pastorem vero nuperrime temporibus nostris in urbe Roma Herma conscripsit sedente cathedra urbis Romæ, Pio episcopo fratre ejus et ideo legi quidem eum oportet sed publicari vero in ecclesia populo neque inter profetas completum numero neque inter Apostolos in finem temporum potest.

and whatever shall be revealed to every one of us, we will mutually relate.' The same night it was revealed to Andrew of the Apostles, that, under the revision of all, John should describe all things in his own name."*

The legendary character of this statement deprives it of all worth as an historical evidence, beyond the fact that when it was originally penned, the fourth Gospel was received in the Roman or North African Church as John's. That the origin of the Gospel was such as is here described is inconsistent with other traditions, and the supernatural intervention appealed to implies on the part of the writer a consciousness of weakness or uncertainty in the claim which he is evidently anxious to enforce. We are thus, however, brought to the middle of the second century for the first mention of John as the author of the fourth Gospel by any orthodox author; for we may concede the author of the fragment to have been such. And we are then met by the expressive silence of Papias and Justin, and of all the Apostolic Fathers; so that as far as existing evidence goes, the authorship of John is grounded in a mere legend.

The fragment goes on:—

"And therefore although different principles be taught in each of the Gospels, it differs nothing to the faith of believers, since by one ruling spirit are declared in all of them, all things concerning his nativity, his passion, his resurrection, his conversation with his disciples, and concerning his twofold advent—first, in humility despised, which is past; secondly, illustrious in royal power, which is to come. What wonder, therefore, if John constantly puts forth also in his Epistles as to each, saying concerning himself—'That which we have seen with our eyes, and heard with our ears, and our hands have handled, these things have we written'? For so he professes himself not only a beholder, but also a hearer, but also a writer of all the wonders of the Lord in order."*

There is still another passage in the Muratorian fragment which

* Quarti Evangeliorum Johannes ex discipulis. Cohortantibus condiscipulis et episcopis suis dixit: Conjejunate mihi hodie triduo et quod cuique fuerit revelatum, alterutrum nobis enarremus. Eadem nocte revelatum Andreæ ex Apostolis, ut recognoscentibus cunctis Johannes suo nomine cuncta describeret.

† Et ideo licet varia singulis evangeliorum principia doceantur, nihil tamen differt credentium fidei, cum uno ac principali spiritu declarata sint in omnibus omnia de nativitate, de passione, de resurrectione, de conversatione cum discipulis suis, ac de gemino ejus adventu, primo in humilitate despectus, quod fuit, secundo potestate regali præclarus, quod futurum est. Quid ergo mirum, si Johannes tam constanter singula etiam in epistolis suis proferat dicens in semetipsum; *quæ vidimus oculis nostris et auribus audivimus, et manus nostræ palpaverunt, hæc scripsimus.* Sic enim non solum visorem, sed et auditorem, sed et scriptorem omnium mirabilium domini per ordinem profitetur.

deserves remark for our present purpose. It speaks of two Epistles of John as received in the Church, written, like the Wisdom of Solomon, in his honour.* Even if these Epistles be the second and third which go by the name of John, it shows the feeling of the writer, that it would not be any dishonour to the Apostle that a writing should be supposititiously attributed to him, nor any discredit to the writing, if it were in itself good. It would be absurd to suppose that the authors of the great number of books current at one time under the names of the Apostles were intentionally falsifiers, or were esteemed to be falsifiers, either in their invention of circumstances which they narrate as history, or in entitling their compositions by some known and honoured names. M. Nicolas thinks the appellation of Presbyter, assumed by the writer of the second and third Epistles, may fairly suggest to us the author both of the first Epistle and of the Gospel, and that he is no other than the second John of Ephesus, or John the Presbyter, who may have derived some information concerning the words and deeds of Jesus from John the Apostle; but who made it subservient to his own theology and modified it accordingly. We come, however, back to this, that we have no reliable external evidence to the existence of the fourth Gospel much before, if at all before, the middle of the second century. The internal evidence, if it may so be called, which is presented by expressions such as—"This is the disciple that wrote these things,"—"He that saw it bare record,"—leave it still uncertain whether, if they imply the first person, they are not written by one who is assuming a character; and whether they do not refer to a third person, that is, to another person than the reporter or transcriber. In any case they cannot be taken as guaranteeing more than their immediate context, not the whole Gospel, nor all the particular narratives contained in it.

II. Thus the greatest uncertainty hangs over the authorship of all the Gospels; they cannot be appealed to as conveying to us evidence of eye-witnesses, and the question arises whether there is to be gathered from them sufficient proof for the truth of the Gospel history taken as a whole, or for any of it, or for what part of it. And here, to the English mind, the question will at once present itself in this shape,—Is there sufficient evidence for the miracles? Then will be asked whether, if the miraculous part of the narratives were excepted and taken out, any consistent residuum would be left; whether anything which ought to be called the Christian

* Epistola sane Judæ et superscrictio [superscriptione, or superscripti, or superscriptæ] Johannis duas [duæ] in Catholica habentur et [ut] sapientia Salomonis ab amicis in honorem ipsius scripta.

religion would then remain? It will at once be admitted that a different kind or amount of evidence is requisite to produce a conviction of any event of an unusual kind having really taken place from that which would suffice to satisfy us of the occurrence of a transaction dovetailing into ordinary history, and paralleled in our ordinary experience. We may waive any abstract discussion concerning the conceivableness of miracle; we need not even attempt a strict definition of the word; we may omit for a while to distinguish between various kinds of alleged facts which may be comprehended under that term; but we must, in all reasonableness, require more evidence for the occurrence of an extraordinary than for the occurrence of some common fact. That one should by exposure to inclement weather catch cold and die, would be believed on the mere assertion of any other disinterested person; such assertion would go but little way towards the proof of a resuscitation after death. And when the Gospel history is inquired into seriously in this country, it will be approached for the purpose of verification, particularly as to its miraculous part, according to the laws of evidence; not, we think, with an assumption beforehand that miracle is impossible, but, on the other hand, without an assumption that miracles are to be expected.

Now, with such a prospect before ourselves, let us see how the Strasbourg theologians have dealt with this question of miracle. We shall find that they have thrown it altogether into the background. They have, no doubt, at least some of them, when touching upon it, approached it under a certain *à priori* bias from their peculiar Christology. This Christology was of an Arian type, not dissimilar from the Christology of Channing, or of that which is known as the Gröningen School in Holland. They started from the assumption that a perfection is rightly attributed to Jesus, which entitles him to be called the God-man, or as the French phrase is, *l'Homme-Dieu;* and consequently an effluence or force may be supposed to belong to so excellent a nature, capable of producing effects which to others would be miraculous, but which with him might not imply an immediate operation of God Himself. "The difference to us," says M. Colani, "between the natural and the supernatural is little else than that between the ordinary and the extraordinary." He considers it easily conceivable that a perfectly holy person might have read the heart of Nathanael, understood at a glance the history of the woman of Samaria, and drawn after him by an irresistible call Levi and the other disciples. From such a nature he thinks healing influences may have proceeded, even so as to affect sick persons at a distance; but at the same time that such things are supposable, and even congruous to the person of Jesus, they yet require to be established by a sufficient positive evidence. Another class of effects, more

strictly speaking miraculous, are those said to have been produced by the Saviour upon inanimate nature; and another class still, of direct interventions from above, as in the Incarnation and Resurrection. "The first consideration here," says M. Colani, "is whether such interventions were necessary, for if they were not necessary it is not supposable they should have taken place." And he goes on,—"Among the several miracles which I have mentioned, there is one which seems altogether unnecessary—that is, the miraculous nativity; another which seems indispensable, namely, the Resurrection." "The former," he says, "because it is not proved that the God-man could not be born naturally; the latter, because that miracle was necessary to recover the courage of the eleven; if they had continued in their despair Jesus would have died in vain, and the miracle was therefore required." But he adds—which we will give in his own words:—

"Partout ailleurs, il n'y a que la critique historique qui ait le droit de prononcer, et ici même elle serait libre de contester la résurrection si elle parvenait à expliquer d'une autre manière le revirement subit et radical que s'est opéré chez les disciples peu de temps après la mort du Maître. Une pareille tentative de la critique n'aurait rien d'alarmant pour le chrétien. Car on ne saurait trop le répéter: cent miracles de plus ou de moins n'ajoutent en ni retranchent un seul trait à la personne du Seigneur. Il est notre Sauveur, qu'il soit resté ou non dans le tombeau; ce qui l'élève au-dessus de nous, c'est autre chose qu'un événement merveilleux arrivé à son corps, c'est son âme, c'est sa sainteté, c'est son union parfaite avec Dieu. En un mot, si le miracle de la résurrection a été nécessaire pour que l'Evangile trouvât un écho dans l'esprit timoré des apôtres et parvînt ainsi jusqu'à nous, le miracle a eu lieu. S'il n'a pas eu lieu, c'est qu'il n'était pas nécessaire et que la puissance spirituelle du Seigneur a suffi pour relever les disciples de leur consternation, et faire briller son amour à travers tous les siècles. Dans l'un et dans l'autre cas, l'Evangile reste—puisque nous le possédons."—(*Revue de Théologie*, vol. xi. p. 106, Août, 1855.)

In approaching any examination of the Gospel miracles, it is necessary to bear in mind the difference in character and structure of the first three and of the fourth Gospels: for each miracle must be examined by itself. We are perusing miraculous narratives in a book which has been combined out of pre-existing materials which are not before us, which has been revised and re-handled we know not how many times, in which we know not how much or how little may be attributed, and at how many removes, to the person whose name it bears; in fact, in a book which cannot be attached to the person of a known author, of whose qualifications as a historian we might be capable of judging; as to which we neither know the last editor or compiler of the whole, nor the original writer of any single part.

We must therefore make allowance for this uncertainty concerning the channel of transmission, and must also allow for the effect upon the history of the preconceived opinions of those through whose hands it has passed. Nor if we meet with a story occurring in more than one of the Gospels, does it follow that we have any increased or confirmatory evidence—it may be a case of one and the same tradition or report coming round through different channels—merely repeated echoes of a single voice. If we adopt even the theory of Eichhorn or Bishop Marsh, or any of the most conservative possible, concerning the composition and structure of the Synoptics as we have them, we find that we lose entirely everything like a personal voucher to the actual occurrence of any single matter of fact. On the other hand, it is a satisfaction to know that as we lose all personal voucher we are free from all necessity of imputing personal falsification, or even personal misunderstanding and prejudice. And there may have been, or must be supposed to have been, a basis of reality, either of fact or of thought, round which the relations as they have come down to us have gathered. But the case of the fourth Gospel is different. It is asserted for it, if it does not assert for itself, that it is the work of an eye-witness; how will it bear out the conception of a miraculous revelation in the life of Jesus?

In investigating the evidence for the Gospel miracles, with special reference to the fourth Gospel, it must be conceded on the one hand that when mention is made of miracles in the mass, or in a general way (ii. 23, iii. 2), no material is offered for examination; on the other, that if particular miracles be sufficiently established it is supposable enough others may have occurred though not recorded in their details. In other words, the investigation is necessarily limited to those cases in which material for it has been supplied. Now the specific miracles related in the fourth Gospel, excepting the resurrection of Jesus himself, are found to be only seven in number. 1. The turning water into wine, c. ii.; 2. The recovery of the nobleman's son at Capernaum, c. iv.; 3. The restoration of the lame man at the Pool of Bethesda, c. v.; 4. The walking on the water, c. v.; 5. The feeding five thousand with five loaves and two fishes, c. vi.; 6. The giving of sight to a man born blind, c. ix.; 7. The raising of Lazarus, c. xi.

1. There is no satisfactory way of introducing the miracle at Cana into the frame-work of the history as given in the other Gospels. It is not possible to reconcile the accounts given of the calling of the disciples in the two first Gospels and in the fourth. In John, they come spontaneously to Jesus; in Matthew and Mark, they are summoned; but in the Synoptics the Temptation of the forty days follows immediately upon the Baptism of

Jesus; then he hears of the imprisonment of John, goes from Judæa into Galilee, begins to preach, and then calls his disciples (Matt. iv.). In the fourth Gospel the sequel of events is this: 1. John baptizing in Bethabara, i. 19-28; 2. "the next day" his testimony to Jesus, ver. 29-35; 3. "Again the next day" two disciples of John, hearing him call Jesus the Lamb of God, follow Jesus, ver. 35-42; 4. "The day following" the call of Philip and Nathanael, ver. 43-51; 5. "And the third day there was a marriage in Cana of Galilee," apparently within a week of the baptism of Jesus, and before John is cast into prison.

But let us consider the account of the miracle itself at Cana of Galilee somewhat in detail. There are no names given of the parties to the feast, nor particular description of locality: the picture has no background to it. No reason is assigned, of acquaintance or intimacy, for the invitation of Jesus and his large party of disciples, nor any explanation of the presence of his mother; no accessories are undesignedly thrown in; all is blank, until a want of wine occurs. Mary is represented as entertaining an expectation that in some way her son would supply the deficiency; her interference is met with a certain amount of rebuke, but a direction is given by him to the servants to fill some large vessels with water. From the great capacity of these vessels this proceeding must have attracted attention and have occupied some time. "They filled them up to the brim." Another direction was given by Jesus to the servants, to draw out and bear to the governor of the feast. What followed was known to the servants only; but we have not their evidence. Whether they really drew out wine, where they had poured in water, or whether, without contradicting Jesus, they produced wine from some other source, we have no opportunity of knowing —even on the supposition that the story was written by John. The mother indeed and the disciples of Jesus were anticipating something wonderful, and connected the production of the wine with his directions to the servants. But the rest of the company do not appear to have done anything of the kind. They had all known of the deficiency of wine, for it was talked about; they had all heard the words of Jesus; they had all witnessed the proceedings of the servants; but they expressed no wonder at the production of the fresh supply. On the contrary, the two most important persons in the assembly evidently shared no opinion of a miraculous intervention. The president of the feast compliments the bridegroom upon the excellence of the reserve with which he had surprised his friends: the bridegroom, thus publicly appealed to, says nothing of his having had no reserve, or of his wine having been all alike, nor of the fresh wine being unlike and better than his own, of which he must have been

as capable of judging as his friend. The servants do not come forward with their knowledge of the extent and description of the original supply, or the source of the supplemental quantity: and the flat issue of the whole is that "his *disciples* believed on him." There is, of course, the greatest difficulty in conceiving a miracle of transubstantiation—of the substitution of one chemical aggregate for another without any process. It is not a difficulty at all about power, or omnipotence; it is a question whether 2 + 2 can be = 5. The difficulty is not solved by observing that the same power which can make vines grow and grapes ripen can make wine without them; or, as with another miracle, which can cause corn to grow for the supply of the daily bread of millions, can multiply a few loaves for the need of some thousands. This is to confound application with interpretation. The miracle is not to be resolved into a mere increment of force. Wine is an artificial product, depending on human manipulations. There was no human manipulation on this occasion: the product, therefore, on the supposition of a miracle, could not have been wine, but a liquid like wine; the whole ends in something very much like a *make-believe*. Now, if we add to these considerations the uncertainty of the date of composition of this book, which none put at much less than seventy years after the event narrated, and the uncertainty of authorship—what have we which can be called evidence for the event—what have we which can at all outweigh the enormous improbability of an exertion of Almighty power, for a trivial and incomplete issue at the best?

2. The miracle of the recovery of the nobleman's son could only be substantiated upon the evidence of the father, which we do not possess; moreover it may be resolved into a coincidence, or into a superior knowledge on the part of Jesus. We are not told anything as to what the sickness was, or whether it was really of such kind as would usually be mortal; and on the whole, the facts are too obscure for judgment.

3. The third miracle is encumbered with additional complications; how could a writer say, "There *is* at Jerusalem, in the sheep-market," &c., long after the ruin of Jerusalem: it is the slip, most probably, of a person not only then distant from Jerusalem, but who had never seen it at all: the absurdity about the angel troubling the water is so great that even the orthodox English commentator, Hammond, tried to rationalize it into an officer or beadle sent from time to time to stir up the blood, &c. which flowed into the pool, and which in that manner exercised a curative effect upon the diseased persons. In the narrative, however, we certainly have a veritable angel; but what reliance can be placed upon the judgment or capacity of such a narrator? Nor again, is it morally conceivable that any infirm person would

have remained, or could have been suffered to remain, in one and the same spot for thirty-eight years? Did the sick people live in the porches, or this man do so? Who brought him his meals, and could not the persons who brought him his meals, have lowered him into the water? Some impotences are no doubt incurable by natural means, other chronic inabilities of limb may be removed partially or for awhile under strong excitement: but we are left in uncertainty as to what the case was, if there were one; and there is at last no fact described with sufficient precision to enable us to decide, even if we accept the testimony as it stands, whether a real miracle were wrought or no. The lesson, however, to be inculcated from the story, and which in all probability suggested it, is that is "lawful to do good on the sabbath day."

4. The fourth miracle is incredible for some of the same reasons as the first: bread is a manufacture, fish a dead animal matter. We cannot even represent to ourselves the occurrence intended to be described: that as one-half of a dead and dried fish was torn off it was reproduced; or that the processes of grinding, kneading, leavening, baking, should be incorporated in the multiplication of the loaves. This was a miracle currently reported of Jesus; but the origin of such narratives is not far to seek. Jesus frequently spoke of hunger and thirst after righteousness, of feeding the hungry and giving them bread in a spiritual sense; tradition turned his figurative words into literal ones; and in the fourth Gospel the tradition so literalized is made to introduce the more mystical representation of Jesus himself being the bread of life.

5. The walking on the sea is merely a repetition of a story previously current, met with in the first two Gospels, but introduced with a somewhat different object; in Matthew the lesson taught by it was that Jesus was the Son of God, with some moral inference concerning the power of faith. In John the prodigy is purposeless, unless it be to show a ubiquitous power in the person of Jesus; but if such were a property of his body, it would afford no proof of a higher moral or spiritual nature. The account is vague as to the end of the miracle, and vague in the terms in which it is described.

6. It may be said there is no want of definiteness in the statement of what the giving sight to a man *born blind* must have consisted in. There must have been supplied an organ and a nerve. Now let us compare this miracle and the evidence for it with the cure of a blind man said to have been wrought by Vespasian at Alexandria. During his stay in that city, after the death of Vitellius, a blind man commonly known there implored him, in obedience, as he said, to a suggestion of the god Serapis, to anoint his eye-balls with spittle for the recovery of his sight.

Vespasian, at first unwilling, at length undertook the task in the sight of a great multitude of persons, when instantly sight was restored to the blind man. Tacitus asserts that this cure and another of a man's hand continued to be recounted by those who had witnessed them long after the Emperor's death, when they could derive no advantage from flattering him. Vespasian, however, had ordered the physicians to examine the blind man previous to his making the attempt, who reported that the power of sight was not altogether extinct. This evidence, resting upon an author of such good reputation, is very considerable. It need scarcely be said that it is not conclusive to the reality of any miracle. Augustine felt considerable difficulty upon it, but was inclined to refer the cure to the intervention of the Devil. If he had not been able to fall back upon Satanic agency he would probably not have given credence to the event. But we see there is reasonable room for supposing some collusion in the case, for the purpose of flattering the new Emperor as a favourite of the god Serapis, or of imposing on his superstition with respect to that deity. And the management which imposed on Vespasian may well have imposed on those who afterwards testified to the miraculous cure. The contrivers of the scene would keep their own counsel, at least long enough for the story to acquire momentum. A disbelief or doubt of the performance of any miracle on this occasion, does not involve any discredit upon Tacitus, nor any imputation of bad faith to the reporters whom he mentions. And, after all, we have no medical or surgical statement of the case. It is impossible to render a verdict of miracle or no miracle, unless we have a case stated, not in the technical terms, but with substantially the same precision as would be expected in a medical report. It would be ridiculous to say of one patient he had something the matter with his eyes, and something was done to them, and he was afterwards able to see; or of another, he was sick of some complaint, and some medicine was administered to him, and he subsequently became well. These accounts of miracles go no farther than that.

But if we compare the evidence in these two cases, the evidence of Tacitus must be admitted to be superior to that of the author of the fourth Gospel. Tacitus is a well-known person, of great credit, writing deliberately as a historian, and in this particular instance endeavouring to hold the balance conscientiously between a hasty credulity and a hasty scepticism. The author of the fourth Gospel is in reality anonymous; not writing purely with the intention of recording events as they occur, but selecting those which suit his purpose. Then Tacitus wrote as a contemporary—the author of the fourth Gospel not for seventy or a hundred years after the alleged events. The claim, however, in

this case, it will be said, is definite enough, an actual giving of sight to one born blind. As to which we observe, as in the case of other Biblical miracles, the narrator is altogether unconscious of what his narrative, if true, would involve: for it would involve not only the creating an organ of sight, the giving a faculty of sight, but also bestowing the results of experience of sight and an education of the faculty of sight. The gist of such a miracle as is supposed would really lie, not in an operation on the material part of the man, but on his mind. The narrator seems to think there would be nothing required but to give a man blind from his birth a pair of eyes, and that he would at once have ideas of colour, form, space, &c.; could adjust himself to distances, and walk about, and talk to persons as if he had had eyes all his life. The introduction of 'blind from his birth'—which has a look almost as if it was intended to cap the miracle of Vespasian—overshoots the mark even of miracle. Meanwhile the symbolism of the story is obvious.

7. With respect to the resuscitation of Lazarus, we will not dwell on certain incompletenesses in the story. We are not told what his sickness was; but undoubtedly, according to the story, it was a veritable death. According to the usual definition of death, the soul of the man had departed from his body, which must have been far advanced in decomposition. It might be asked, whatever be the theory of the conjunction of soul and body previous to birth, whether a conjunction of soul and body under such circumstances is conceivable? Are we to suppose, as part of the miracle, that all the tissues of the corpse were restored to their living and healthy condition, in order to the readmission of the animating soul — when they could not be living and healthy without it? But without dwelling on any physiological difficulties in conceiving the miracle—or repeating observations concerning the absence of real contemporary testimony which apply to all the miracles related in the fourth Gospel—there are striking moral impossibilities in this particular narrative. 1. The Saviour is not represented in any truly elevated character in suffering his friend to die in order to show forth the glory of God in his resuscitation. This objection is felt by the narrator, when he puts it in the mouth of the Jews, but does not answer it. 2. The exhibition of feeling so often dwelt upon as characteristic of the Lord's humanity is inconsistent with the supposition of his having in his own hands the thread of the events all along—with his deliberately suffering his friend to die in order that he might bring him to life again. 3. The address to the Father, *I knew that thou hearest me always*, &c. are evidently words put by the narrator into the mouth of Jesus; for nothing could be so frigid as to say, in the very ears of the people, *But because of the people which stand by I said it.* 4. It is improbable, in the highest degree, that if any such event took place,

there should not be the slightest trace of it in the Synoptics. If the first Gospel has any pretension of being traceable to Matthew, or the second to Peter, or if the compiler of the third "had perfect understanding of all things from the very first," it is marvellous there should be no mention in any one of them of a transaction which must have been witnessed, if it took place, by Matthew and Peter, and have formed part of the popular tradition. 5. And this would be the more surprising, because the final catastrophe, according to the fourth Gospel, was so closely connected with this great miracle (John xi. 47, 53, 57). 6. The silence respecting Lazarus afterwards, except that he sat at meat at the supper in Bethany (xii. 2), is also to be noticed. Would he not have been found at the foot of the Cross? Would he have left the last offices to be performed by Joseph of Arimathæa and Nicodemus, showing less courage than they? Would he not have been with the women and the two Apostles at the tomb on the morning of the first day of the week? Would he not have been with the eleven when the doors were shut, or openly on the day of Pentecost? Many, however, of the reasons which are conclusive against the real miracle are equally conclusive against a false or collusive one. On neither supposition can Lazarus and the scene at Bethany be made to fit into the real history. The narrator, however, has a purpose, namely, to define the nature of the human resurrection; as the Gospel insists throughout upon a true incarnation, and holds fast to the Jewish expectation of a corporeal resuscitation. And as in the case of other miracles attributed to Jesus, there may have been a basis for this legend in such words as these, *I am the resurrection and the life.*

We cannot now enter upon a detailed examination of the evidence for the corporeal resurrection of Jesus himself; which has at least an appearance of greater weight than belongs to any other miraculous narrative in the Gospel history, and which, rightly or wrongly, is made the test of what is called the truth of the Christian religion. It has, however, been observed, and with a conservative purpose in prospect of approaching criticisms, that St. Paul treated the resurrection of the Lord, whatever conception he might have of it, as a prerogative instance—*Christ the first fruits, afterward they that are Christ's.* And even if the evidence for the material fact of the bodily resuscitation were insufficient, there yet might be sufficient moral evidence whereon to support a belief of the continued life of the Lord Jesus, and that his true followers, partakers of the like spirit, should be partakers of the same eternal or celestial life. It is obvious, from what has been already said on the subject of the Canon, that we have not four or five independent witnesses to the phenomenon of a resuscitated body. Considering the doubt which attaches to

the authorship of the fourth Gospel, it is not by any means clear that we have even one. We cannot assert the Apostles to have undergone suffering and martyrdom in support of their testimony to such a matter of fact as witnessed by themselves; nor ought we to assume that persons will not courageously and joyously suffer death in attestation of belief insufficiently founded in fact. This much, however, may be remarked, that the weightiest evidence to the resurrection is that of Paul, 1 Cor. xv. 3—8, "*I delivered unto you that which I also received*"—ὅ καὶ παρέλαβον —I handed on a statement which rests not on my own authority, but which was handed down to me.—This tradition is the earliest we have, and varies considerably from those which are embodied in the Gospel accounts. The appearances, however, are all put in the same category with that to Paul himself. At least there is nothing to distinguish the appearances to Peter and James, from that to Paul on the road to Damascus: and there are no particulars given. Possibly the appearance to Peter may correspond with his finding the sepulchre empty when he ran thither with John, Luke xxiv. 12; John xx. 3, 6. The appearances to the Apostles may correspond with those narrated Luke xxiv. 36; John xx. 19, 26; but it is very strange that no trace of Jesus being seen "of above five hundred brethren at once" should be met with elsewhere: it can hardly be supposed the disciples could have amounted to so great a number; for we read in Acts i. 15, that at the election of Matthias the number of the names together was about one hundred and twenty. Moreover, the weight of the Apostle's testimony is considerably weakened by the argumentation with which it is followed, showing a great incoherence in his thoughts upon the whole subject.

This argumentation, on which the Apostle appears greatly to rely, is analysed as follows by M. Schérer, as it strikes us, in a very masterly manner. Doubts had arisen in the Corinthian Church relative to the resurrection of the dead. What are the reasonings of the Apostle Paul on the subject? The first argument is, since Christ is risen, the dead will rise at the last day; for if there were no resurrection of the dead Christ would not be risen. As if God could not raise one man without raising all others; and as if Christ, by virtue of his higher nature, might not enjoy a singular privilege. It might as well be said that because Enoch or Elijah were translated into heaven all men must be translated in like manner. The Apostle then urges: On the supposition that Christ is not risen, our preaching is vain; the faith of the Christian is vain; ye are yet in your sins.—Here the death of Christ which has so large a place in other epistles, and in modern evangelical Christianity is laid as the foundation of the Gospel, is altogether left out of sight. The resurrection is at most one of the belongings to the person and work of the

Redeemer; and at all events a great deal must be supplied in order to make the reasoning of the Apostle amount to this—we could not be sure of the efficacy of Christ's death to take away sin unless we had the voucher of the resurrection. St. Paul then adds, if Christ be not raised, we are found false witnesses; but without distinguishing between the falsity of error and the moral falsity of wilful misrepresentation. The Apostles, in this supposed case, would be asserting what was not borne out by the fact; they would not be intentionally stating what they knew to be untrue; and, however unlikely that they would wilfully bear false witness, it is supposable they might have hastily taken up a belief. Again, it does not appear why, if the dead are not raised those who are fallen asleep in Christ are perished; or why, if there were no resurrection, Christians should be of all men most miserable. Even if there were no future life, a Paul would not feel that he had no advantage in "fighting with beasts," rather than in mere eating and drinking. When, again, it is repeated that Christ is the firstfruits of the dead, it is a recurrence to the original assertion in another form, but no argument; and the contrast between Christ and Adam illustrates the conclusion, but supplies no premiss. Whatever, also, the exact meaning of "baptism for the dead," the argument, if such it can be called, amounts only to this—that those who adopted that practice did so in the expectation of a resurrection of the dead, which may prove their expectation, but is not identical with a proof of the fact. Passing over the solution which the Apostle offers of the objections to a corporeal resurrection, and his doctrine concerning the animal and spiritual bodies, we come to his parallel between Adam and Christ—as the first man earthy, and the second man the Lord from heaven. Here is involved the assumption of that which is to be proved, so far as concerns the nature of resurrection in the person of Christ: and the parallel does not hold between the following of a carnal man (Adam) by a spiritual man (Christ), being two different individuals, and the predominance of a spiritual nature over the carnal in one and the same individual. (*Revue de Théologie*, vol. xi. p. 139.)

M. Colani, as we have seen, would put it in this way: If the resurrection of Jesus was needed for the confirmation of the faith of his disciples, it must have taken place. No doubt, the preaching of resurrection and a future life throughout the world must have had a sufficient cause. But the question is, whether a belief in the continued life of their Lord may not have been such sufficient cause, without the fact of a corporeal resurrection? Faith in a future life, connected with expectations of bodily resuscitation of varying degrees of grossness, already existed among the Pharisees. St. Paul availed himself of it. *Of the hope and*

resurrection of the dead, I am called in question (Acts xxiii. 6, xxiv. 15, 21). Paley says, in reference to this subject, "He only discovers who proves." Yet things may be far from being proved as matter of evidence which may be sufficiently established on moral grounds as matter of faith, to become a basis of religious teaching. The disciples, morally certain of the life of their departed Master, may naturally, from their Jewish education, have been incapable of conceiving it without the adjunct of a bodily resuscitation. To those who are not confined within the Jewish circle of thought, if a corporeal resurrection could be proved, it would be valuable only as a proof of continued life. Thus the real danger to Christianity lies, not in doubting the sufficiency of the evidence to a material phenomenon, but in laying too great stress upon it—so that a failure in the proof of the material event would seem to leave the faith in immortal life without support, by reason of their having been incautiously blended together. But we may surely add this consideration—however the evidence of the resurrection of Lazarus, or of Jesus himself, may be deficient, as material events, the expectation of a future life cannot thereby be reduced below what it was among the Jewish people previously; on the contrary, it is greatly confirmed to our moral convictions by the manifestation of such a life as that of Jesus, which we cannot suppose to be extinguished. And it commands assent more readily when relieved of the accidents which Judaism considered essential to it, which the Greek mind, independently occupied with the same great question, felt to be unessential, and of which St. Paul was anxious to disembarrass it.

III. For a school which has broken with the traditional theology so far as we have described, which is meanwhile so anxious to retain its hold upon antecedent Christianity, which sets so high—as at least some of its members do—the nature and person of Jesus Christ, the publication of such a work as that of M. Renan's *Vie de Jésus* must have occasioned a great strain and trial. The Strasbourg theologians have seen reason to conclude that we have no direct evidence to the facts related in the Gospels—subject, indeed, to some uncertainty as to the authorship of the fourth Gospel being rightly attributable, in whole or in part, to the Apostle John. Next we have observed that they have thrown into the background the whole question of miracle,—not, it must be noticed, of the supernatural. Without entangling themselves in abstract discussions concerning the possibility of miracle, they tend to deny the existence of sufficient evidence for the miracles narrated in the Gospels taken severally, and to reduce to a minimum the value of a miracle in any case in which there may seem to be a predominant evidence of the fact. Nevertheless, they have desired to retain a conception of Jesus, as of a divine person,

according to some modification of the Arian hypothesis, or, short of that, at least of his entire human perfection and sinlessness. Now, we must say these divines have maintained their position in the face of the publication of the *Vie de Jésus* with great courage and consistency—and it certainly does appear to us that such persons as M. Colani, M. Réville, and M. A. Coquerel, junior, have a distinct standing ground from M. Rénan's. With the Strasbourg divines, we recoil from M. Renan's hypothesis in regard to a fictitious resuscitation of Lazarus; with M. Colani, we are inclined to consider certain Judaical conceptions of the Messiahship of Jesus, and Apocalyptic expectations attributed in the Gospels to Jesus himself, as belonging to the prejudices of disciples, and to their misunderstandings of his words and meaning. We think they were incapable of following his insight into the mission of which he was conscious; that they have distorted his sayings, and rendered them in various places inconsistent with each other, and unworthy of him who uttered them. But in disallowing inferences derogatory to the character of Jesus as not justified, when we bear in mind the fragmentary form and Judaical origin of the first three Gospels, and the speculative character of the fourth, it must, we think, be acknowledged that the data are also absent on which could be established a doctrine of his perfect knowledge, or of his absolute sinlessness. Yet there are here two important remarks to be made. In speaking of the Father Jesus says, "my Father," and "your Father," but not "Our Father;" he teaches his disciples to use the words "Our Father," but he never comprehends himself with them in that address. This peculiarity emerges consistently, though indirectly, without pretension and in an undesigned manner. The uniformity of the Christian tradition, or the unison of the Christian sentiment, obliges us to think that the immediate and original followers of Jesus must have conceived of him as above the level of ordinary humanity, as a Son above other sons of God. It is rendered probable that this impression of his disciples was in part founded upon his own words and expressions, and we may infer that a consciousness of this difference existed in himself. It is, however, very far from this opinion or admission to a Trinitarian or even Arian hypothesis. It is still consistent with the supposition that his humanity was of the same original as the humanity of other men; that the divine reason which dwelt in him was the same light which lighteth every man that cometh into the world. Nor, if we put aside the merely legendary commencements of the first and third Gospels, is there authority for supposing this peculiar consciousness of his Sonship to have been present to him before his entering on his ministry? The history of his baptism, with its legendary accompaniments, symbolize to us his entry upon that

higher life in which he afterwards moved, appearing to those about him as among them, though not of them : it was to him, as it has sometimes been called, another or a heavenly birth. Nor is there evidence for saying that no moral frailty can have attached to his earlier years, even though he rose above all such when once possessed with his higher mission. And this passing from a lower to a higher moral stage is likewise symbolized in the story of the Temptation, after which he presents to those about him no moral weakness, hesitation, or struggle. Dr. Réville, in his excellent Manual, observes:—

"It is extremely remarkable that never, in all that is reported to us of Jesus, do we find any trace of a sense of guilt, nor hear a single accent of repentance or regret, while sorrow for sin is so frequently expressed by his chief disciples, especially the Apostle Paul. He must then anteriorly have reached that degree of moral and religious perfection in which consciousness of sin had disappeared in that of intimate and unbroken communion with God. Ignorant of his life prior to his appearance on the scene of history, we cannot indicate the successive phases of his personal development. This side of the person of Christ is most mysterious. Whether or not we succeed in giving ourselves an account of it, we may still rejoice with the Church, that in the Christ as known to us the moral ideal has shone upon earth, and that unqualified love of God and man is not only the first command, but a living reality in Jesus Christ."—pp. 224, 225.

It is asked, however—and frequently, we do not doubt, in perfect sincerity—whether any Christian communion could hold together and be organized as a religious society while recognising so small a residue of what has usually been considered Christian belief of fact and doctrine ? And a certain want of development of Church life in Unitarian congregations is sometimes appealed to, as showing the inaptitude of a critical or negative Christianity for supplying the basis of a Church. Eminent persons among Unitarians have admitted, to a certain extent, this defect of life which has been imputed to them, and have set themselves to remedy it. These deficiencies, however, may in this country be attributed in great degree to the misfortune of a sectarian origin and of a dissenting position ; to a consequent dogmatism in negation, and an overestimate of the importance of a particular controversy. The old Socinianism, the English Arianism, and Unitarianism were founded on a too narrow Scriptural basis. The controversy would dry up of itself if it were once acknowledged that the New Testament writings are a record of what certain men have thought to be the truth, and not a revelation of absolute truth itself. When once, for instance, the first chapter of the fourth Gospel can no longer be appealed to as an infallible utterance of the Divine Spirit; when it is known not even to be traceable with any cer-

tainty to the authorship of an Apostle; to represent a phase of opinion, or a method of conciliating the Christian sentiment concerning the person of Jesus with Alexandrian theories, or to be a polemic against a Gnostic docetism; Trinitarians and Unitarians will no longer be able to fight over its meaning as decisive of their own controversy. The principal loss will be felt indeed to fall on the orthodox or Trinitarian side. But if this modified estimate of the value of the New Testament as primitive Christian writings, and no more, should once extend itself, it would of course be applied to the substance of the Creeds, which then become merely venerable monuments of Christian opinion. And if such modification came to be general among Christians, or wherever it should be general, there would be no difficulty in sustaining Christian association. Small sects are obliged to gather their congregations from various distances. Their organization must, in consequence, be very incomplete for all purposes of religious works—of ministrations to the sick or needy, and of teaching the young. But there is no difficulty in such organization being perfected whenever a congregation is locally strong—whatever its form of doctrine, or, as we should prefer to call it, of opinion. The doctrine or opinion which is sufficient for the individuals would be found sufficient for the aggregate; and there would gather round their worship the sentiment which in all cases belongs rather to a sense of brotherhood and present fellowship than to unity of creed.

It must be acknowledged, says M. Pécaut, that for promoting all public manifestations of the religious sentiment, the supernatural theory of religion appears to present a great advantage. The appeal to the miraculous as a lever of religious action is efficacious according to the different degrees in which it enters into different religious systems. So it must be confessed to be a more powerful agent in Ultramontanism than in moderate Catholicism, in Catholicism than in orthodox Protestantism, in orthodox than in liberal Protestantism. The effect of the appeal to the miraculous may be seen in the influence of the priest in his confessional, or in the excitement of the Methodist camp-meeting. A purer theistic system will appeal less to the imagination, less to the selfish feelings; but M. Pécaut thinks that as Protestant conversions among the heathen are more permanent in their effect than the sudden conversions *en masse* operated by the Catholic Church, so Christian theism—relieving itself not only of the miracles of Transubstantiation and the Sacraments, but also of the miracle of an infallible Bible, not only of the legends of the mediæval Church, but of the Scriptural legends also—will in the end accomplish greater triumphs than the religions which have preceded it. Public worship will find its

place. Association is necessary to the full development of humanity—it is natural to man, as a religious as well as a mere social being: it is especially essential to Christianity, in any sense of the word, that its professors should be associated and manifest their association; and they will not the less be a brotherhood because their elder brother and great forerunner had no power of interrupting the physical order of the universe. Meanwhile, accustomed liturgical forms may hold their place provisionally; the great Protestant institution of the pulpit can easily adapt itself to be the instrument of a second Reformation. The preaching of a Robertson or a Colani, a Schwartz or a Réville, can awaken devotion and charity without appealing to a vulgar love of the marvellous. Such men can extract a sweet kernel from the Christian legends, without feeding their people with the husks. and can teach them to prove all things, even in the Bible, and to hold fast that only which is good. Εισιν αγαθοι τραπεζιται. Liturgies will by degrees be modified, and in the meantime adapt themselves to the understandings of those who use them. While the school, the lecture-room, and the pulpit, shall be doing their work, congregations will take no offence in the religious ceremony of Christian initiation, at the symbol of a Noah's ark floating over the waves of a troublesome world, nor on their marriages at an Adam and Eve as a rude picture of monogamous union.

But do not certain institutions stand in the way of this second Reformation? Is not our own Established Church a hindrance to its development? About as much as the Roman Empire was an obstacle to the propagation of Christianity at the first. The Empire thought Christianity was its enemy: as to the Empire in many of its characters, it was. The Empire thought the new religion would endeavour its overthrow by conspiracy and rebellion. Even virtuous and patriotic men conceived there must be something anti-social, inhuman, and atheistical in Christianity. They set themselves to crush it. How did the new religion meet the warfare? Did it promote disturbance and revolution? By no means. The Gospel subdued the Empire by occupying and transforming it, invading its camps and market-places, its courts and palaces, penetrating it through and through till it was made its own. The dominant parties in the Church of England expected perhaps, or hoped at one time, the critical theologians in this country to make an attack upon the ecclesiastical institutions as such. Domineering hierarchs and creophagous priests, sleek pietists and narrow-minded bibliolaters, could not imagine the fallibility of Scripture to be shown, the untenableness of the dogma to be more than hinted, the worthlessness of so-called Catholic tradition to be exhibited, hierurgic claims to be derided, prophecy and miracle to be denied or explained away, the Gospel history itself to be

sublimed into an ideal;—they could not readily imagine these things without apprehending a design to alienate the tithes, to expel the bishops ignominiously from the House of Lords, and to pull down the parish churches for the mending of the turnpike roads. Whether the new wine shall ultimately burst the old bottles, we cannot tell. It is now rapidly filtering into them; but for the present the material interests of the Established Church are not at stake. And, in all seriousness, far more important than any disputes between Episcopalians and Presbyterians, Churchmen and Congregationalists, friends of an Establishment and Liberation Society men, is a question which must cross-cut all these old divisions: Is the Bible, and the Bible only, according to a famous dictum, the religion of Protestants? And if it be so, what is its meaning and what is its worth?

ART. IV.—MR. LEWES' ARISTOTLE.

Aristotle: A Chapter in the History of Science. By GEORGE HENRY LEWES. London. 1864.

THERE are several Histories of Philosophy, but a History of Science has yet to be written. Mr. Lewes, after many years of preparation, has undertaken this important task, and now furnishes us with the first instalment of it, in the shape of a monograph on Aristotle. The title-page of the volume sufficiently defines its object. It does not pretend to be a systematic exposition of the whole body of the Peripatetic Philosophy, but of those parts only which belong to science properly and distinctively so called. Rightly judging that the first thing to do was carefully to ascertain the facts, Mr. Lewes founds his labours upon an analysis of Aristotle's physical and physiological treatises. He has added an illustrative and critical commentary, which is occasionally disengaged from the text and written as an independent chapter, and he has prefixed to the whole a short biography and six chapters of Prolegomena, designed as a general introduction to the study of ancient science. This is, in few words, what Mr. Lewes has done, and it would not be easy to speak too highly of the manner in which he has done it. The task which he set himself is one of extreme difficulty, requiring special qualifications of no ordinary kind. Mr. Lewes' reputation as a writer on philosophy is not now to make; we need not, there-

fore, enlarge on his scholarship, historical knowledge, and scientific culture—requisites which every one knows him to possess. But there is a question which will occur at once to those who have read anything of the Aristotelian Physics. Is this a *readable* book, or is it only a valuable and instructive essay ? The answer must be taken, as Aristotle would say, "according to the subject matter." If, to borrow a favourite illustration of the Greek schools, he is the best shoemaker who out of the leather given him will make the best possible pair of shoes, then Mr. Lewes deserves to be regarded as a very first-rate workman indeed. For the material with which Aristotle supplies him is tough and inflexible to the last degree. He has not fashioned it into a book having the same kind of charm as attaches to his Life of Goethe, nor was it possible to do so ; but he *has* made out of it a volume which is eminently well-written and skilfully thrown together; one which no person of cultivation can read without pleasure, and which no scholar can put down without admiration at the manner in which the natural difficulties of the subject have been overcome.

This essay, inscribed with the name of Aristotle, is to be accepted as part of a projected work on the origin and development of science. All who care that the most important chapter of history should be properly written will earnestly hope that Mr. Lewes may be enabled to carry out his undertaking, although many will regret that he did not prefer to select the larger theme —a History of the Sciences, instead of a History of Science. A good book on this subject is much needed. At present, Dr. Whewell's "History of the Inductive Sciences," is the only one readily accessible to the English student. Whatever may be its value, it is a work which a large class of readers are obliged to consult under continual protest against its author's philosophical views. The title itself is unfortunate in more ways than one, implying a distinction which does not exist, and holding out a hope which is not fulfilled. All Science is both inductive and deductive. Even granting that it is permissible to single out certain branches of knowledge in which a special importance is claimed for the inductive process, and to call them "Inductive Sciences," consistency requires that the entire range of subjects so distinguished should be included. Dr. Whewell does not do this, and his book has accordingly helped, and that not slightly, to narrow the meaning of a distinction itself both narrow and obsolete. With regard to the actual execution, it concerns our present purpose to observe that the earlier chapters of Dr. Whewell's History are the least satisfactory parts of it ; the account of the Greek School of Science is exceedingly incomplete,* and

* Notwithstanding which, Mr. Maurice's account of Aristotle's Physics

the sketch of the Mediæval School still more so, having apparently the disadvantage of not being founded on an original acquaintance with the scholastic writings. It is time that a more philosophical and exhaustive textbook was put into the hands of English students. Part, and only part of the ground which such a history would cover is included in Mr. Lewes' projected work. He does not propose to follow the stream of science in the wider and fuller portions of its course; he prefers to trace it to its springs,—to show how it emerges from the barren heights of common knowledge, and by what tributaries it is fed up to the point at which it first descends into the plain and becomes of direct use to man. There cannot be two opinions about the interest and value of such an exposition when entrusted to able hands. There are numbers of people, especially in this country, who have a vague belief that science was created somewhere about the time of Bacon, just as there are many who sincerely think that true religion made its first appearance in Europe in the reign of Henry the Eighth. They have not seized the idea of evolution; they have no conception of the relations of the Past to the Present; the knowledge they possess, deprived of its historical support, is often purposeless and fragmentary, and their judgment on ancient systems of philosophy onesided and unjust. Beyond our own seas this essentially insular belief has not, it is true, many advocates. Those continental writers who fail to recognise the doctrine of growth generally prefer to seek in antiquity a means of depreciating the labours of modern times. Frenchmen, especially, so often uncritical in their admiration, seem to think that a great man must be equally great in everything. They bow down before an established authority, and give him credit, not only for what he actually says, but for whatever their own ingenuity can extract from his words. The course of science is regarded by them, not as an organic whole, but as a series of epochs illuminated by the independent discoveries of individual genius. Each of these suppositions disunites the knowledge of to-day and the knowledge of remote times, and on neither can any history of science worth writing be written.

We learn from the introductory chapters of his present volume the theory which Mr. Lewes adopts as that on which his own History is to be founded. He conceives Evolution as the law regulating our life, and the growth of our knowledge as a part of it. To single out for admiration one point in the series of events is to rob both that which precedes and that which follows of its significance.

"Science is a growth. The future must issue from seeds sown in the

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contained in his history of "Ancient Philosophy," is a mere transcript, without note or comment, of Dr. Whewell's remarks on the subject.

past. The bare and herbless granite must first be covered with mosses and lichens, if from their decay is to be formed the nidus of a higher life. No magnificent vegetation springs up at once; it emerges gradually from the accumulated stores of former epochs. From the small beginnings and successive growths of knowledge there emerges a more comprehensive and more complex Science. The advance is not simply one of *addition*, but of new *development*—a development rendered possible by the addition; just as the addition of a new tissue raises the organism to a higher possibility of functional power. The truth sought in one age as a goal becomes a starting-point to the age which follows; the discovery which was the passionate aim of one man, and conferred on him lasting glory, becomes to his successors a mere instrument of new research."—pp. 47, 48.

With this principle to guide us, we are prepared to mount the stream of Time and trace our knowledge to its source. Where and of what parents was Science born? This is a question which can scarcely be answered by direct historical testimony; the answer will obviously depend in great measure on the extent of meaning assigned to the word "science." If that word is held to include such common knowledge of the course of events as constitutes man's first experiences, the growth of science must have been coeval with the earliest inhabitation of the globe. But if "accuracy" be part of the definition, if Science necessarily demands an exact appreciation of quantities of time, space, and force, then the dawn of science must have been a late event in the history of our race, and one of which no trace is presented by the earlier civilizations. In Mr. Lewes' view the birth of Science must be referred "to that comparatively recent period when the mind—rejecting the primitive tendency to seek in *supernatural agencies* for an explanation of all external phenomena—endeavoured by a systematic investigation of the *phenomena themselves* to discover their *invariable order and connexion*."—p. 26. It thus grew out of that habit of mind which led men to investigate solely with the view of ascertaining relations between events,—in other words, it was contemporaneous with the rise of the Objective Method. And, inasmuch as this Method, in the very simplest cases to which it can be applied, requires both a knowledge of mathematics and the use of instruments of measurement and calculation; and as there is evidence that the Egyptians, Assyrians, Persians, or Hindoos did not possess any such instruments, they cannot be supposed to have inaugurated the era of Science. It is to the Italian Greeks that we owe the introduction of that Method which has since been so fruitful. The Pythagorean school were the first who consciously applied themselves to observation—the first to adopt experiment as an instrument of discovery, and to give mathematics to the world. Their researches on the vibrations of bodies are the earliest investigations in

Physics which have come down to us. Above all, we are indebted to the Greeks for the systematic use of a free and independent mode of inquiry, for the introduction of the Negative Method, and for the scientific use of doubt.

Granting the accuracy of this view, and it is not likely to be successfully questioned, we can easily account for the shape in which the first instalment of Mr. Lewes' History comes to us. Aristotle is not only the representative of the Greek mind, but the storehouse of Greek learning. He embraces the whole field of ancient science. And although our knowledge of his life and doctrine is very far from complete, we are better acquainted with him than with any great leader of Hellenic thought. Pythagoras has descended to us as the mere outline of a gigantic form; the philosophy of Plato is inextricably interwoven with the Socratic teaching; but the system which was delivered in the walks of the Lyceum may still be recognised, after the lapse of twenty centuries, in something of its individuality and completeness. As a matter of fact, however, this system is rarely studied as a whole. To judge merely from the frequency with which Aristotle is quoted he might be one of the best known of writers. There is probably no great classic with whose works even well-read men are really so unfamiliar. It is true that his historical, critical, and ethical treatises still hold a place in English teaching, and are studied with a good deal of desultory diligence; but of the whole scheme of which these are but detached parts, a scheme which has exercised boundless influence on the thought and even on the politics of Europe, the majority of our scholars know scarcely more than they do of the system of Confucius. If it is worth while to read Aristotle at all, it is worth while to understand him. In order to understand him, it is necessary to supplement his Logic and Metaphysics by his Scientific works. This is not done among us, and has not been done for centuries. The Ethics are put into the hands of Englishmen to aid them in forming principles which shall last them their lives. The Organon is still the text-book of formal logic. Historians turn to the Politics, and Critics to the Poetics as frequently as ever. On this subject Aristotle is still a canonical authority. Indeed, his reputation is rather outgrowing itself. He is fast relapsing into a state not unlike that which formed his own ideal of happiness—a state rousing no animosities, provoking little criticism, not devoid of that measure of external good which is implied in being edited by German Professors—essentially dignified, but neutral and lifeless.

The fate of his Physical treatises is, and has been, very different. On their first introduction into Europe, in the thirteenth century, they were formally condemned on three several occasions. The reason of this animosity it is not now easy to ascertain; it is

probable that they were assumed to contain matter opposed to Catholic teaching. However that may be, it is tolerably certain that neither the members of the Council who first prohibited them, nor the Papal Legate who confirmed their verdict, nor the Pope who ratified it, had ever read the works they condemned. Mistaken suspicion was succeeded in the next generation by admiration equally mistaken, and from the middle of the thirteenth century to the beginning of the sixteenth the Science of Aristotle was the Science of Europe. The authority of the master then fell with the ecclesiastical supremacy with which he had been so long associated. The reformers of the fifteenth century hated Aristotle as the ally of the Romanists: the Physicists of the succeeding century despised him as the idol of the schoolmen. The feeling of the times is expressed in Bacon's strong remark that Aristotle is the worst of sophists, and its imperfect knowledge of his scientific writings in the criticism which has been so often since repeated, that he made his natural philosophy the slave of his logic. The lapse of some three centuries has swung the pendulum back almost to the point which it had reached in the most servile period of the middle ages. It is really scientific men who speak now—Cuvier, De Blainville, and Isidore Geoffroy St. Hilaire. They have announced that Aristotle has been wholly misunderstood; that his works are a valuable repertory of facts; that he made thousands of observations of extreme delicacy; that he is master of every branch of knowledge, and that he has laid the external bases of the sciences.

It is time that this controversy was set at rest. It is due to the reputation of Aristotle, and it is due in a much higher degree to the interests of philosophy to ascertain, once for all, the relation of ancient to modern science. Should it turn out that in an age destitute of all exact means of observation one great man, by his intellectual subtilty alone, was enabled to arrive at results which have been hardly reached by years of patient research, aided by the most delicate instruments, our Organon of Science must be reconstructed. And instead of looking on knowledge as an accretion slowly formed by materials which have drifted in the course of centuries, we shall have to return to the theory of critical changes and admit that the whole aspect of the world of thought may be revolutionised by one convulsive effort. In a matter of this importance it is not permissible to trust to any general considerations, however well founded they may appear to be. The question can be brought to a direct test. To such a test Mr. Lewes has accordingly reduced it, with much labour, with no ordinary skill, and with complete success.

Before presenting our readers with the proofs which he accumulates, it will be convenient to ascertain—(1) What is the

character of ancient science? (2) What place did Aristotle himself hold in regard to it?

On the first of these points the English school of Physicists have generally been prepared with a ready answer. Ancient science is a failure, and the failure is owing to the fact that the men who practised it "were unprovided with the great criterion by which the evidence of testimony can alone be examined."* They disregarded observation and experiment, and rested upon abstract reasoning. Dr. Playfair goes even farther, and asserts that though observations were sometimes made, experiments were never instituted; from which he infers that had these neglected arts been practised, the ancients would have been as successful as the moderns have been—an opinion which we believe to be very generally held. The opinion is in truth Bacon's, but the process by which it is arrived at is anything but Baconian. A very slight examination of the works of the Greek philosophers suffices to show that they both observed and experimented. They did not neglect facts; they did not disregard experience; they did not—at least many of them did not—spin their philosophy, as a spider does its web, out of the storehouse of their own minds. But it is not enough to collect materials; the girders must be tested, and the stones examined, before they can be made to form a support on which we can safely trust ourselves. We need not go back to antiquity to see that no accumulation of observations or repetition of experiments will protect us from flagrant error unless the observations are precise and the experiments are verified. This certifying process is slow, difficult, and laborious; it requires, moreover, an instant watch over the too facile disposition to see what we want to see, and to believe that the order of nature corresponds with the order of thought. And therefore it is only the most powerful conviction of its necessity which induces men to adopt it. That conviction the early cultivators of science had not and could not have, for it is produced only by the repeated failures of successive generations. The original attitude of the mind towards phenomena—the result of our first experiences of the world around us, is to suppose man to be the measure of all things, to assume that what we can clearly conceive is necessarily true. A universal distrust of ourselves, our senses, and our faculties—in other words, scientific scepticism—is the product of a wider experience, and of frequent and humiliating errors. In the simplest branches of knowledge the subjective method was soon abandoned. In the most complex it is not even yet rejected: "so perfunctory to the many is the search after truth, and so prone are they to turn to what readily presents itself."

* Playfair, quoted p. 49.

We see then that ancient science failed, and we recognise two causes of its failure; one psychological, the other historical. The psychological cause is the neglect of verification proceeding from our mental and moral constitution—as Bacon would put it, "an idol of the tribe." The historical cause explains this neglect by showing that the experience, born of non-success, which alone induces us to rely on verification, had not been accumulated by antiquity, and is not perfectly accumulated even now. Yet we may hope with Mr. Lewes that "at the present time the relative positions are changed; the false method is still employed, and in certain inquiries preserves its supremacy; but the existence of a vast body of scientific doctrine, and the rapidly increasing extension of the scientific spirit, prove that the true method is at length predominant."

(2) These considerations, true of ancient science in general, apply under certain restrictions to Aristotle regarded as a type of it. Independently of the proof, which can only be gathered by examining his writings, there is an historical presumption that he was not placed at the point of view which would enable him to experiment and to observe with complete success. His mind —the shrewdest, most comprehensive and acute mind of antiquity—was yet not altogether free from the transcendental bias which was the ruin of his master Plato. The desire to form a sharp contrast between these two men has caused considerable misapprehension of what we believe to have been the true intellectual characteristic of Aristotle. In modern times, owing to an accumulation of differences in habits, thoughts, and studies, which has been long going on, we do actually find marked and radical discrepancies between the classes of mind of which Aristotle and Plato are frequently taken as the type. We find one man without any interest in that which is the supreme object of the hopes and aspirations of another. We find one man treating as a fable what is held with the most intense conviction by his neighbour. There are cultivated people who are, for all the purposes of their higher life, in contrary opposition; with separate aims, separate means, and wholly separate beliefs. Between the metaphysician seeking to gain a knowledge of things as they are, and the scientific inquirer only occupied with the aspects under which they are presented to him, there is a difference of mental habit which may and often does react upon their moral and physical life as well. In the ancient world these sharp contrasts are not found. They are of later growth, owing their existence to differences of organization which have been multiplying for centuries, and to distinctions of character—the result of such differences, which have been gradually increasing day by day. To suppose that even Aristotle and Plato should

present an intellectual opposition as well defined as may often be found now, is not less difficult than to suppose them capable of anticipating us in specific discoveries, or rivalling us in the method we employ. It has been too much the fashion to talk of Aristotle as the antithesis of Plato, and as if he were a type of the scientific man of the modern school.

"It is precisely," says Mr. Maurice,* "the aspects under which we see and judge of things that he proposes to investigate. He wants to know what are the rules and conditions under which the mind by its own constitution considers and discourses. He makes the mind a centre referring everything to itself, just as those did with whom Plato contended." This view is rather popular than exact. In truth, there is nothing more obvious to the reader of Aristotle than the hesitation he frequently shows in taking up what is here described as his normal position, and than the limitation he imposes on what is stated to have been his firm and unaltered belief. So far is it from being true that he confines himself to the phenomenal aspect of things, that even when treating physical subjects he frequently adopts a transcendental view. It is true that he examines the conditions under which the mind works, but he expressly says, while doing so, that the principle of reason is to be sought in something higher than reason itself. He did not suppose either that the same stringency in procedure or the same certainty in results were obtainable in Physics as in his highest science—Theology. "Physics," he tells us, "are concerned with things having a principle of self-motion; mathematics with permanent but not self-existent things; and there is another science apart from these, which treats of the changeless and transcendental." And elsewhere in the same strain—"Physical science deals with the inseparable, but not with the immoveable; the highest science is employed in speculation on things both separate and changeless." There is therefore in his opinion a transition—a lowering of the point of view both as regards dignity and certainty, when we come from the general principles of science to the special examination of Nature.† Here a rigorous method is impossible, and that being so it is not necessary to embrace all the cases which may fall under a given rule. No higher degree of certainty being attainable in any science than that which the subject admits of, and natural investigations belonging to the sphere of the contingent and the possible, physical conclusions describe not what always and necessarily happens, but what happens generally and in the greater number of cases.

* "Moral and Metaphysical Philosophy," p. 184.

† Ἀλλ' *ὁ τρόπος τῆς ἀποδείξεως καὶ τῆς ἀνάγκης ἕτερος, ἐπί τε τῆς φυσικῆς καὶ τῶν θεωρητικῶν ἐπιστημῶν*, De Part. Anim. i. 1.

We thus see that Physics were not approached by Aristotle with any direct purpose of gaining from them conclusions which he would class as *certain.* The want of rigour so justly imputed to him in scientific research, his precipitancy of inference, and the small pains he takes to secure a sufficient basis for his conclusions; above all, his neglect of verification, are faults not only common to him with his age, but which proceed in some measure from his conception of the nature of science and from his analysis of the doctrine of proof. The logical distinction between the necessary and the contingent; the physical distinction between the eternal and the changing, and the differences of method in ordinary and transcendental science founded on such distinctions, require to be constantly borne in mind when we come to interpret his language in his works on natural philosophy. We there find him using expressions which imply not only a certain distrust of ontological knowledge, but a comparatively greater confidence in the results of experience. Such passages as these—"phenomena are more to be trusted than the conclusions of reason;" "we must not look for the same accuracy in matters given by pure reason and in our sensuous perceptions;" "that which is most universal is the most difficult for us to attain knowledge of, since it is farthest removed from sense"—were not intended by Aristotle as maxims of general application. They are to be taken, according to his own warning, "with reference to the subject matter." They are true as regards our phenomenal knowledge; but there is a whole region—that of the changeless and universal—in which they are not true, but false.

We have been particular in pointing out this metaphysical weakness in Aristotle because Mr. Lewes in his chapter on Aristotle's method has scarcely laid sufficient stress upon it. He describes accurately enough the principles announced and actually employed by the philosopher in his scientific writings. "In direct opposition to Plato, who, denying the validity of the sense, made intuitions the ground of all true knowledge, Aristotle sought his basis in sensuous perception. Anticipating Bacon, he affirmed that it was wiser to dissect the complex phenomena of sense than to resolve them into abstractions—'melius est naturam secare quam abstrahere.' His reliance was on experience and induction: the one furnishing the particular facts, from which the other found a pathway to general facts,—or laws. Without sensation thought is impossible. Plato held that the deceptions of sense justified scepticism of all sense-knowledge. Aristotle, more correctly, taught that error did not arise from the senses being false media, but from the wrong interpretations we put on their testimony. Manifold deceptions may thence arise, but each sense speaks truly so far as it speaks at all. It is from

sense we gain the knowledge of particulars. It is from induction we gain the knowledge of universals. Agreeing with Plato that science is only concerned with universals, he affirms that these could only be reached through experience."

So far as regards the treatises which form the subject of Mr. Lewes' book, this estimate is on the whole accurate. But it requires a line of supplement. As has been already observed, the Aristotelian doctrine cannot fairly be judged of in parts. It assumes to be a connected and self-coherent whole. Herein lies its strength and its weakness. Its aim is too vast. Aristotle, in seeking to embrace not only that which is directly cognisable, but everything falling within the range of demonstrative and moral proof, brought himself under the influence of two opposite modes of philosophizing,—of that which investigates relations on one side, and of that which deals with the absolute, on the other. The bias of his mind was strongly scientific, but the nature of many of the questions he set himself to solve in pursuance of his too comprehensive plan coerced him into the use of the Subjective Method. He therefore halts between two opinions, and is occasionally both ontological in his Science and scientific in his Ontology. No doubt he asserts, as Mr. Lewes represents, that universals can only be reached through experience,—that we rise from individual phenomena to a knowledge of general causes and principles, which, he adds, is the standard method of philosophizing; but considering these principles from another point of view, he describes them as an original point of departure, to be assumed in every scientific exposition. So that while his analysis of the grounds of knowledge leads him to experience, to induction, to the philosophy of sense, his analysis of the Logic of Science teaches him to rely on *à priori* reasoning, and to look for his highest truth in propositions not inductively obtained. Many attempts have been made to reconcile this language; the language can be brought into no greater harmony than the thought which it expresses. As successor to the problems bequeathed by Plato, Aristotle was committed in some sort to an adoption of Plato's method; as the founder of a new course of investigation he had to supply an Organon appropriate to it. That he did supply such an Organon is perhaps his best title to fame.

The co-existence of these diverging lines of thought in Aristotle's writings renders it especially difficult to generalize the principles from which they set forth—a difficulty felt by the master himself, and reflected, not obscurely, in his language. When we attempt, for example, to seize his idea of Nature we are constantly thwarted by the changing forms under which it is represented. Sometimes it is a self-active agent with distinctly personal attributes, capable of degrees of perfection in its work,

arriving at excellence, like an artist, only after repeated trials—associated with God but inferior to him, demonic not divine. Then, again, we lose the personal relation and pass into the transitional idea of entity. Nature is "a kind of principle and a cause," ἀρχή τις καὶ αἰτία—not however a constant principle or a cause whose action can always be relied on—but subject to constant modification and interruption in the mode of its action. It is clear, therefore, that whatever we may find in Aristotle, we do not find a consistent application of the now recognised principles of Science. By the combined effect of his historical relation to the earlier schools, and of his position as the founder of a new method, he was committed to a neutral policy. He had not completely abandoned the initial hypothesis that phenomena are due to personal agents, though he had so far generalized it as to look sometimes at the power employed instead of at the agent employing it. Nor did he regard the order of events as uniform, though apparently believing that they tended to become so. Notwithstanding an occasional protest against final causes, his works teem with teleological arguments; and, lastly, he consistently maintained that in Physics, as in Ethics, certainty was not to be attained. These are not exactly the instruments with which a modern laboratory is furnished. Irrespective therefore of any direct proof from the examination of the Aristotelian treatises in detail, a consideration of the principles with which he starts raises a strong presumption that they could not have conducted him beyond a partial and limited truth. Nevertheless this specific examination is necessary. The assertions of men like Cuvier cannot be dismissed on the ground of general probability. Hitherto no one has sufficiently appreciated the importance of the question raised in the issue to undertake the labour of critically reading Aristotle's works on Science. By doing so Mr. Lewes has added another obligation to those under which philosophy and literature already lie to him.

The treatises included in the work before us may be divided into three classes—I. The physical writings, including under this head the eight books of *Physics*, the four books *On the Heavens*, the two books on *Generation and Corruption*, the *Meteorology*, and the *Mechanical Problems;* II. The books on comparative anatomy and physiology, viz., the *History of Animals*, the *Parts of Animals*, the *Generation of Animals;* III. Several essays on the higher branches of physiology, such as the essays *On Sense, On Memory, On Sleep, On Dreams*, and *On Longevity*, which all form part of the collection known as the *Parva Naturalia*, and lastly the celebrated *De Anima*, the treatise on *Life and Mind.*

These books form together the sum of Aristotle's scientific

doctrine.* There are two ways in which the matter included in them may be presented. Passages from various works bearing on the same subject may be thrown together, methodized, and interpreted, or the works themselves may be analysed. The former plan has the advantage of exhibiting Aristotle's teaching in a more intelligible and systematic shape. But for historical purposes it is almost useless. The form of a system is part of the system itself. Its omissions, its violent transitions, its errors, its absence of order, are part of it. Admitting the difficulties which criticism has raised as to immediate authorship and so forth, we have in the text as it stands the Peripatetic philosophy in its most reliable form. If we are not reading Aristotle himself we are reading him as he was understood by those who had the best means of understanding him. It is therefore with good reason that Mr. Lewes has given us analyses of the separate treatises instead of a methodized collection of extracts. We have now for the first time an opportunity of judging the most comprehensive of ancient scientific systems without the labour of wading through some half-dozen volumes of Greek. It will be readily understood that the increased historical value gained by this manner of treatment has not been obtained without a sacrifice. Parts of Mr. Lewes' work are somewhat stiff and colourless, as an analysis must necessarily be, and above all an analysis of Aristotle. But they are relieved by many pages of easy, flowing description, and enriched with illustrations of great value. This remark particularly applies to the chapter "*On Development*" (chap. xvii.), and to that in which Aristotle's asserted anticipation of modern discoveries is examined (chap. xi.). These portions of Mr. Lewes' book are in his very best style, and as examples of scientific description they are not to be surpassed. Readers who care little about the historical aspect of science, and who will not be at the trouble of understanding the theories to which these pages serve as an introduction, will find in them a concise and intelligible summary of some of the latest results of biological investigation; while to scholars the whole work forms a most useful handbook of ancient science so far as it was included in the Peripatetic philosophy.

We shall now attempt, with the aid of Mr. Lewes' book, to give an account of the actual results attained by Aristotle in the divisions under which his works have been classified above. And first as to the Physical writings. The treatises which are thus described deal mainly with the highest and most generalized conceptions, such as motion, force, inertia, the elements, infinity, and

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* There are a few others. They add little to what is contained in those cited in the text.

the like. It might seem that the ancient metaphysical method would be particularly fitted to cope with ideas which, while they are guaranteed by experience, confessedly pass the limits of it. Nothing more decisively proves the weakness of that method than the fact that these are the very subjects on which it is most powerless. The truth is that the most abstract and transcendental notions require the same kind of basis as the most special fact. Their groundwork is laid in minute investigation and measurement, and nothing has yet been gained by attempting to build them in the clouds instead of upon the earth.

Aristotle laid great stress on his theory of motion; he discusses it at length in the Physics, and goes so far as to say that he who is ignorant of motion is ignorant of all natural things. "It is very significant," adds Mr. Lewes, "that he should not have contributed the smallest item even to what we now call the metaphysics of the subject. Not only was he entirely in the dark respecting the laws, he was completely in the wrong in his conception of the *nature* of motion. He thought it was something superadded; an 'energy' which was opposed to that of 'rest.'"—(p. 126.) No doubt he did so regard it; still his theory, glanced at in the passage just quoted, goes beyond the mere explanation of why bodies move. Aristotle, like all other thinkers who have not confined themselves to the strictly positive aspect of things, considered himself bound to account for the relation between two classes of fancied existences which are sometimes distinguished as absolute and relative, which Plato called ideal and real, and which he himself classified as possible and actual. That there was a connexion of some kind between these sharply-defined notions was strongly felt by Aristotle as well as by Plato. Their analysis convinced them in the first place that phenomena imply something which is not phenomenal; that our knowledge rests upon something which we can neither penetrate nor comprehend. Modern science admits this with equal readiness; but while it merely notes the fact without attempting to explain it, ancient science did attempt to explain it, and found itself thereby involved in inextricable difficulty. Said Plato, the ideal is that which truly is; the real, the phenomenal, is that which *is not* but appears to be. Said Aristotle, the ideal is that which *may be*; the real (the phenomenal) is that which actually is,—in his own language the one is a potentiality, the other a completed reality. But what is the point of contact between them? It is not enough to show that they are opposed, it must also be shown how they are related. The Platonic theory of the soul furnishes one answer to this question; the Aristotelian doctrine of motion furnishes another. Motion, in the world of sense, is a middle term between the possible and the actual; it is an *entelecheia*, that is, a passage or

means of transit between the two.* It would answer no useful purpose to show at length how this passage was supposed to take place; the thing itself being demonstrably inexplicable, it is hardly worth while to understand the explanation. But an outline of the theory of Motion deserves a place in the History of Science. We may learn from it that the ancient schools distinctly acknowledged the existence of two spheres of thought—the knowable and the unknowable; it exhibits the scientific advance made by Aristotle when he reversed the order assumed by Plato and made (in Physics at all events) the phenomenal equivalent to the Real and the possible to the Ideal; it also points out the fruitlessness of any attempt to cross the barrier between these opposite domains, and to bring into relation what is only known to us as being in opposition.

The *Physics*, and the work *On the Heavens*, are almost entirely occupied with speculations, of which that on Motion may be taken as a type—disquisitions about space, nature, infinity, and so on. Mr. Lewes calls attention to a passage from the fourth book of the Physics, which shows, he says, that Aristotle had got a glimpse of Inertia—at least as regards bodies *in vacuo*. The important words are these: "Moreover no one can say why *in vacuo* a body once set in motion should ever stop; since why rather here than there? Consequently it must either remain in necessary rest, or—if in motion—in endless motion, unless some stronger interferes." *In pleno* he thought that motion might be kept up by the pulsations of the moved air acting on the projectile after the original motor ceases to be in contact with it. Although the air is here described as causing motion in the manner of an external agent, its resistance is elsewhere remarked upon. Mr. Lewes says upon this, that had the idea of inertia *in vacuo* and resistance *in pleno* been connected, there is no reason why the truth—that continuous motion is motion unchanged—should not have been perceived. The facts were there, but the theory was wanting.

The work on Meteorology exhibits an advance in point of method on the Physics, although very imperfectly corresponding to its title, including as it does, questions of astronomy, geology, and chemistry. We extract the following criticism on it as an example of the firm and rapid manner in which Mr. Lewes presents the results of his reading.

"The work shows what could and what could not be effected by observation, when unassisted by instruments. Aristotle, equally with moderns, makes heat the chief agent in meteorologic changes. But this is general qualitative knowledge, and science demands *quantitative*

* Phy. viii. 1. ἡ τοῦ δυνατοῦ, ᾗ δυνατόν, ἐντελέχεια κίνησίς ἐστιν.

knowledge. Wholly destitute of a measure of heat he could establish no quantitative basis for his reasonings. In like manner he was without a barometer which could measure the weight of the atmosphere at different times and in different places. He knew that the atmosphere had weight, but was unable to measure that weight. He further wanted an anemometer by which to measure the velocity of atmospheric currents, and a hygrometer by which to measure the quantities of vapour. Nor had he any knowledge of electricity, which also plays an important part in meteorological phenomena. Thus deprived of all those puissant means of investigation which could make observation precise, we see in his work an example of the genuine commencement of Science, where man is face to face with complex phenomena, the order of which he intensely desires to discover, and finds himself reduced to qualitative observation, and to reasoning. Now, the remarkable point in Aristotle's treatise is that, standing as he does in the condition of the early pioneers, he does not adopt that primitive theological mode of explanation which we have seen to be generally characteristic of such a condition, but on the contrary, adopts a strictly scientific method, rejecting all theological explanations, and endeavouring to range the phenomena in their natural order. He examines the facts and coordinates them to the best of his ability."

This estimate of the worth of Aristotle's physical speculations is likely to be generally adopted, because on the whole it tallies with the received ideas on the subject. What is new in it is not so much the fact of the failure as the distinct appreciation of its cause. For purposes of history, however, it is of extreme importance that the cause should be understood, and good service has been done in clearly pointing it out. Too many of the modern followers of Bacon have been led by an uncritical admiration of their master into imitating the error which he inaccurately charges Aristotle with having committed. They have neglected facts. They have accepted without inquiry the statement that Aristotle did not succeed because he generalized without observation, and because he was unacquainted with the process of induction. In fact, what was wanting was not observation, but a test of observation, not induction, but verification. These safeguards were not employed, because men had not then learned the necessity of them—a lesson which is one of the latest fruits of Science; and they could not have been employed with effect, had the trial been made, because the necessary instruments were wanting. In this way Mr. Lewes accounts for the fact that the ancients, notwithstanding their speculative boldness and skill, failed so completely, even in those departments of Science in which they were likely to succeed. The explanation is satisfactory and complete. By adopting it, Aristotle's shortcomings in Physics are taken out of the class of hazy generalities, and are made to illustrate and confirm the law of mental development. It is worth while to have written a book only to have secured this result.

But after all, the interest attaching to the Physics is comparatively slight. Physiology is the really important part of Aristotle's scientific doctrine. He had undoubtedly both examined and classified the greatest part of the then known species of animals, and even if we reject the story of the collection which Alexander is said to have furnished him with, and admit that he dissected in a careless and perfunctory manner, still his knowledge was not contemptible, and was very much more complete than that possessed by any of his contemporaries. It was not unnatural to suppose that a man of Aristotle's extraordinary ability should have arrived at some striking results in subjects which give so much scope for generalization as Physiology and Comparative Anatomy. It happens also that his biological investigations have been singled out for extravagant praise by men in every way entitled to be listened to. One of the first, if not the first, comparative anatomists of Europe has declared that Aristotle made thousands of observations of extreme delicacy; another, scarcely less distinguished, has praised his vast and luminous plan; a third asserts that he penetrated the depths of all the sciences. Nothing short of the most careful analysis suffices to confirm or disprove these statements, and to an analysis of this kind they are accordingly submitted in the last two hundred and thirty pages of the volume we are now considering. Mr. Lewes handles this part of his subject *ex professo*, with the authority of an original investigator, and with the skill of a man versed in the history and details of the sciences of which he treats. Nothing short of such special knowledge is equal to the task of exhibiting intelligibly the doctrine contained in this section of Aristotle's philosophy. Who has ever been the wiser for reading Ritter's analysis, to say nothing of Mr. Taylor's ponderous translation and still more ponderous Dissertation ?* To arrive at Aristotle's meaning, and give reality

* We have had the opportunity of consulting this scarce book, and can fully bear out Mr. Lewes' surmise (pref. p. ix.) as to its value. Not only is the translation from the Greek inaccurate and without taste, but the author is wholly ignorant of science. His ignorance has the peculiarity of being founded on conviction. He has read Bacon, he has read Newton, he has read Locke, and he thinks they are all wrong together. In his opinion the *Novum Organum* "passes all understanding;" and the *Principia* is "founded on erroneous principles." Whether he understood Aristotle or not is doubtful; but it is clear that he understood no one else. We extract the following example of philosophical criticism. "Though more than a century and a half has elapsed since the 'Novum Organum' of Bacon was written, that Bible of the experimentalists, conjecture only has been the result of laborious research and a hopeless adoption of one theory instead of another. Nor is it possible it can ever be otherwise. For the only sure guides to Science are the self-luminous truths of axioms and indubitable facts acquired by simple observation, and not the ignis fatuus of experiment; and he who abandons the former for the latter will quit certainty for hypothesis, and by descending deeper and deeper

to his language, it must be read by the light of modern research and translated into its real and not its seeming equivalents. No one but a physiologist is competent to do this. We will give a single example. The word νεῦρον, which in later writers often means "nerve," has been frequently so rendered in Aristotle. But there is a strong reason, patent to the anatomist, why νεῦρον cannot be the true equivalent of nerve. Aristotle derives all these νεῦρα from the heart. Although it is difficult to suppose how he could fall into such an obvious mistake as to say that the nerves centered in the heart, yet he sometimes makes such surprising oversights that that may pass. But then it would necessarily follow that he was unacquainted with the real course and distribution of the nerves. On the contrary, he seems to have traced the direction of the optic, olfactory and auditory nerves, and partially to have recognised their function, although he explained it wrongly. These nerves he invariably describes as "ducts." In order, therefore, to make Aristotle's phraseology correspond in the slightest degree to the facts of the animal structure as known to him, νεῦρον should be translated, in its classical sense of "tendon," "ligament," or, indeed, almost anything but "nerve."

The first thing that strikes one on turning to the "Natural History" is the extent of the survey and the broad and philosophical manner in which the divisions are arranged. Distinguishing in the first place Inorganic from Organic bodies, he commences with the assumption of a determinate number of simple substances or elements. From a combination of these result the homogeneous parts of living bodies; from a combination of the homogeneous parts issue the more complex tissues and organs. The progressive advance of nature from lower to higher is indicated in the different degrees of animal life which exhibits a continuous progress from element to plant, from plant to animal, and issues finally in man. Such statements may well surprise a modern reader. If he comes upon them, as many do, full of the idea that Aristotle was a mere word-splitter, whose theory of nature was only a feeble echo of his logic, a strong reaction is likely to take place. Should he happen to be also acquainted with the doctrine of evolution, there is some probability that he may be tempted to attribute to Aristotle a meaning that his words do not really bear, and a significance of which they are historically incapable. A cautious thinker soon remembers that in the early stages of inquiry brilliant generalizations are not rare, but that they are founded not on knowledge but on ignorance, including the phenomena without expressing them. An examination of the "His-

into the darkness of matter, at length lose himself in her inextricable labyrinths."—*A Dissertation on the Philosophy of Aristotle*, p. 485.

tory of Animals" suffices to show that, except in terms, there is scarcely any resemblance between Aristotle's notion of a progressive advance of nature and the modern theory of an ascending complexity of organization and life. His idea was teleological, assuming perfection as the end which mundane forces were constantly striving to attain, and measuring the degrees of perfection in the various classes of living beings by the proportion of vital heat which he imagined them to contain. The conception of evolution, on the other hand, does not include a final cause; still less does it connect the terms of its series by so fragile a link as the presence of a particular form of force. Stronger proof remains behind. A biological classification supposes a knowledge of the laws of life. That knowledge depends on accurate acquaintance with the structure of living things. How far had Aristotle advanced in this direction? Mr. Lewes tells us that, after long and minute study, he is compelled to form a very different estimate from what is current among critics and historians:—

"Reading his works by the light of modern discovery, we are apt to credit him with all his words suggest to us; we come, indeed, upon numerous inaccuracies, and on many statements which imply gross carelessness; but wherever his language does not betray him, modern readers insensibly fill out his hints with details from their fuller store. On a superficial examination, therefore, he will seem to have given tolerable descriptions; especially if approached with that disposition to discover marvels which unconsciously determines us in our study of ancient writers. But a more unbiased and impartial criticism will disclose that he has given no single anatomical description of the least value. All that he knew may have been known, and probably was known, without dissection. The casual revelations of the slaughter-house and battle-field, together with intimations gathered from auguries and embalmments, probably furnished his knowledge of man and the larger animals. I do not assert that he never opened an animal; on the contrary, it seems highly probable that he had opened many. But I am persuaded that he never *dissected* one in the careful systematic style necessary for more than a general acquaintance with the positions of the chief organs. He never followed the course of a vessel or a nerve; never laid bare the origin and insertion of a muscle; never discriminated the component parts of organs; never made clear to himself the connexion of organs into systems."

Strong as this language is, it is warranted by the facts. Aristotle says, for example, that the human kidney is lobed like that of an ox;* that in man the heart has only three chambers, and that

* De Part. iii. 9. Ἔχουσι δ' οἱ νεφροὶ πάντες κοῖλον, ἢ πλεῖον, ἢ ἔλασσον· πλὴν οἱ τῆς φώκης. Οὗτοι δ' ὅμοιοι τοῖς βοείοις ὄντες, στερεώτατοι πάντων εἰσιν. †Ὅμοιοί δε καὶ οἱ τοῦ ἀνθρώπου τοῖς βοείοις.

it lies above the lungs where the trachea bifurcates;* that the brain is bloodless in all animals, and that the back of the head is empty, the vacant space corresponding to the size of the animal.† He was not even aware of the existence of the muscles; he made no distinction between the arteries and the veins, and although he partially distinguished the nerves which have their origin at the base of the brain, yet he classed them with other ducts (πόροι), and thought that there was nothing very special about them except their position. Of the *nervous system* he knew nothing. Being but little acquainted with the viscera, and completely in the dark respecting the three most important parts of the organism—the nervous, muscular, and vascular systems—his anatomy was too slight to serve as the foundation of a true physiology.

Nevertheless it would not be wise to pronounce without an examination of his opinions on the chief phenomena of life, especially as he has described in detail the processes of digestion and respiration, and has written special treatises on the animal movements and sensorial functions.‡ Aristotle's theory of digestion appears to be this: The food passes first into the stomach, where it becomes liquid; thence it steams up under the influence of the animal heat through the vessels of the mesentery into the heart—the great central source of heat. Hitherto it has been merely dissolved, but in the heart it undergoes a change, ceasing to be *ichor* and becoming blood. The veins which proceed from the heart carry the blood to every part of the body, the nobler organs receiving the best parts and the baser organs the inferior portions, in the same way as food is distributed among the members of a household. The facts of the conversion of food into blood and of blood into the tissues were thus interpreted by Aristotle. He connects digestion with respiration in rather a singular manner. The cooking process which takes place in the heart causes that organ to expand, and the chest to expand with it. A kind of vacuum is thus formed, into which the cold air rushing, contracts the chest, whereby the heart is caused to contract also. It is this alternate expansion and contraction which causes the beating of the heart. But why do animals breathe? Aristotle complains that the question had not received sufficient attention. His own opinion was that respiration was a cooling process—a contrivance for preventing the heart from being consumed by its

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* De Anim. Hist. i. 14. Ἡ δε καρδία ἔχει μὲν τρεῖς κοιλίας, κεῖται δ' ἀνωτέρω τοῦ πνεύμονος κατὰ τὴν σχίσιν τῆς ἀρτηρίας.

† De Anim. Hist. i. 13. 3. Ἄναιμος δ' ὁ εγκέφαλος ἅπασι καὶ ὀυδεμίαν ἔχων ἐν ἀυτῷ φλέβα. Τὸ δ' ὄπισθεν τῆς κεφαλῆς κενὸν καὶ κοῖλον πᾶσιν, ὡς ἑκάστοις ὑπάρχει μέγεθος.

‡ The books known as "De Animalium Motione," and "Parva Naturalia."

own heat. In this function the brain is made to join. The brain is the coldest part of the body, receiving no blood, as we have seen, and by its coolness helping to temper the excessive heat of the central organs. Not only does the heart play the most important part in the work of digestion, it is also the seat of sensation, the senses being led to it through the ducts already mentioned.

This summary review of Aristotle's physiology is quite sufficient to confirm the conclusion reached through his anatomy. We may well ask, with Mr. Lewes, how it comes to pass that, in the presence of such results, biologists of renown can have affirmed that he laid the eternal bases of their science, and that his writings are authoritative to discerning minds.

Not but that striking coincidences may be found between modern speculation and occasional views set forth by Aristotle; such are his identification of Plant and Animal, of Life and Mind; his statement of what has been called "the law of economy," and a suspicion which he entertained of the vertebral theory. There are also some genuine inductions—as, *e.g.*, the perception of the morphological law, that "the greater luxuriance of the plant is at the expense of its seed;" and very frequently, even when wrong in his facts, he atones in some measure by the breadth of his views and the comprehensive manner in which he groups phenomena superficially distinct, but actually related by important analogies. Under this last head would fall his theory of the progressive complexity of life, and his classification of natural bodies. Although his teaching on these points falls far short of an anticipation of the modern doctrine, with which at the bottom it has nothing in common, it is yet a brilliant example of the scientific genius of Aristotle and of his superiority over generations of his successors.

The theory of the Soul forms the natural termination of these biological speculations. No part of Aristotle's philosophy has been more variously interpreted. The *De Anima* has been the subject of constant dispute ever since it was introduced into Europe by means of the Arabian translations. During the thirteenth, fourteenth, and fifteenth centuries the controversy turned mainly on its orthodoxy; was it an authority for the immortality of the Soul or against it? Did it teach pantheism or pure materialism, or, as some strangely maintained, a compound of both? Then the question was diverted in the direction of logic. Was the intelligence (νοῦς) of the third book of the treatise on the Soul identical with the faculty described by the same name in the Posterior Analytics? in other words, is the power by which we generalize concepts, that one which Aristotle declares to be the only eternal and divine part in us? The difficulty has lately worn a

physiological look. The vital or organic functions are conceived by some to be due to the agency of an immaterial principle which determines all bodily activity; by others, on the contrary, this manifestation—Mind, Soul, or by whatever name it may be called—is regarded as a result of the highest and most perfect organic action, and each party—both those who say that Soul produces life, and those who say that life produces Soul—professes to find a corroboration of its view in this treatise. From which it seems to follow, either that Aristotle's language cannot be very exact, or that his theory was somewhat vacillating—perhaps both.

We think nevertheless that a tolerably consistent doctrine may be evolved under the guidance of two leading distinctions. The first is between potential and actual existence, which, as we have already noticed, replaces in Aristotle the Platonic division into the real and the ideal; the second is between the two senses in which the word "Soul" is used,—as the equivalent either of Life or Mind. Mr. Lewes justly observes, "both phrases are narrower in their meaning than the Greek; one excludes the physiological, the other the psychological meaning:—the word ψυχή means both more and less than our word "soul;" more, as having, on one side at all events, a directly physical connexion; less, as not in itself implying any religious association."*

Let us attempt an explanation based on these distinctions. Aristotle having commenced by dividing all bodies into inorganic and organic, proceeds to remark that the latter exhibit an ascending series, the steps of which consist of the successive manifestations of the vegetal, animal, and intelligent principles. In the lowest forms of life there is growth; in the higher forms, sensation; in the highest, intelligence. Physiologically speaking, then,—*i.e.*, if we translate "soul" by "vital principle"—there are three divisions of it—three shapes in which its action is exhibited throughout Nature. There is the vegetal soul, or principle of nutrition; the animal soul, or principle of sensation; the human soul, or principle of thought. But as everything has a potential as well as an actual existence—the former of which is prior in order of time—growth must have been preceded by a state in which there was not growth, but a mere power of growing, and sensation in like manner by a bare possibility of feeling. In a remarkable chapter† of his book on the Generation of Animals, Aristotle uses this difference to remove the difficulties which beset the question at what period in the life of the embryo it can be said to possess the qualities which the developed animal

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* The latter part of this passage is quoted from the valuable Prolegomena to Sir Alexander Grant's "Ethics of Aristotle."

† "De Gener. Anim." ii. c. 3.

exhibits, or whether it possesses them at all. "Potentially," he says, "both the sperm and the separated conception have in them the principle of nutrition, although the existence of such principle is not fully realized until the separated conception obtains nourishment and exhibits its power of growing." And not only the vegetal, but the animal and intelligent souls have in like manner a period of potential existence prior to their manifestation in act. The reader may recognise here an indication of Von Baer's doctrine that the general and specific characters of the embryo are successively acquired.

The same cardinal distinction between power and act leads to a still more important consequence. The organs do not pre-exist in the germ, but they *may* arise therefrom; they are potentially there, and show themselves in succession when the mere power of existence is transformed into the fact of it. We recognise in this an outline of the theory, now generally adopted, which makes the embryo develope by a series of successive differentiations from a simple homogeneous mass into a complex heterogeneous organism—the theory of Epigenesis.

We may be sure that Aristotle would not hesitate to apply to the phenomena of Mind the principle which he so characteristically makes use of in the lower manifestations of Life. He has in fact so applied it, and much of the obscurity which embarrasses his psychology arises from the terms which he has chosen in order to express himself. His meaning, nevertheless, is not doubtful, nor is his mode of viewing the question unscientific. The fact to be accounted for is the phenomenon of Mind. To some theorists there is no difficulty in the case. They readily assume the existence of an immaterial agent which acts on matter, of an entity without any one distinctive attribute, which is nevertheless in the highest sense personal. To Aristotle the whole subject was full of doubt. He could not so far disconnect his general theory of organ and function as to maintain that in man alone there was a function without an organ, nor could he overlook the peculiarity of the phenomena presented by thought and consciousness. His tendency was to look on Mind as the result of organization, but then he also believed that there was in Nature something superior to the accidents of decay and death; he felt a repugnance against holding that something to be the human mind, and at the same time a difficulty in supposing that man stood on exactly the same footing as the rest of the animal world. His solution was therefore this: Mind, like the nutritive and animal principles, exists in two modes—in power and in act. In its potential being it is the material cause of thought; as such, perishable, individual, human: in its realized shape it is the formal cause of thought; as such, im-

mortal, impersonal, divine. Notwithstanding Mr. Lewes' doubt we think it clear that Aristotle did not believe that the human soul lived for ever. The only immortality which he recognised was that of the universal mind—a power which he expressly declared to be separable from the individual.

One step farther remains to be taken to complete Aristotle's idea. Before there can be, strictly speaking, a real manifestation of life or mind in their various developments, the *power* in each case requires to be realized; it has to pass into *act*. The transition from potentiality into actuality was expressed as well in the case of the vital as of the physical phenomena by the term *entělecheia.* Just as in unorganized matter motion is the passage of power into act, so in organized matter the vital principle represents the same passage. The most general conception of Life reached by Aristotle is accordingly this—The power by which a physical organism passes from potential being into active being; a view which nearly coincides with Mr. Lewes' own definition: "Life is the dynamical condition of an organism."

The soul therefore, in its alternate condition of power and act, forms a connecting link between two extreme points. At its inferior pole, as the vital principle in a latent state, it marks the passage from unorganized matter to Life. At its superior pole, as realized intelligence, it shows us Mind sublimed to its purest and most abstract essence.

Such in outline is Aristotle's view of Nature regarded as an object of science. It is easy to see that it forms only part of a much larger body of doctrine which embraced the whole world of thought, and sought to establish links between the absolute and the relative, the transcendental and the sensible—things as they are and things as they appear. This encyclopædic treatment is characteristic of the earlier stages of knowledge, and is what the theory of evolution teaches us to expect;—first the general, then the special. In Aristotle we have the earliest example of the gravitation of knowledge towards the mundane system. As contrasted with Plato, his point of view is lower and less comprehensive, but more precise and concrete. The notions of real and ideal as existences were replaced by the merely logical distinction between actual and possible, contingent and necessary. By thus transferring the question from ontology to logic an undoubted advance was made in positive conception. The nature of the advance will be best appreciated when it is remembered that in Aristotle "phenomenal" corresponds to "real," and that the ultraphenomenal is something which *may be*, not anything which *is*. Having obtained a basis for speculation by this distinction, his next step is to provide a method of proof. In this he was guided by his belief that Nature was the region of the changeable

—of motion—of generation and corruption. As we can only expect so much certainty in any case as the subject admits, in Physics no higher conclusion can be reached than probability of various degrees. With what success these principles were actually applied in his practice appears from Mr. Lewes' volume.

Henceforth there will be less difference of opinion as to Aristotle's scientific status. It will be admitted that he is not entitled to any rank whatever as an observer, in the present sense of the word; that so far from laying the basis of the sciences, he had neither the data nor the method by which alone science is constituted, and that the coincidences between some of his speculations and those of modern times are more often imaginary than real. But after every deduction has been made, the splendour of Aristotle's renown will scarcely be diminished. He will still retain his place among the select few who have exercised an universal empire over the territory of thought. By understanding him aright we shall not feel inclined to honour him less.

Art. V.—The Tenure of Land.

1. *Principles of Political Economy, with some of their Applications to Social Philosophy.* By John Stuart Mill 2 vols. London. 1849.
2. *Lectures on Political Economy.* By Francis William Newman, formerly Fellow of Balliol College, Oxford. London. 1851.
3. *Social Statics; or, the Conditions essential to Human Happiness specified, and the first of them developed.* By Herbert Spencer. London. 1851.
4. *Ancient Law, its Connexion with the early History of Society, and its Relation to Modern Ideas.* By Henry Sumner Maine, Reader on Jurisprudence and the Civil Law at the Middle Temple, and formerly Regius Professor of the Civil Law in the University of Cambridge. London. 1861.

THE Land System which has grown up and become established in this country, has long been a matter of anxious consideration to the more thoughtful school of our speculative politicians. Of late it has attracted the somewhat tardy attention of practical statesmen, and it presents problems for solution which in no distant future may prove fruitful sources of popular discontent, and even of democratic agitation. The limits which we have imposed upon ourselves in this paper will prevent our attempting to treat the subject before us in anything like an exhaustive manner. We shall confine ourselves to very general views; omitting a multitude of important details, and postponing the examination of many weighty questions to a more convenient occasion. The tenure and occupation of the soil in Scotland, and the accumulated misfortunes and wrongs of Ireland, form no portion of our scheme; they will only be mentioned incidentally, as elucidating our remarks upon England.

It is a leading characteristic of the spirit of inquiry which marks the age to pay especial regard to the investigation of first principles. A juster appreciation of the value of evidence, and a truer perception of the importance of fact, have taken the place of the habit of gratuitous assumption which not very long ago was the ordinary practice in almost all branches of human speculation. This change is nowhere more conspicuous than in the study of society, whether in its past or present states. The vicious peculiarities of our economical condition; the vast inequality and injustice obtaining in the distribution of wealth among the various classes of the community, and the miseries

which are thereby entailed upon by far the larger part of the population of the civilized world, cannot fail to give rise to more and more controversy upon the subject of property. It is but natural that those upon whom the existing order of things presses hardly should be the most desirous for change, and notwithstanding the opposition of those who are favoured by it, it is not likely that the discussions which are now going on everywhere around us should be set at rest until the wiser of their views and the more practical of their aims are embodied, at least in some measure, with the extant social organism. If established proprietary rights are to be justified and secured, it will be necessary to lay their foundation, not in a fictitious scheme of Providence, nor in a pretended state of nature and imaginary contracts, but in their subserviency to the subsistence and well-being of mankind. It cannot be pretended that the laws of property have as yet been calculated to promote these ends in anything but a very imperfect manner. They have never in any country, and in none less than in our own, tended to advance the interests of the many, but, on the contrary, have invariably sacrificed them to the interests of the few. The political systems of modern Europe commenced in conquest and the domination of race over race, and the arrangements to which they have given birth still bear the impress of the circumstances under which they arose and were developed. The balance has not been fairly held between man and man; the whole course of legislation has favoured the concentration, rather than the diffusion of riches, until the evils, moral and physical, which have been produced, render it almost impossible that any expedient, however desperate, could occasion consequences more disastrous to the majority.

It is often attempted to exonerate legislatures from all responsibility for the wretchedness of the masses, by ascribing it to the operation of natural causes, in false antithesis to human enactments. But whilst the production of wealth is clearly dependent upon general laws partaking of the character of physical facts, its distribution is equally clearly the effect of the present assent and agreement of society. It is true that these themselves are the consequents of antecedents which they follow in obedience to the universal principle of causation; but the will of the community, although conditioned like everything else, is the immediate, proximate cause of all its institutions.

"The things once there," says Mr. Mill, "mankind individually or collectively can do with them as they like. They can place them at the disposal of whomsoever they please, and on whatever terms. Further in the social state, in every state except perfect solitude, any disposal of them whatever can only take place by the general consent of society. Even what a person has produced by his individual toil,

unaided by any one, he cannot keep unless it is the will of society that he should. Not only can society take it from him, but individuals could and would take it from him if society only remained passive; if it did not interfere *en masse*, or employ and pay people for the purpose of interfering to prevent him from being disturbed in possession. The distribution of wealth therefore depends on the laws and customs of society. The rules by which it is determined are what the opinions and feelings of the community make them, and are very different in different ages and countries, and might be still more different if mankind so chose."*

There have been and there still are advanced societies in which individual property has not been established. Such were the rich and prosperous monastic corporations of the middle ages, and such are the colonies of the Moravians and Rappists in the present day. With more or less modification the absence of individual property has been made the leading idea in all those communistic schemes which during the last half century have been promulgated by St. Simon, Owen, Fourier, and their imitators; schemes which, it must be borne in mind, have never been tested in a trial which an impartial observer can consider to be final. On the other hand, many things which our notions lead us to regard as incapable of being rightly subjected to personal dominion, have been at one time or another treated as property. In some phases of social advancement a man's wives, children, and household are held to be his, in exactly the same sense as his dogs and horses, and it is not indeed until a very late period that they completely emerge from the legal position of chattels. Even in the comparatively recent history of by no means semi-barbarous nations—in England and France for example, as well as in other parts of the Continent, we find that various public trusts, powers of taxing the people in the form of monopolies, and privileges of exercising certain political or judicial functions, were bartered with as much freedom as pots and pans, and with no greater compunction. Again, slavery, it may be said, was till within a few years sanctioned by the general consent of mankind. Throughout the ancient world, for some centuries in more modern Europe, and now in parts of Asia, Africa, and America, property in human beings has been or is looked upon as perfectly fit and defensible. The great teachers of antiquity saw no moral flaw in the title of the slave-owner; the Apostle of the Gentiles preaching a more liberal, if not a higher ethical code, did not question it; and within the memory of many now living such a title was in some of the dominions of Great Britain not only protected by law

* "Principles of Political Economy," vol. i. p. 240. Compare Montesquieu, "Esprit des Lois," livre xxvi. chap. xv.; Bentham, "Traité de Législation," tom. ii. p. 33, Ed. Bruxelles.

but upheld by public opinion. The right of property in the slave had, in the lapse of time, become limited by increasing qualifications; but it was only in 1833 that slavery was finally abolished in our West Indian Colonies; and there were not a few then, the echo of whose complaint has not even now quite died away, who were ready, in spite of the 20,000,000*l.* of public money granted to the planters, to declare that great measure of national justice a robbery. There can be no reasonable doubt of the propriety of giving compensation in this case, for under the warranty of the State slaves had been bought, sold, and inherited for generations; and it would have been a manifest wrong to have taken the character of property away from that upon which it had once been conferred, without yielding an equivalent to those into whose possession it had lawfully come. But this being done, the duty of society was fully performed: it did not follow, because it had at one time established an iniquity, that it was bound to perpetuate it for the benefit of those who were concerned in its continuance, provided always it gave to them a fair indemnity. Vested interests are everywhere torpedoes in the pathway of reform, but their paralysing influence could hardly be made to extend so far as this.

In Slavery, and in the course which we pursued in the emancipation of the slaves, we are presented with a striking instance of the establishment of an illegitimate right of property, of a gradual change in the views of the community upon its exercise, and of the manner in which such a change should be embodied in legislative action. An opinion very similar to that which grew up concerning property in man has been steadily gaining acceptance with regard to property in land.

"We read," says Professor Newman, "how William the Conqueror burnt villages and ejected the people by hundreds in order to make a hunting ground for himself in the New Forest. This deed, which has been execrated by all who relate it, seemed an extreme of tyranny: yet our courts of law and our parliaments allow the same thing to be done by smaller tyrants, and the public sits by and mourns to think that people should deal so unkindly with that which is their own. Here is the fundamental error: the crude and monstrous assumption that the land which God has given to our nation is or can be the private property of any one. It is an usurpation exactly similar to slavery. The slave-master calls himself slave-owner, and pleads that he has purchased the slave, and that the law has pronounced slaves to be chattels. We reply that the law is immoral and unjust, and that no one could sell what was not his own, and that no number of immoral sales can destroy the rights of man. All this equally applies to land."*

The essential principle upon which the institution of property is

* "Lectures on Political Economy," pp. 132-3.

founded and justified, is the right of all persons to the exclusive use and disposal of what they have produced by their labour or saved by their abstinence. From this have been logically elaborated those incidental modes of acquisition, alienation, transmission, and bequest, which in the present state of society form integral portions of the idea.

"It is no hardship to any one," reasons Mr. Mill, "to be excluded from what others have produced. They were not bound to produce it for his use, and he loses nothing by not sharing in what otherwise would not have existed at all. But it is some hardship to be born into the world and to find all nature's gifts previously engrossed, and no place left for the new comer. To reconcile people to this after they have once admitted into their minds the idea that any moral rights belong to them as human beings, it will be necessary to convince them that the exclusive appropriation is good for mankind on the whole, themselves included.*

There is much dispute as to what is to be understood by a right independently of positive law. The term is so mixed up with the exploded theory of a state of nature, or ante-social condition, that it is difficult to eliminate its metaphysical implications, and to employ it in a scientific sense.† We take the rights of human beings and their correlative duties to mean the normal conditions of the social union as they are variously defined in the ethical and legal systems which have from time to time been given to the world, the definitions being limited by the conceptions of those who have ventilated them. In the gradual advance of our species these conditions are more perfectly realized, as the merely personal instincts adapted to the early and savage states are supplanted by those social instincts suited to the maturer and civilized condition of man. The moral progress of society consists in the clearer perception and readier recognition of those rules which should guide the conduct of each of us to every other, whether individually or collectively, so as to allow of the fullest and most harmonious development of our moral, intellectual, and physical powers ‡ The fundamental requisite for this is the practical as well as theoretical acknowledgment of the liberty of every one to do all that he pleases, provided he does not interfere with the equal liberty of the rest of society. On this ground Mr. Herbert Spencer says:—

"Given a race of beings having like claims to pursue the objects of their desires. Given a world adapted to the gratification of those desires, a world into which such beings are similarly born, and it inevit-

* "Principles of Political Economy," vol. i. pp. 284-5.
† Austin, "Province of Jurisprudence Determined," pp. 331-71.
‡ Humboldt, "Sphere and Duties of Government," p. 11.

ably follows that they have equal rights to the use of this world. For if each has freedom to do all that he wills, provided he infringe not the equal freedom of any other, then each of them is free to use the earth for the satisfaction of his wants, provided he allows all others the same liberty; and, conversely, it is manifest that no one or part may use the earth in such a way as to prevent the rest from similarly using it, seeing that to do this is to assume greater freedom than the rest, and consequently to break the law. For if one portion of the earth's surface may justly become the possession of an individual, and may be held by him for his sole use and benefit as a thing to which he has an exclusive right, then other portions of the earth's surface may be so held, and eventually the whole of the earth's surface may be so held, and our planet may lapse altogether into private hands. Observe now the dilemma to which this leads. Supposing the entire habitable globe to be so enclosed, it follows that if the landlords have a valid right to its surface, all who are not landowners have no right at all to its surface. Hence, such can exist on the earth by sufferance only. They are all trespassers. Save by the permission of the lords of the soil, they can have no room for the soles of their feet. Nay, should the others think fit to deny them a resting place, these landless men might be equitably expelled from the earth altogether."*

The time is, indeed, never likely to arrive when all except the landholders, even of these islands, will be forced to take to the high seas or quit the planet; but the evils which have already arisen—for example, the numerous cases in which families have been driven from their homes in order that landlords might escape the poor-rates, or acts of cruelty such as the Sutherland clearances and the Irish evictions—show us that wrongs are not slow to follow in the wake of these supposed rights, whilst it is only by denying their validity that the intrinsic immorality of their consequences can be demonstrated. As to what the rights of property are, there is little disagreement or dispute. The Roman, French, Austrian, and Prussian Codes express, in nearly the same terms, their coincidence with the principle of our own law, that they include the legal power of excluding others from participation in the substance or use of the thing possessed. Either, therefore, the landowners have a right to depopulate the country, or the ownership of the land is very different from the ownership of all other things.

There would never have been any doubt upon the question whether or not any portion of the earth ought to be the private and individual property of any one, had it yielded its fruits spontaneously, without the application of human forces for the purpose of developing its natural powers. In the order of things,

* "Social Statics," pp. 114-15.

however, although the soil itself is not the product of the art or foresight of man, all its more valuable qualities are so. Until it has been cultivated it is comparatively useless as a source of wealth—frequently much time and trouble must be consumed for a period unremuneratively in clearing the ground and preparing it for tillage, and in some instances, as in those of the Bedford Level and the Pays de Waes in Flanders, its fertility is nearly wholly due to the care and industry which have been bestowed upon its reclamation. This fact, therefore, has been seized by philosophic jurists and politicians as the basis of their defence of property in land. The doctrine of occupancy expressed in the dictum of the Civil Law—"*Quod enim nullius est id ratione naturali occupanti conceditur*"* — though applied in unmixed purity to those "*res nullius*" which were capable of actual reduction into physical possession, was always more or less complicated with other considerations when applied to the acquisition of land.† With the exception of the Austrian Code, and to a certain degree the Prussian, all modern systems of jurisprudence have agreed in the principle of the French Code, "Les biens qui n'ont pas de maître appartiennent à l'Etat,"‡ as more consonant to reason and justice. The mere deliberate indication by a person of his intention to appropriate a piece of the public territory for his own purposes, *in perpetuo*, to the prejudice of all others to whom it belonged equally as much as to himself, must always have been an usurpation, and could never have been in itself the origin of a valid title. It is true that the international laws of Capture and of Discovery have been derived from the maxim of the Roman jurisprudence; but they are conventional expedients, owing all their authority to the agreement of Sovereign States, and manifestly inapplicable to the conduct of individuals where, *ex hypothesi*, such agreement is excluded. For if occupancy was only complete when sanctioned by society, it is from that sanction, and not from itself, that the claim would become worthy of respect; and if the sanction had been withheld, the occupancy must have been maintained by force, and would then owe its continuance simply to physical power.§ The Publicists of the seventeenth and eighteenth centuries, therefore, in whose writings we discover the first efforts to construct a philosophy of Law and Politics, although they made the Roman theory the substratum of their

* "Digest," lib. xli. tit. i. fr. 3; "Institutes," lib. ii. tit. i. § 12.

† See Gibbons' exposition of the philosophy of the Civilians, "Decline and Fall," chap. xliv.

‡ "Code Civil," Art. 713.

§ Compare the remarks of Rutherforth, "Institutes of Natural Law," vol. i. p. 48.

systems, loaded it with provisoes and limitations. For instance, Grotius seeks in a supposed division of the common inheritance, "*cum genus humanum coire posset*"* the commencement of individual proprietary rights, and treats occupancy as a concession to increased numbers; his follower, Puffendorf, broadly admits cultivation, and even moderation, as two of its essential elements,† whilst the view of Locke marks another step in juridical speculation, making property rest entirely upon the admixture of labour with that which was previously common.‡ It would be tedious to enumerate the authorities, who have subscribed to these and similar doctrines under one form or another. They are cited in most of our institutional treatises upon Law, and are expounded, not without some ambiguity, by Blackstone.§ Now all these theories fail to show how any right of property in the soil can be gained by an individual as against society. When a man has employed his labour in the cultivation of a plot of ground, he has obtained, on the simplest considerations of equity, a fairer claim to its enjoyment than any other single person; but he cannot have done so with regard to society, to whom the plot of ground originally belonged, without whose permission he undertook its improvement, and in relation to whom he was a trespasser from the beginning. Mr. Herbert Spencer, in an imaginary conversation with an American squatter, puts this case:—

"Suppose now that in the course of your wanderings you come upon an empty house, which, in spite of its dilapidated state, takes your fancy; suppose that with the intention of making it your abode you expend much time and trouble in repairing it—that you paint, and paper, and whitewash, and at considerable cost bring it into a habitable state; suppose, further, that on some fatal day a stranger is announced who turns out to be the heir to whom this house has been bequeathed, and that this professed heir is prepared with all the necessary proof of his identity, what becomes of your improvements? Do they give you a valid title to the house? Do they quash the title of the original claimant? No. Neither, then, do your pioneering operations give you a valid title to this land; neither do they quash the title of its original claimants—the human race. The world is God's bequest to mankind. All men are joint heirs to it; you amongst the number. And because you have taken up your residence on a certain part of it, and have subdued, cultivated, and beautified that part—improved, as

* Grotius, "De Jure Belli et Pacis," lib. ii. cap. iii., ed. Whewell, vol. i. p. 255.

† Puffendorf, "Droit de la Nature et des Gens," lib. iv. chap. iv. vol. i. p. 553, ed. 1759.

‡ Locke "On Government," Works, vol. i. pp. 170-172, edition 1714.

§ "Commentaries," book ii. chap. i. Compare Mr. Maine's refutation of Blackstone, "Ancient Law," chapter viii.

you say—you are not therefore warranted in appropriating it entirely as your private property. At any rate, if you do, you may at any moment be justly expelled by the lawful owner—Society."*

The notion of a division of the land effected among all the individuals composing society at any given period, is likewise destitute of force. No one generation of men can have more than a life interest in the earth, and possesses no moral power or authority whatever finally to dispose of that to which their posterity in successive ages would have as good a right, on precisely the same grounds as themselves. But without ethical cogency, as these systems are, their want of historical truth is even more conspicuous. The fundamental error which lies at their root and vitiates all the conclusions drawn from them, is that they attribute to primitive man, motives and acts which are peculiar to man in a late stage of his development. They assume the existence of the effects of causes, before the causes themselves are supposed to have existed, and credit early society, when constructing its institutions, with opinions and feelings which those institutions themselves have in the slow course of events contributed in the main to generate. The accessions which very recently have been made to our knowledge of races and nations widely separated from ourselves in time and space, have led to the establishment of very different views. The researches of antiquaries, and the discoveries of travellers, have brought portions of the human species within the reach of our curiosity in almost every vicissitude of situation; their manners and customs moulded and formed under a vast diversity of circumstances influencing or directing the course of their destiny. In the records of ancient nations, in the accounts given by observers of civilizations less advanced than their own, and in comparative jurisprudence, we may seek for the outlines of the early condition of humanity, and by the aid of analogy and positive testimony we may fill in the details which will at last present us with the likeness of existing society. We may thus form for ourselves a panorama, as it were, of man's career in history, as (to use the metaphor applied by Humboldt to the observation of the *nebulæ*) we may, in a forest where trees of all ages are scattered about us, trace the growth of an oak in all its successive stages, from the acorn to maturity or decay. The effect of the evidence which can be gathered from these sources is to substantiate that doctrine of the constitution of early society which is known as the Patriarchal Theory. The physiological and moral attributes of our nature alike render it necessary that the family should form the initial phase of our social evolution, and

* "Spencer, Social Statics," p. 119.

in the facts of history we find the verification of this hypothesis.* In the family, as forming a permanent relationship, we recognise the first great line of demarcation between the herding together of gregarious animals and the association of human beings. M. Comte says:—

"The true social *unit* is certainly the family, reduced, if necessary, to the elementary couple which forms its basis. This consideration implies more than the physiological truth that families become tribes, and tribes become nations, so that the whole human race might be conceived of as the gradual development of a single family, if local diversities did not forbid such a supposition. There is a political point of view from which also we may consider this elementary idea, inasmuch as the family presents the true germ of the various characteristics of the social organism. Such a conception is intermediate between the idea of the individual and that of the species or society. There would be as many scientific inconveniences in passing it over in a speculative sense as there are dangers in practice in pretending to treat of social life without the inevitable preparation of the domestic life. Whichever way we look at it, this necessary transition always presents itself, whether in regard to elementary notions of fundamental harmony or for the spontaneous rise of the social sentiment. It is by this avenue that Man comes forth from his mere personality and learns to live in another while obeying his most powerful instincts."†

Mr. Maine also observes:—

"It is just here that archaic law renders us one of the greatest of its services, and fills up a gap which otherwise could only have been bridged by conjecture. It is full in all its provinces of the clearest indications that society in primitive times was not what it is assumed to be at present—a collection of individuals. In fact, and in the view of the men who composed it, it was an aggregation of families. The contrast may be most forcibly expressed by saying that the *unit* of an ancient society was the family, of a modern society the individual."‡

The precepts of Ancient, like those of International Law, are applicable to congeries of corporations. Those rights which are now looked upon as the attributes of persons, or such of them as had already come into being, appertained then to collective bodies. The patriarch regulated by his despotic sway all the internal arrangements of the domestic circle; the antique code recognised only joint ownership by those included within it, and governed alone, the mutual external relations of separate and independent communities.

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* Niebuhr, "History of Rome," vol. i. p. 264 (Eng. trans.); Elphinstone's "Account of Caubul," vol. i. p. 210.

† Comte, "Positive Philosophy," vol. ii. pp. 132-3, (Engl. translation.)

‡ Maine, "Ancient Law," p. 126.

"In most of the Greek States and in Rome," says Mr. Maine, "there long remained the vestiges of an ascending series of groups out of which the state was at first constituted. The Family, House, and Tribe of the Romans may be taken as the type of them, and they are so described to us that we can scarcely help conceiving them as a system of concentric circles which have gradually expanded from the same point. The elementary group is the Family connected by common subjection to the highest male ascendant. The aggregation of Families forms the Gens or House. The aggregation of Houses makes the Tribe. The aggregation of Tribes constitutes the Commonwealth."*

The primitive form of union among such domestic groups is still extant in different portions of the globe.†

"The village community of India," says Mr. Maine, "is at once an organized patriarchal society and an assemblage of co-proprietors. The personal relations to each other of the men who compose it are indistinguishably confounded with their proprietary rights; and to the attempts of English functionaries to separate the two may be assigned some of the most formidable miscarriages of Anglo-Indian administration. The village is known to be of immense antiquity. In whatever direction research has been pushed into Indian history, general or local, it has always found the community at the farthest point of its progress."‡

In Russia, Servia, Croatia, Austrian Sclavonia, and in Prussia village communities (*Dorf Gemeinde*) constructed upon a similar plan to those of the Hindoos are discovered. In some, individual proprietary rights are allowed to be temporarily established over portions of the common stock, which at the end of a fixed period merge again into the corporate proprietorship; whilst in others the public fund—the soil—is neither divided nor divisible, but is cultivated together by all its joint owners, its produce being annually divided among the households.§

The gradual expansion of the Family into the Tribe would, in the course of nature, be merely a matter of time. The internal framework of the association would remain nearly the same, for the transition from the patriarch to the chief is easy and direct. But a more expeditious mode of enlarging the community, without altering its character, was devised in the fiction of adoption. To constitute the family a tribe it was necessary

* Maine, "Ancient Law," p. 128.

† Compare Müller, "Dorians," iii. 4. § 8, and Grote, "History of Greece," vol. ii. pp. 340-5; Mill, "History of British India," vol. i. p. 217.

‡ Maine, "Ancient Law," p. 260.

§ Ibid.

that many distinct domestic societies should be united under one head. The only basis of such an union which could then be appreciated was identity of descent, and it was by feigning a connexion in blood that the converging streams of population were joined in a common centre. In the Celtic clans, bearing a common name and occupying a common estate, and in the similar societies of the ancient Germans and the Gauls, we are presented with the type of the tribal organization. The cultivation of the earth had regularly commenced, and agriculture was beginning to be a permanent avocation, but the land itself was in the corporate ownership of the community. We are told by Tacitus* and Cæsar† that nowhere was an individual permitted to monopolize a portion of the public property, which in some instances was yearly resumed and re-distributed among the people by their chieftains and leaders.‡

When the Feudal System arose upon the disintegration of the Empire, and the foundations were laid for the monarchies of modern Europe, that plan of social union which had been so well fitted for schemes of colonization was developed into a more fixed structure. As the patriarch had previously become the chief when the family expanded into the tribe, so the chief became the sovereign when the tribe expanded into the nation. The bond which held the people together was no longer the tie of kindred, but the fact of local contiguity. The tenure of land was made the ground of political gradation, and the relations of men to the State no longer depended upon race, but upon country.

"The kingship of our Anglo-Saxon regal houses," says Mr. Maine, "was midway between the chieftainship of a tribe and a territorial supremacy, but the superiority of the Norman monarchs, imitated from that of France, was distinctly a territorial sovereignty. Every subsequent dominion which was established or consolidated was formed on the later model. Spain, Naples, and the Principalities founded on the ruins of municipal freedom in Italy were all under rulers whose sovereignty was territorial.§

In England the whole fabric of the Feudal System was reared upon the principle that the national territory was the property of the State. The boast of Louis XIV., "*L'Etat c'est moi,*" might have been made with the most exact truth by the Conqueror and his immediate successors, of whom the old Norman maxim was,

* Tacitus, "Germ." cap. 26.
† Cæsar, de Bello Gall., lib. iv. c. i.
‡ Ibid. lib. vi. c. xxii.
§ Maine, "Ancient Law," p. 109.

"*Tout fuit en luy et vient de luy al commencement.*" In the Crown resided the *dominum directum* over all the soil of the country, and from it alone could the *dominum utile* be derived.* Primarily the land was divided into three parts—first, the Crown Lands; secondly, the fiefs granted on condition of the render of military or other services, and the payments of rents; and, thirdly, the estates of the Church, also held for appropriate considerations. To these, in the almost endless subordinance of infeudation, there were tenants from the honourable position of knights and freemen down to the servile cultivators and *adscripti glebæ.* But the land, although in the occupation of individuals, was always recognised as the property of the State, and as its representative, as the source of law and administration, the king was lord paramount over all his dominions. To the influence of this condition of things may be ascribed the very general sentiment referred to by Mr. Mill :—

"Landed property," he says, "is felt even by those most tenacious of its rights to be a different thing from other property; and where the bulk of the community have been disinherited of their share of it, and it has become the exclusive attribute of a small minority, men have generally tried to reconcile it to their sense of justice by endeavouring to attach duties to it, and erecting it into a sort of magistracy either moral or legal. But if the State is at liberty to treat the possessors of land as public functionaries, it is only going one step farther to say that it is at liberty to discard them. The claim of the landowners to the land is altogether subordinate to the general policy of the State. The principle of property gives them no right to the land, but only a right to compensation for whatever portion of their interest in the land it may be the policy of the State to deprive them of."†

In feudal times this was undoubtedly the fact, and the corollary which is here drawn from it is still established in constitutional practice. It is only upon this ground that those acts of the Legislature can be justified by which definite parts of the land are resumed by the State for public purposes. If a barrack or a fortification, a railroad or a canal is to be made, the rights of private persons are at once made subservient to those of the community at large, and as many acres are seized, with or without the consent of the owner, as may be considered necessary for the object in view, whilst he is not permitted to fix his own price. Lawyers are in the habit of glossing over this employment of legislative power, but no one has had the temerity to dispute it.

"No unnecessary violation of the rights of property," says Mr.

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* Reeves, "History of the English Law," vol. i. p. 37.
† Mill, "Principles of Political Economy," vol. i. p 285.

Serjeant Stephens, following Blackstone, "is in any instance allowed by our law. If a new road, for example, is to be made through the grounds of a private person, in a case where it would be extensively beneficial to the public, the legislature never permits itself to do this without the consent of the owner of the land, *or at least without securing to him a complete indemnification.* In vain may it be urged that the good of the individual ought to yield to that of the community. The true principle applicable to all such cases is one to which we have had occasion already to refer, and which is constantly borne in mind by the law—viz., that the private interest of the individual is never to be sacrificed to *a greater extent* than is necessary to secure *a public benefit of adequate importance.* The public, therefore, is considered in all such transactions as an individual treating with an individual for an exchange. *All the Legislature does is to oblige the owner to alienate his possession for a reasonable price.*"*

This last passage is quite enough to show a very material difference between the two cases stated as identical. If the public were merely in the position of an individual treating with an individual for an exchange, and by means of its superior strength made the bargain compulsory, it would simply afford an illustration of that form of injustice of which the tale of the big boy with the little coat and the little boy with the big coat, recounted in "Sandford and Merton," is a familiar example. In the distinction lies its defence, and although no one questions the propriety of the Land Clauses Acts, they are quite inconsistent with current notions upon the omnipotence of landlords. These have an undoubted claim to compensation for their rents or the market value of their estates, just as the West Indian planters had to the price of their slaves; but, like that of the latter, the proprietary right of the former depends upon the will of the community, and the permission by which they exercise it may, in the one as in the other case, at any moment be withdrawn. What is done upon a small scale every time a Railway Bill escapes from a Parliamentary Committee and becomes law, might be done upon a large scale if it appeared good to society, and it would be a merely legitimate use of legislative authority at once to convert all the landholders of the country into fundholders, and to deal with the land as the general interests of the nation required. They would receive an equivalent for that which was taken away from them; there would be no confiscation, no unjust deprivation; and whilst the community altogether would gain, no particular class would be sacrificed. The resumption of the national territory into the hands of the State, and its erection

* Stephen's (Blackstone's), "Commentaries," vol. i. p. 166, 4th edition. The italics are our own.

practically into the supreme landlord, as it is even now in legal theory, is therefore a fair subject for consideration and debate. By such a plan the right of each member of the community to a share of benefit in the common inheritance could be satisfied; the vast increase in rentals arising from the general advance of the nation in wealth and population, far more than from any improvements directly affecting the soil, could be apportioned to the use of the community at large; the domain of the Commonwealth would yield an income rendering taxes upon the necessaries, the industry and the trade of the people proportionately needless, and the permanent amelioration of the joint estate would form a part of the public administration immediately redounding to the prosperity of the country.

"Such a doctrine," says Mr. Herbert Spencer, "is consistent with the highest state of civilization, may be carried out without involving a community of goods, and need cause no very great revolution in existing arrangements. The change required would simply be a change of landlords; separate ownership would merge into the joint-stock ownership of the public. Instead of being in the possession of individuals, the country would be held by the great corporate body—society. Instead of leasing his acres from an isolated proprietor, the farmer would lease them from the nation. Instead of paying his rent to the agent of Sir John or his Grace, he would pay it to the agent or deputy-agent of the community. Stewards would be public officials instead of private ones, and tenancy the only land tenure."*

The nationalization of the land forms, the only complete solution of all the difficulties which are presented by the connexion subsisting between a people and the country they inhabit. In comparison with it, the relative excellences or defects of large or small estates, of metayer, cottier, or peasant proprietary modes of occupation, are, although in themselves most important, quite insignificant. That the realization of such a project is near at hand, we are not sufficiently sanguine nor blind enough to anticipate. In this world we rarely have a wider choice open to us than an alternative of evils; but though the goal may perhaps be afar off, many steps may still be taken in the right direction. If the principle be once clearly seen and distinctly acknowledged, that the land of a country belongs to the people which inhabits it, and that they merely part with the direct and immediate ownership for reasons more or less weighty, of utility and expediency, which may, from an alteration in circumstances or a change of opinion, lose their force; a definite basis will be laid for reform, and an ideal, however remote, will

* "Social Statics," p. 123.

be placed before us, towards which every healthy measure must be an approximation. We should never forget that improvements can be carried out, although perfection may for the time be beyond our reach.

"To me," says Mr. Mill, "it seems almost an axiom that property in land should be interpreted strictly, and that the balance in all cases of doubt should incline against the proprietor. The reverse is the case with property in moveables, and in all things the product of labour; over these the owner's power, both of use and of exclusion, should be absolute, except where positive evil to society would result from it; but in the case of land, no exclusive right should be permitted in any individual which cannot be shown to be productive of positive good. To be allowed any exclusive right at all over a portion of the common inheritance, while there are others who have no portion, is already a privilege. No quantity of moveable goods which a person can acquire by his labour prevents others from acquiring the like by the same means; but, from the very nature of the case, whoever owns land keeps it from somebody else. The privilege or monopoly is only defensible as a necessary evil; it becomes an injustice when carried to any point to which the compensating good does not follow it."*

That our existing Land System is at all capable of defence, on account of the benefits accruing from it to the People as a body, can hardly be maintained by any rational and unprejudiced person. It is, indeed, very far from fulfilling the conditions which could prove its justification in a moral, political, or economical point of view. Its whole history discloses a course of usurpation and encroachment by the proprietary class upon the rights and privileges of the community. When in the early part of this year, Mr. Cobden at Rochdale, and Mr. Bright at Birmingham, called public attention to the process of concentration of large areas of land into a very small number of hands, which has for many generations been going on in this country, and showed that, consequently, in no other part of Europe were the masses so entirely divorced from all beneficial interest in their native soil, they pointed, indeed, to a social evil which had long been known, but by their advocacy they aroused a sentiment in every thinking mind and feeling heart which is not likely to die out until it shall have produced a lasting result. They were accused of conspiring against property, of inciting the poor to rob the rich, and, as a climax, of attempting to imitate the Gracchi in schemes of agrarian spoliation. We dismiss the former of these charges from consideration as examples of the amenities at present not uncommon in political controversy; but the classical allusion, unhappy as an historical parallel between persons, is not

* Mill, "Principles of Political Economy," vol. i. p. 287.

so remote as an analogy between events. The English members of Parliament resemble the Roman tribunes in this, that they are contending against the same distemper of the State.

"It was exactly such a state of things as this," says Niebuhr, "which presented itself to Tiberius Sempronius Gracchus. While the number of Roman citizens was increased every year by Italian allies, who obtained the Roman franchise, and more especially by freed men who on the whole bore the stamp of slaves, the number of the landed proprietors decreased. The numerous small estates of former times were no more. During the Hannibalian wars everything had become altered; for where, for example, a poor peasant was the neighbour of a rich one, the former had been compelled during those times of distress and epidemic disease among cattle to borrow money from his neighbour, and not being able to give security he had undoubtedly to pay a high rate of interest. Now the son of such a peasant was perhaps serving in the legions, and if the father happened to be attacked by illness he was obliged to engage labourers. In this manner he was reduced more and more, and if in the end he was unable to pay the interest he was compelled to give up his land to his neighbour. In this and various other ways many a small estate had passed into the hands of the rich. Such a change of property increases in its progress like an avalanche."*

He continues in a strain which renders the likeness even stronger:—

"The population of Rome was becoming more and more a true populace, while in the country the number of the poor was increasing to an awful extent. It was a state of things like that towards which unfortunately all Europe is at present hastening, but the difference is that the Romans had it in their power to remove the evil. Few Romans reflected upon the causes out of which it had grown, but many must have known that the misery would never have reached that height if the Licinian Law had been observed, if men had been appointed to watch over its proper execution, and if the newly-acquired lands had from time to time been distributed or their occupation been rightly conducted. Every one, like the king in Goethe's play, wished for a different state of things, but no one had the courage or will to undertake the reform."†

It would not be easy to discover, in the whole range of historical literature, a more exact description of our own condition than is contained in these words of Niebuhr. We see around us the same inequality in the distribution of territorial wealth, the same increase in population, the same decrease in the number of landowners, the same disappearance of the numerous small estates of former

* "Lectures on the History of Rome," vol. ii. p. 279, Trans. Schmitz, ed. 1853.

† Ibid. p. 280.

times, the same abject misery in the agricultural districts, the same wide-spread consciousness of the mischief, and the same perplexity about how to contend against it. But there is one error into which the great critic has fallen, from which we may take comfort. The position of Europe was not so desperate as he imagined; for, like the Romans, the modern inhabitants of the Continent were not without a remedy. It is now only in the United Kingdom that land is being monopolized by a small and decreasing class. On the mainland of Europe, in America, and even in the British Colonies, an opposite tendency is manifested. Everywhere, except at home, the leaning is towards a more equitable distribution of the soil. The position of our landlords, "who toil not, neither do they spin," and who serve the country only in the onerous duties of High Sheriff, or in administering justice gratuitously upon *à priori* principles at Quarter Sessions, is fast becoming unique.

"In Flanders, Holland, Friesland," says Mr. Laing, "about the estuaries of the Scheldt, Maese, Rhine, Ems, Weser, Elbe, and Eyder, in a great part of Westphalia and other districts of Germany, in Denmark, Sweden, and Norway, and in the south of Europe in Switzerland, the Tyrol, Lombardy, and Tuscany, the peasants have from very early times been the proprietors of a great portion of the land. France and Prussia have in our own times been added to the countries in which the land is divided into small estates of working peasant proprietors. In every country of Europe, under whatever form of government, however remotely or indirectly affected by the wars and convulsions of the French Revolution, and however little the laws, institutions and spirit of the government may as yet be in accordance with this social condition of the people, the tendency during this century has been to the division and distribution of the land into small estates of a working peasant proprietary, not to its aggregation into large estates of a nobility and gentry. This has been the real revolution in Europe. The only exception is Great Britain. The tendency with us during the present century has been directly the reverse. It has been to aggregate small estates into large, and in Scotland, and a great part of England, to aggregate small tenant occupancies into large farms."*

A more extensive inquiry than is here indicated, taking three periods for comparison, separated from one another by wide intervals of time and social progress enables us to bring together some figures which give us results sufficiently curious. At the Conquest, the population of England could hardly have been 1,500,000. In Domesday Book the number of persons recorded is 283,242, which Mr. Hallam thinks, allowing for

* Laing, "Observations on the Social and Political State of the European People in 1848 and 1849," pp. 11 and 12.

women and children, may be roundly called 1,000,000.* When the great survey was taken there were within the realm 45,706 landholders; namely, 1400 *tenants in capite* (including ecclesiastical corporations), 7871 *under tenants*, 23,071 *Sockmanni*, and 13,364 *Liberi homines*.† At the Revolution, Gregory King, whose calculations are universally held to have been very carefully and correctly made, drew up a scheme of the income and expenditure of the people of England for the year 1688. He estimates the population, rather above the Poll Tax returns, at 5,500,000. Excluding 160 temporal peers, 26 spiritual lords, 800 baronets, 600 knights, 3000 esquires, and 12,000 gentlemen; he puts down 160,000 freeholders—40,000 of the better sort, and 120,000 of the lesser sort. We may add with safety 10,000 from the former classes, or, in all, 170,000 landowners.‡ At the Census of 1861, the population of England was 20,066,224, and of these the whole number of landed proprietors is stated at only 30,766.§ Some inaccuracies crept into this return; because, as mentioned in the Report, persons who owned land were frequently enumerated under various public occupations, professions or trades; but even if we allow an extra 5000 for such mistakes (a liberal allowance), there would not now be as many landholders in the country by some 10,000 as there were eight hundred years ago, when the population was not a tithe of what it is at present, nor as many by some 135,000 as there were two hundred years ago, when the population was about one-fourth of what it was in 1861. When we consider the enormous social and political influence which the possession of land confers, we cannot well overestimate the significance of the fact, that its ownership is now confined, at the most, to scarcely one-five-hundredth part of the community. The great fiefs of the old time are not to be confounded with the estates of modern rural potentates. It is true that the Earl of Chester held almost all that county, the Earl of Shrewsbury nearly the whole of Salop, and Robert, Earl of Moreton, 248 manors in Cornwall, 54 in Sussex, 196 in Yorkshire, 99 in Northamptonshire, besides many in other counties.‖ But out of the ancient feuds numerous inferior estates were carved—fees tail, fees for life, besides land held by copy of court roll. For these, definite services or fixed rents

* Hallam, "Middle Ages," notes to chapter viii.

† Ellis, Introduction to "Domesday," vol. ii. pp. 511-13.

‡ Gregory King, "Natural and Political Observations and Conclusions upon the State and Condition of England," p. 48, published in an appendix to Chalmers' "Estimate of the Comparative Strength of Great Britain," (1804).

§ General Report on the Census, 1861, p. 35.

‖ Hallam, "Middle Ages," vol. ii. p. 317.

were rendered to the lord according to established custom. Now no freeholds are detached from the domains of the territorial chief. His rental is settled by competition, and not by custom. He is the commercial monopolist of a natural agent, which he hires out to the highest bidder, and not the head of a confederacy the members of which held their lands by a tenure not less certain than his own.

"The Marquis of Breadalbane," says Mr. Emerson, with the astonishment which an American may well express, "rides out of his house a hundred miles in a straight line to the sea on his own property. The Duke of Sutherland owns the county of Sutherland, stretching across Scotland from sea to sea. The Duke of Devonshire, besides his other estates, owns 96,000 acres in the county of Derby. The Duke of Richmond has 40,000 acres at Goodwood and 300,000 at Gordon Castle. The Duke of Norfolk's Park in Sussex is fifteen miles in circuit. The large domains are growing larger. The great estates are absorbing the small freeholds. In 1786 the soil of England was owned by 250,000 corporations and proprietors, and in 1822 by 30,000."*

The difference between the position of the feudatory and the modern landlord is as great as that between a constitutional monarch and an oriental despot. The tenantry under the former had permanent rights of occupation, under the latter they may be expelled at any time. In the fourteenth century enormities such as have been perpetrated in the nineteenth century could not be committed; as, for instance, when in Sutherland, in our own time, fifteen thousand persons were driven from the homesteads of their forefathers to make room for sheepwalks. The enclosure of common lands has also contributed to render the separation of the people at large from their soil more complete. From the passing of the General Inclosure Act up to the 31st December, 1855, 174,760 acres were enclosed in England and Wales. In the six years which elapsed to 31st December, 1861, 206,085 acres more, and the appropriation of public property to individuals has continued at an equal rate during the last three years. Farms have also greatly increased in acreage. Only ten counties, the North Riding of York being reckoned as one, were statistically analysed in the Report of the Census Commissioners, but in these it appears that the number of farms of under one hundred acres in extent decreased from 31,583 in 1851, to 26,567 in 1861, showing that in ten years no less than 5,016 small holdings were amalgamated to form greater ones.† If this was the case in ten counties, we may conclude that at least three times as many

* "English Traits," p. 162.
† General Report on the Census, 1861, p. 29.

of such small holdings have in the whole country been agglomerated during the same period. The body of the yeomanry, once a very important element in the strength and stability of the nation, has now quite disappeared, and the agriculturalists generally have actually declined from 2,011,447 in 1851, to 1,924,110 in 1861. We cannot here enter upon the moot points connected with large or small farming. The advance which has been made in scientific cultivation, and in the application of machinery to agriculture, implies an investment of capital which could only, perhaps, be profitably employed upon areas of considerable size. There is always, however, a danger of the great farmer becoming merely a grazier, as we see in the late increase of cattle-feeding throughout the country. Whilst in the year 1838 we were dependent upon foreign supplies of corn, on an average, for only six weeks' consumption, we are this year dependent upon them for six months' consumption.* The garden-like appearance of those regions where there is a peasant proprietary, seems to prove that small holdings are well fitted for the raising of grain. But whatever may be the better plan, we should find in the system of Co-operation an avenue from the difficulties presented by either or both.

"Quand il est question," says Rousseau, "d'estimer la puissance publique, le bel esprit, visite les palais du Prince, ses ports, ses troupes, ses arsenaux, ses villes, le vrai politique parcourt les terres et va dans la chaumière du laboureur. Le premier voie ce qu'on a fait et le second ce qu'on peut faire."†

The industrial community exhibits a tendency to a division into only two orders—the great capitalists, the possessors of large accumulations of wealth, and the labourers, living upon daily wages, the possessors of no property at all. There is an enormous increase in a population quite without hope of advancement in life, who have no future to look forward to, and who constantly swell the ranks of those who are known abroad by that ominous name—the Dangerous Classes.‡ They are placed in such dependence upon their employers, that their own good conduct or prudence can avail them but little, for all their foresight will not protect them from the follies and failures of these. They are destitute of all internal motives of restraint from crime or improvident marriages, and therefore are always filling the poorhouse or the gaol. An

* Speech of Mr. Caird, *Times* Report, June 8th, 1864.

† "La Nouvelle Heloise," tom. iv. lettre 2.

‡ Sismondi on Landed Property. "Essays on Political Economy," p. 152, English translation.

organization of labour which should secure to the workers a just share in the products of their toil—thus elevating them from the status of machines, and giving them a chance of rising in the world—would proportionately do away with this unhealthy condition of the masses, and contribute in no small degree to the true prosperity and permanent peace of society. Mr. Mill, in comparing the position of the peasant proprietor, or even the metayer, with that of the agricultural labourer, says:—

"Some of the disparagers of small properties lay great stress upon the cares and anxieties which beset the peasant proprietor of the Rhineland or Flanders. It is precisely those cares and anxieties which tend to make him a superior being to an English day-labourer. It is, to be sure, rather abusing the privilege of fair argument to represent the condition of a day-labourer as not an anxious one. I can conceive no circumstances in which he is free from anxiety when there is a possibility of being out of employment, unless he has access to a profuse dispensation of parish pay, and no shame or reluctance in demanding it; then he may feel with the old doggrel—

'Hang sorrow, cast away care;
The parish is bound to find us.'

But unless so shielded, the day-labourer has, in the existing state of society and population many of the anxieties which have not an invigorating effect on the mind, and none of those which have. The position of the peasant proprietor in Flanders is the reverse. From the anxiety which chills and paralyses—the uncertainty of having food to eat—few persons are more exempt: it requires as rare a concurrence of circumstances as a potato failure, combined with an universal bad harvest, to bring him within reach of that danger. His anxieties are the ordinary vicissitudes of *more* and *less*; his cares are that he takes his fair share of the business of life: that he is a free human being, and not perpetually a child, which seems to be the approved condition of the labouring classes according to the prevailing philanthropy. He is no longer a being of a different order from the middle classes; he has pursuits and objects like those which occupy them and give to their intellects the greatest part of the cultivation that they receive."*

We are sorry that our space will not permit us to notice even cursorily the effects of the Poor and Game Laws in assisting to render the monopoly of land an oppressive burden to the people.

The causes which have brought about the existing state of affairs are to be found in the peculiarities of our Legal System. There must be a distinction between law affecting Moveables and Immove-

* Mill, "Principles of Political Economy," vol. i. p. 345.

ables founded in an essential difference between the subject-matters of the proprietary right. In our Law, however, the demarcation which is made between Realty and Personalty resembles rather that effected by the ancient Code of Rome, between *res mancipi* and *res nec mancipi*, which, agreeing in the main with the limits of the obvious separation, in some particulars oversteps and in others falls short of them. When, for example, in *res mancipi* we find, not only the soil, but slaves, horses and oxen included; or, when in personalty, land held for terms of years, however long, and estates by statute merchant, statute staple, or elegit, we are no longer dealing with natural divisions, but with purely arbitrary rules.* With regard to Realty, the law of primogeniture obtains; not so with regard to Personalty; and thus, for instance, if a tenant in tail *pur auter vie*, or for the life of another, die intestate, the whole of his estate passes to his eldest son: whilst on the other hand, had he been lessee at a peppercorn rent of the same land for 999 years, all his issue, male and female, would alike succeed to him. The Law esteems an interest which may terminate on the morrow by the death of *cestui que vie* to be of a higher kind thanone which must subsist for many centuries. In primogeniture, as established among us, we see simply a remnant of an extinct political organization, quite out of place under the existing arrangements of society. The duties to be discharged in feudal times as renders for the tenure of land were such as to require an undivided inheritance, but when those duties ceased to be performed, the reason for maintaining the estates intact no longer remained.

"Laws," says Adam Smith, "frequently continue in force long after the circumstances which first gave occasion to them, and which could alone render them reasonable, are no more. In the present state of Europe the proprietor of a single acre of land is as perfectly secure in his possession as the proprietor of a hundred thousand. The right of primogeniture, however, still continues to be respected, and as of all institutions it is the fittest to support the pride of family distinctions, it is still likely to endure for many centuries. In every other respect nothing can be more contrary to the real interest of a numerous family than a right which, in order to enrich one, beggars all the rest of the children."*

The direct influence of the law of primogeniture in regulating the inheritance of real property is now comparatively insignificant: almost all the landed estates in the kingdom descend under devises or settlement, but in its indirect influence upon the provisions of these it has had very unmistakeable effects. Entails

* "Wealth of Nations," book iii. chap. i.

are always made so as to secure the succession in a direct line from the father to the eldest son, and consequently to preserve the existence of a wealthy head of the family. Their origin is to be sought in the statute *de donis conditionalibus*, 13 Edward I. c. 1, which took away from the holders of conditional fees, after condition performed, the chance of forfeiture and the powers of alienation and incumbrance which had previously belonged to them. Blackstone enumerates the bad consequences of this statute in a tone of unusual liberality, concluding his remarks by saying—

"So that they (entails) were justly branded as the source of contentions and mischiefs unknown to the common law, and almost universally considered as the common grievance of the nation. But as the nobility were always fond of this statute, because it preserved their family estates from forfeiture, there was little hope of procuring a repeal by the legislature, and therefore, by the connivance of an active and politic prince, a method was devised to evade it."*

In the 12th of Edward IV., about two hundred years after the passing of 13. Edward I. c. 1, the celebrated decision in Taltaram's case was pronounced by the judges, by which in Common Recoveries a road was opened for escaping from perpetuities, and by 4 Henry VII. c. 24 and 32 Henry VIII. c. 36 the ancient custom of Fines was made available for tenant in tail to bar the succession. These fictitious suits were intended to remedy the evils which the posthumous ambition of the aristocracy introduced into the tenure of land. By the 3 & 4. Will. IV. c. 74, Fines and Recoveries were abolished, and an instrument enrolled in the Court of Chancery was substituted in their place. But the powers of limitation which the law still permits to be exercised by the landowners, either by deed or will, are such as to render the facilities offered for alienation nearly abortive. It is possible now to tie up an estate for any number of existing lives and for twenty-one years after the birth of an unborn child, besides to create all sorts of queer interests with innumerable reversions and remainders over. Although our law is said to abhor perpetuities, these powers of settlement and the general custom of continued resettlement are capable of practically creating them, and in truth they usually do so. We cannot see that it would materially infringe upon the just privileges of property, if liberty of bequest and disposition were restrained within more reasonable bounds. With regard to Personalty, since the injurious consequences of uncontrolled testamentary authority were so clearly manifested in the great Thellusson case,

* Blackstone, "Commentaries," book ii. chap. vii. § 2.

this has been done, and remembering the distinction existing between the products of labour or abstinence, and land, it might, we think, be done with even greater propriety with regard to Realty. The registration of titles and simplification of conveyancing will, we fear, have but little influence in distributing landed property whilst entails can be effected in the manner which they now can be. There are so many causes which contribute to make land an especially desirable possession, that, whilst the monopoly of it can be maintained, the class now owning it will take every means within their reach to retain it to themselves. It is virtually placed *extra commercium*, and to render the transfer of a thing which does not come into the market indisputable and cheap is striking too high up in the rank of abuses. Not only are the obstacles placed in the way of a wider distribution of landed property insurmountable, but the incidents of the tenure now protected are of the kind most calculated to prevent or impede improvements in the land. The various mortgages and rent-charges which have been accumulated upon almost all the estates in the country have been estimated to deprive the ostensible proprietors of about one-half of the beneficial interest in their possessions. They still remain as "sinecurists quartered on the soil," dividing the profits with strangers, and actually forming the great obstacle to the amelioration of the sources of the national subsistence. In Ireland this rose to such a height that the Incumbered Estates Court was established to clear the ground of useless landlords. In England and Scotland the same evils exist in a minor, but still distinct degree, and every consideration of equity and expediency calls for the application of a remedy.

"The truth is," says Mr. Mill, "that any very general improvement of land by the landlords is hardly compatible with a law or custom of primogeniture. When the land goes wholly to the heir it generally goes to him severed from the pecuniary resources which would enable him to improve it, the personal property being absorbed by the provision for the younger children, and the land itself often heavily burthened for the same purpose. There is, therefore, but a small proportion of landlords who have the means of making expensive improvements unless they do it with borrowed money, and by adding to the mortgages with which, in most cases, the land is already burthened when they received it. But the position of the owner of a mortgaged estate is so precarious, economy is so unwelcome to one whose apparent fortune greatly exceeds his real means, and the vicissitudes of rent and price which only trench upon the margin of his income, are so formidable to one who can call little more than that margin his own, that it is no wonder if few landlords find themselves in a condition to make immediate sacrifices for the sake of future profit. Were they ever so much inclined, those alone can prudently do it who have seriously studied the prin-

ciples of scientific agriculture, and great landlords have seldom seriously studied anything. They might, at least, hold out inducements to the farmers to do what they will not or cannot do themselves; but even in granting leases it is in England a general complaint that they tie up their tenants by covenants grounded on the practice of an obsolete and exploded agriculture, while most of them, by withholding leases altogether and giving the farmer no guarantee of possession beyond a single harvest, keep the land on a footing little more favourable to improvement than in the time of our barbarous ancestors.

> ——— immetata quibus jugera liberas
> Fruges et Cerarum ferunt
> Nec cultura placet longior annua."*

The necessity for the improvement of the soil, in spite of the obstacles of tenure, appeared so urgent that in Ireland (where all our political experiments are tried) the Legislature came forward to assist the landowners. They were empowered by statute to borrow upon certain conditions a limited sum of public money to aid them in draining their land—not of its produce, as heretofore, but of its superfluous moisture. Mr. M'Culloch suggested the introduction of this plan into Scotland,† and the *Quarterly Review* ‡ advocated the propriety of adopting it in England, which has been effected by various Drainage and Improvement Acts. Two reasons, and two only, having the appearance of anything like argument, have been brought forward to justify the reception of rent by an individual—first, that he gives secure possession to the occupiers, and secondly, that he invests his capital upon the soil, and is entitled to a remuneration for it. In existing society the first of these functions is discharged by the State. The landlords do not now directly yield protection to the cultivators, nor do they contribute more, in proportion, towards the judicial and police arrangements of the country than any other order of persons. Now, therefore, that their character of improvers is removed, there remains, literally, no moral or economical principle upon which their position can be vindicated. More than this, the rise in the value of land proceeding from general circumstances, being the far greater part of the total over and above that produced by physical improvements, induces its owners to care little about advances in cultivation, and renders them adverse to leases which could alone procure to the tenant any adequate return for his outlay. No one will undertake permanent works who merely holds from year to year, and who may be compelled, under the guise of an iniquitous legality, at any moment perhaps, to lose his money's

* Mill, "Principles of Political Economy," vol. i. pp. 285-6.

† M'Culloch, "A Treatise on the Succession to Property Vacant by Death." p. 102.

‡ *Quarterly Review*, No. clxv. p. 186.

worth altogether, or at any rate to pay, in the shape of an increased rent, interest on his own capital to another person. A similar case of peculiar hardship is cited by Professor Newman from Mr. Jonathan Pim's work upon the "Condition and Prospects of Ireland"—

"It is well known that much waste land has been brought under culture for several years past. This has been effected chiefly by allowing cottiers to take in a portion of the mountain's side; and when they have tilled it for a few years, and partially reclaimed it, calling on them either to give it up to the landlord or to pay rent for it. In some cases they probably retained it: but in others they gave it up and commenced anew, not unfrequently ending near the top of the mountain at the bottom of which they commenced many years before. Thus cultivation crept up the mountain sides or encroached on the secluded valleys heretofore untilled. This mode of reclamation required no capital on the part of the landlord. The cottier or tenant was the sole agent. He obtained a bare subsistence by severe labour, and rarely effected any improvement in his own condition."*

This surely requires no explicit condemnation here: in Ireland the commentary upon it is seen in the masked face and the frequent blunderbuss.

In concluding this paper, which has already extended to a far greater length than we desired or anticipated, we have a few observations to make on the relation which the land has borne and now bears to the taxation of the country. When feudalism existed among us in anything but its evil consequences, all those public expenses which are now defrayed out of the general taxes were charges in one shape or another upon landed property. The crown lands, or *terræ regis*, scattered over every county, yielded an ample income for the support of the early court; whilst from the Danegeld, an annual tax on each hide of ground in the kingdom, and the quit-rents and dues of the feudal tenants, a revenue was raised quite sufficient for all the requirements of government—military and civil.† Henry II. still retained 1422 manors in his possession,‡ as Davenant has said, "belonging as much to the kingdom as to the king."§ But prodigal monarchs and a rapacious aristocracy soon reduced the fair proportions of these rich sources of supply.

"The illegal alienation of the Crown lands," says Professor Newman, "partly by sale and partly by gift, is a scandalous chapter in English history. Against it the Parliament again and again protested, and often effected a resumption of the estates. Nay, Richard I., after selling some of them and using the purchase-money, took back the

* Newman, "Lectures on Political Economy," p. 279.
† Hallam, "Middle Ages," vol. ii. p. 313.
‡ Lyttelton, "History of Henry II.," vol. ii. p. 288.
§ Davenant, "On Grants and Resumptions," p. 275.

lands himself, alleging that the sale was essentially beyond his power. However, after the abbey lands had been distributed among the aristocracy by Henry VIII., Parliament was dumb, so many having eaten of the sop, and the alienation of the Crown lands went on until at last the whole taxation of the country, which ought, as originally, to have been defrayed by rent of land, was shifted on to trade and industry."*

At the suppression of the monasteries and other charitable foundations, one-fifth part of the soil of the whole realm,† estimated to be worth 30,000,000*l.*, fell at once to the disposal of the Crown, and became available for national purposes.‡ This fund was, we know, distributed among the creatures of a tyrant, and was the means of founding a few great families still flourishing among us. William III., next to Henry VIII., was the most profligate of our monarchs in gifts of public property to his favourites. He granted to Bentincke (whom he had made Earl of Portland) four-fifths of the county of Denbigh,§ and afterwards divided 1,000,000 acres in Ireland, seized from the followers of James II., between him and the Countess of Orkney. A proceeding so outrageous could hardly be permitted even in that corrupt age, and these grants were subsequently resumed by statute.‖ By 1 Anne, cap. 7, the power of alienating the royal domains was taken away from the Crown, and at the accession of George III. they were handed over to the administration of the department of Woods and Forests. For the first twenty-five years of this reign they returned a net revenue of scarcely 6000*l.* a year,¶ which under careful supervision had expanded into 416,530*l.* in 1860.** At the commencement of the reign of the present Sovereign, the net income from the Duchy of Lancaster was 8,912*l.*; in 1859 the Privy Purse received from it 25,000*l.*†† When George, Prince of Wales, came of age in 1783, the revenue from the Duchy of Cornwall was less than 13,000*l.* a year, when the present Prince succeeded to it, in 1862, it was over 50,000*l.*, besides accumulations to the amount of about half a million sterling.‡‡ The progress in the income derived from these hereditary possessions serves to show us that landed property may be carefully and economically managed by government officials, and to admonish us of the loss which the nation has

* Newman, "Lectures on Political Economy," p. 130.
† Hallam, "Constitutional History," vol. i. p. 73.
‡ St. John, "On the Land Revenues of the Crown," p. 68.
§ May, "Constitutional History," vol. i. p. 191.
‖ Hallam, "Constitutional History," vol. ii. p. 305.
¶ Report of the Commissioners of Woods and Forests under 26 Geo. III. c. 87.
** May, "Constitutional History," vol. i. p. 213.
†† Parl. Papers, p. 207. ‡‡ Ibid. p. 208.

sustained in the wasteful and unlawful alienation of Crown lands to subjects.

There is another point of view from which the fiscal history of land may be contemplated. Until the reign of Edward I. few instances occur of taxes upon personal property. So late as that of Edward II. such taxes were exceptional and extraordinary, levied on occasions of great emergency. Tonnage and poundage were first legally granted to Edward III., and the first poll-tax and first subsidy to Richard II.* Down to the reign of Elizabeth, as late as 1590, land yielded nearly half the supplies, and in that year contributed 120,000*l.* out of the whole revenue of 350,000*l.* which came into the Treasury.† The altered condition of the country had, however, rendered the feudal system and its incidents of aids, reliefs, primer seisin, wardships, fines, and escheats very burdensome to the landed interest. We are all familiar with the complaints of Sir Thomas Smith, and his description of the landholder of this age. In the time of James I., therefore, it was attempted to do away with the ancient tenures and the droits of suzerainty issuing out of them. This was made one of the stipulations between Charles I. and the Parliament. At the Restoration it would have been impossible to have re-established them after their destruction during the Great Rebellion. Feudalism had come to an end as an efficient scheme of government. So far, therefore, as the 12 Car. II. c. 24 was destructive of the old system, it was a measure in accordance with the progress of society. But the conditions upon which the landholders had hitherto come into and retained possession of their estates were clear and well defined. The services which they had performed, or the pecuniary equivalents which they had paid, formed in the strictest sense the purchase-money of their lands, rendered in the form of an annuity to the State, bearing a fixed proportion to their value at the time render was due, increasing with its increase and decreasing with its decrease. When therefore it was in contemplation to alter this order of things, those ought to have been loaded with the commutation who were liable to the former charges. This had been intended in the reigns of James I. and Charles I. A quit rent derived from the land was to have been inalienably attached to the Crown.‡ But in the Convention Parliament the landed proprietors were in the plenitude of their power, and seem to have been unmindful of any considerations of honour or even of honesty. Instead of instituting a land-tax they established the Excise, and so removed the whole of these burdens from off their own broad acres and forced them on to the

* Sir John Sinclair, "History of the Public Revenues," p. 81.
† Ibid. p. 127. ‡ Ibid, p. 186.

shoulders of the people. Mr. Hallam even, whose leaning is always the other way, is obliged to reprehend this flagrant act of injustice :—

"No great difference of opinion," he says, "subsisting as to the expediency of taking away military tenures, it remained only to decide from what resources the commutation revenue should spring. Two schemes were suggested: the one a permanent tax on lands held in chivalry, the other an excise upon beer and some other liquors. It was evident that the former was founded upon a just principle, while the latter transferred a particular burthen to the community."*

This last plan was carried by a majority of only three voices in the House of Commons, and in the words of Mr. Annesley, used during the debate—"Every man who earns his bread by the sweat of his brow must pay excise to excuse the Court of Wards;"† or, in other words, that the landowners may have their lands for nothing.

In 1693 the land-tax was imposed upon the basis of a valuation of real property made in the preceding year. It was fixed at the rate of four shillings in the pound of the rental,‡ and was continued at intervals at rates varying from one to four shillings, until 1798, when it was, by 38 Geo. III. c. 60, made perpetual at the latter sum. For a few years after its commencement it was raised in something like a just proportion to the actual rental of the land, although the assessment of 1692 is acknowledged to have been much under the mark. But by the 9 Will. III. c. 10, and all subsequent land-tax acts, the law appears to have been carefully framed for the purpose of protecting realty from contributing like personalty towards the public income an amount bearing any ratio to its growing value. Whilst by the abovecited statute the rates upon personal property were to be levied "according to the true yearly value thereof," the land-tax was made a fixed annuity, according to the rental as ascertained in 1692, and it still remains so. By every sound economical theory the landowner occupies a peculiar position in connexion with taxation: his property is subject to the greatest variation in value,§ and his burdens should therefore be submitted to the most frequent revision and amendment.

It would be the merest waste of space to enumerate particular examples in support of this, with which the experience of every one will supply him, and upon which so many now enter upon monetary speculations. When a country like our own is steadily increasing in riches and population, the demand for land, for

* Hallam, "Constitutional History," vol. ii. p. 11.
† Commons' Journal, Nov. 21, 1660.
‡ Hallam, "Constitutional History," vol. ii. p. 298.
§ Tooke's "History of Prices," vol. vi. pp. 312—390.

purposes of production, of residence, or of pleasure, must become greater and greater every day, and as the supply must always remain the same, its price, whether for permanent or temporary use, must become higher and higher. Taking this fact into consideration, Mr. Mill remarks :—

"Suppose that there is a kind of income which constantly tends to increase without any exertion or sacrifice on the part of the owners, those owners constituting a class in the community whom the natural course of things progressively enriches consistently with complete passiveness upon their own part. In such a case it would be no violation of the principles on which private property is grounded if the State should appropriate this increase of wealth, or part of it, as it arises. This would not properly be taking anything from anybody, it would merely be applying an accession of wealth created by circumstances to the benefit of society, instead of allowing it to become an unearned appendage to the riches of a particular class. Now, this is actually the case with rent. The ordinary progress of a society which increases in wealth is at all times tending to augment the incomes of landlords, to give them both a greater amount and a greater proportion of the wealth of the community, independently of any trouble or outlay incurred by themselves. They grow richer, as it were, in their sleep, without working, resting, or economizing."*

It is surely some ground of complaint and remonstrance that a species of property like this should only be subjected to a tax which is levied upon the assumption that it has not changed in value for near upon two hundred years. Gregory King estimated the acreage of England and Wales at 39,000,000 acres, and the rental of all kinds at 12,000,000*l.*, whilst the valuation of 1692 places it at 8,000,000*l.*; the produce of the land-tax being in 1693 1,600,000*l.*† The true acreage is about 8,000,000. In 1862 the rental of all kinds was returned under schedule A of the Income Tax Returns at 66,000,000*l.* in counties, and 48,000,000*l.* in cities and boroughs; in all 114,000,000*l.*, the produce of the land-tax being 1,100,000*l.*‡ In the third Report on the Agricultural Distress (1837) the proportion which the land-tax bore to the rental in different parts of the kingdom is stated :—in Bedfordshire it was highest, namely, 2*s.* 1*d.* in the pound, in Surrey 1*s.* 1*d.*, in Durham 3½*d.* in Lancashire, 2*d.* and in Scotland 2¼*d.*, and so on.§ Twenty-seven years have elapsed since this calculation was made, and the proportion must now be considerably lower. An augmented land-tax bearing upon the inevitable increase in the

* Mill, "Principles of Political Economy," vol. ii. p. 363.

† Gregory King, "Natural and Political Observations and Conclusions upon the State and Condition of England," p. 53.

‡ Parliamentary Papers, 1862, vols. xl. p. 612 and xliv. p. 705. These are, of course, round numbers.

§ Third Report, p. 545.

value of the land, and thus meeting to some extent the obvious ends of justice, would not entitle the landowners to any immunity from other public contributions, whether direct or indirect. Mr. Mill states the case clearly, and we think unanswerably:—

"Whatever may be thought," he says, "of the legitimacy of making the State a sharer in all future increase of rent from natural causes, the existing land-tax (which in this country is unfortunately very small) ought not to be regarded as a tax, but as a rentcharge in favour of the public; a portion of the rent, reserved from time immemorial by the State, which has never belonged to or formed part of the income of the landlords, and should not therefore be counted to them as part of their taxation, so as to exempt them from their fair share of every other tax. As well might the tithe be regarded as a tax on the landlords, as well in Bengal, where the state originally entitled to the whole rent of the land gave away one-tenth of it to individuals, retaining the other nine-tenths, be considered as an unequal and unjust tax upon the grantees of the tenth. That a person owns part of the rent does not make the rest of it his just right, injuriously withheld from him. The landlords originally held their estates subject to feudal burthens, for which the present land-tax is an exceedingly small equivalent, and for their relief from which they should have been required to pay a much higher price."*

We do not expect, under the present system of tenure and occupation, to see the view propounded long ago by Quesney realized, *i.e.*, that the landlords should pay all the taxes, and that a tax upon land should be *l'impôt unique*,† it certainly would be but fair, however, under all circumstances to the community at large, that a class enjoying so many advantages and privileges, possessing a property so beneficial and lucrative, should give more than about one and a half per cent. towards the revenue of the State. When the land-tax was first imposed, it yielded thirty-four per cent. of the whole proceeds of taxation: the fund from which it is taken has augmented as largely and as rapidly as the national expenditure, and it is only through the influence of the landed interest itself that the contribution has descended to its present insignificance. It has sometimes been urged that the fact that the land-tax was capable of redemption, and has been partially redeemed, should prevent any further meddling with it. This argument would apply to a proposed reduction of the tax, but is impertinent to any scheme for increasing it. The Act of 1798 only guaranteed to those who were willing to buy a certain annuity secured on the tax that no less sum should be in future levied for their benefit than was levied at the time of purchase;

* Mill, "Principles of Political Economy," vol. ii. p. 366.

† Smith's "Wealth of Nations," by J. R. M'Culloch, Introd. p. 41, where many systems are reviewed.

and there is no reason why, in the event of the tax being increased, those who have redeemed the same should not still be allowed the yearly sum which they have bought, whilst the surplus would accrue to the Exchequer.

We have seen until now a wise and timely course of reform preserve our shores from the violent tide of revolution which has swept over so many of the nations of Europe. Let us hope that the Land system will not prove an exception to a line of policy which has done so much to advance the prosperity and greatness of our country.

Art. VI.—Dr. Newman and Mr. Kingsley.

1. *Mr. Kingsley and Dr. Newman. A Correspondence on the Question whether Dr. Newman teaches that Truth is no Virtue?* London: Longmans.
2. *What, then, does Dr. Newman mean? A Reply to a Pamphlet lately published by Dr. Newman.* By the Rev. Charles Kingsley. London and Cambridge: Macmillan and Co.

THE literary duel between Dr. Newman and Mr. Kingsley, which has lately been amusing the world, has a serious and permanent as well as an ephemeral and entertaining side. Of course, in the first instance, the interest attaching to such a quarrel arises from the not very noble gratification generally felt at seeing two dignified and reverend gentlemen saying the rudest and most irritating things to each other in tolerably polite language. Any exhibition of the irascible passions is welcomed in this decorous age, and if an admiring and sympathizing audience is a comfort to the combatants, it is seldom or never denied them. But at an early stage in this debate it was evident that it had deeper and worthier sources of interest whereby to attract attention. The original text, as set forth by Mr. Kingsley, was that "Dr. Newman informs us that truth need not, and on the whole ought not, to be a virtue for its own sake," but it was soon manifest that the matter would not be allowed for long to lie in that nutshell, and that jesting Pilate's vexing query, "What is truth?" was making its way to the surface. For ourselves we confess that great as is the interest connected with the two eminent divines themselves, the causes they respectively represent, the modes of thought which have come into collision in them, are

more important still. Both of them may be supposed to speak in the name of large numbers, though doubtless one represents a much larger spiritual constituency than the other. In any case they stand forth as exponents of deep and powerful tendencies at work in the moral and religious world, and the hostile meeting of these tendencies cannot but throw considerable light on the question of their relative strength and direction. We conceive that we have sufficient reason for inviting our readers to consider with us what that light amounts to.

It is not our intention to dwell at any length on the personal merits of the two parties to this controversy in regard to the behaviour of one to the other. A public verdict of singular unanimity was pronounced on this part of the subject at the beginning of the dispute by the weekly organs of opinion, and we need not go over the same ground again. On one point only will we make a remark, and it is that Mr. Kingsley does not appear to know what an apology means. Whatever is uncertain, so much at least is clear, that an assertion of his began the quarrel. He afterwards saw reason to withdraw his assertion, and he did so in a manner which it is difficult to characterize. As he was not able or willing to substantiate his statement, he did not appear to feel that a retractation the most ample and unequivocal was needed. "Dr. Newman has, by letter, expressed in the strongest terms his denial of the meaning which I have put upon his words. It only remains for me to express my hearty regret at having so seriously mistaken him." This was his apology. But it is incorrect in fact, and still more incorrect in spirit. Dr. Newman did not deny in the strongest terms, or in any terms, the meaning Mr. Kingsley had put upon his words. He merely expressed amazement at the charge, and begged that it might either be brought home to him or frankly abandoned. Mr. Kingsley did neither. He verbally acknowledged he was in error, but he distinctly implied that it was a most natural error, into which any one might fall, and from which he had only been extricated by Dr. Newman's denial. Now that was the very complexion which his apology ought not to have worn. To any impartial reader of the incriminated sermon on "Wisdom and Innocence," it is simply bewildering how Mr. Kingsley could have deduced from it the conclusions he did. Dr. Newman, evidently speaking to disciples and friends, warns them that in proportion as they are earnest and sincere they will be misunderstood by the world, nay, even persecuted by it. He reminds them that their Exemplar and Master was called a "deceiver." He shows that the great Apostle of the Gentiles more than once was exposed to the same imputation. If *these* were so tried, *they* need not hope to escape, and he gives them his attempt at explanatory reasons for so

painful a phenomenon. He shows that their *innocence*, if complete, will be a match for the wisdom of the world. He maintains that they may defend themselves, but only in certain subdued and, so to speak, passive ways. Mr. Kingsley infers from this discourse that "Dr. Newman teaches that truth for its own sake is not a virtue.". Dr. Newman hereupon makes signs of astonishment. Mr. Kingsley calls this denying, in the strongest terms, the meaning he had put upon Dr. Newman's words. So that if any one were to call Mr. Kingsley's "Saint's Tragedy" a most indecent and corrupting poem, or his funeral sermon on the late Prince Consort a blasphemous and seditious production, he is prepared to be content if his assailant addresses the public in this wise: "Mr. Kingsley has expressed in the strongest terms his denial of the meaning which I have put upon his words, viz., when I called his 'Saint's Tragedy' indecent and his Funeral Sermon blasphemous. It only remains for me to express my hearty regret at having so seriously mistaken him."

As regards the charge itself, that truth for its own sake had never been a virtue with the Roman clergy, it is too absurd to make it worth refuting. The *Westminster Review*, at any rate, will not be suspected of a partiality towards Rome and her arts. But we trust that difference of opinion need not make us blind to manifest facts. That Rome and her disciples have *practised* lying on a pretty extensive scale we are quite willing to grant, but that they have ever *taught* it, is a very different thing, and one, moreover, which Mr. Kingsley will find no small difficulty in establishing, if he ever tries. They have still enough of the serpent's wisdom to see what a mistake that would be, even supposing—which is a most gratuitous and unworthy supposition—that they had not enough of men's virtue to check them on other grounds. It is difficult to imagine that Mr. Kingsley weighed his words when he made his sweeping charge, because it is pretty manifest that he can hardly have thought about them at all. If this betokens a levity of mind and an absence of that very quality the want of which he was holding up as the master sin of the Roman Church, it is to be regretted for Mr. Kingsley's sake; but the inference is nevertheless inevitable. But really, literary gentlemen of fashionable reputations ought to write with a little care and regard to accuracy; they ought to pay themselves the compliment to suppose that some people read their productions with attention; that sometimes they are taken to mean what they say. And this care and this accuracy we consider to be more incumbent still on them when they happen to be rectors and professors; most of all if, in the pages of a monthly serial, they would fain wax sharp, pungent, and abusive.

Again, this controversy began, as our readers will remember, solely in consequence of Dr. Newman's alleged indifference to

truth as a "virtue for its own sake," and Mr. Kingsley's altogether exceptional and irrepressible admiration of and passionate devotion to the same. Nothing can be more glowing than Mr. Kingsley's language when, pointing out the contrast between Dr. Newman and himself, he dwells in his pamphlet on the duty of speaking and acting the truth. Alluding to Dr. Newman and the part he took in the publication of the "Lives of the English Saints," Mr. Kingsley says :—

"Dr. Newman might have said to the author of the Life of St. Augustine, when he found him, in the heat and haste of youthful fanaticism, outraging historic truth and the law of evidence, 'This must not be. Truth for its own sake is a more precious thing than any purpose, however pious and useful, which we may have in hand.' "—p. 21.

In another place he says :—

"Truth is the capital virtue, the virtue of virtues, without which all the others are rotten, and with which there is hope for a man's repentance and conversion, in spite of every vice, if only he remains honest. They (*i.e.* the Catholic priesthood) have not seen that facts are the property, not of man, to be 'economized' as man thinks fit, but of God, who ordereth all things in heaven and earth; and that therefore not only every lie, but every equivocation, every attempt at deception, is a sin, not against man, but against God; they have not seen that no lie is of the truth, and that God requires truth, not merely in outward words, but in the inward parts; and that therefore the first and most absolute duty of every human being is to speak and act the exact truth; or if he wish to be silent, to be silent courageously and simply, and take the risk, trusting in God to protect him, as long as he remains on God's side in the universe, by scorning to sully his soul by stratagem or equivocation."

No one would care to find fault with this language in the ordinary course of matters. The *tone* of it is a little loud perhaps, the indispensableness of truth-speaking in human society is pretty well beyond dispute now, and one is rather startled than edified by solemn asseverations tending to establish that utterly unquestioned point. Still, if Mr. Kingsley had chosen to fire off a small train of rhetoric on this subject, without drawing odious comparisons, and simply for his own private delectation, no one would have considered it worth while to make even a remark on so harmless a proceeding. But now he has forced all lovers of fair play to compare him—not with others, which might be unfair or unpleasant to him or to them, but with himself—to inquire whether this present zeal for truth has always burnt with the dazzling brightness to which he now draws attention. We regret to say that Mr. Kingsley's enthusiasm for truth is subject to perturbations—that it ebbs and flows in a very sensible manner at different seasons—that it is much higher now than it was last

year—that some persons and some questions have a remarkable power of making it rise, while others again cause it to fall—that Dr. Newman and Roman Catholicism act like a furnace-blast upon it, whereas Dr. Colenso and the Pentateuch attenuate it till it becomes hardly visible.

In June last year Mr. Kingsley published a small volume of sermons, which he entitled the "Gospel of the Pentateuch." It is not one of the best of his productions: it has an air of discomfort and straining about it, which seems to arise from the fact that the preacher had to say something, rather than something to say. There was much to account for this in the circumstances under which the book was published. it appeared during the Colenso panic, which must have been a trying time to the clergy generally, but especially to those who were distinguished in literature, and consequently were expected, whether they wished it or not, to say something on the question. The literary merit of works so produced is not a fair object of criticism: they were designed to meet a want of the day or of the hour, and possibly few are better aware than their authors of their shortcomings. But when a man undertakes to speak seriously on a serious subject, we are bound to suppose that the principles he lays down and the arguments he deduces from them are veritably and permanently his, even although he may have presented them in a rather rough-and-ready shape; and it is with the arguments and principles to be found in the "Gospel of the Pentateuch" that we wish to contrast those which Mr. Kingsley has more recently put forward in his pamphlet on Dr. Newman.

At p. vi. of his preface Mr. Kingsley says:—"A reverent and rational liberty of criticism (within the limits of orthodoxy) is, I have always supposed, the right of every Cambridge man."

Truly we fear the rights of Cambridge men are not a very illustrious possession, if Mr. Kingsley has stated them fully; and as for their "liberty of criticism within the limits of orthodoxy," it has at least a resemblance to the boundless liberty, which we are told by the Count de Persigny, is enjoyed by public writers in France, within the limits of the Constitution. In fact, we suspect it would be hard to find the foreign prince, prelate, state, or potentate who would object to give to subjects rights equal to those possessed "by every Cambridge man," and a liberty of criticism to boot, if the whole were only tempered by the admirable clause, "within the limits of, &c." To a writer who declares "Truth for its own sake is a more precious thing than any purpose, however pious and useful," we should have considered that a liberty of criticism so limited was hardly a liberty at all, and rather to be deplored as a badge of servitude than held up as a glorious right.

Mr. Kingsley proceeds—"I was therefore the more shocked, for

the sake of free thought in my University, at the appearance of a book which claimed and exercised a license in such questions, which I must (after careful study of it) call anything but rational or reverent." Again, coming from a writer who esteems truth so highly, this sentence is a puzzle to us. Why was Mr. Kingsley shocked? Dr. Colenso's book, he says, has qualities which make it neither rational nor reverent. But the negation of reason implies madness or idiotcy, and the negation of reverence points to blasphemy. Truly, if the Bishop's work is either mad or blasphemous, or both, it might be a shocking spectacle in a certain sense, but not in the sense we imagine Mr. Kingsley meant when he wrote the passage. Purely mad and blasphemous books do not shock people into writing replies to them by the hundred, a pitying silence being found quite answer enough. In what sense, then, was Mr. Kingsley shocked? We are forced to conclude that the Bishop of Natal, having that "irrational" love of truth which caused him to follow it whithersoever it might lead him, whether within or without the limits of orthodoxy, has adhered to Mr. Kingsley's rule of "Truth for its own sake" a little too closely, and thereby shocked Mr. Kingsley.

And this conclusion is redundantly confirmed by page after page of the work itself. The very notion of seeking truth for its own sake is sneered at and snubbed in the most contemptuous manner.

"We may puzzle our minds with these and a hundred more curious questions, as learned men have done in all ages. But shall we become really the wiser by so doing? More learned we may become; but being learned and being wise are two different things. True wisdom is that which makes a man a better man. And will such puzzling questions and calculations as these, settle them how we may, make us *better* men? Will they make us more honest and just, more generous and loving, more able to keep our tempers and control our appetites? I cannot see that. Will it make us better men merely to know that there was once a flood of waters on the earth? I cannot see that. If we look at the hills of sand and gravel round us, a little common sense will show us that there have been many floods of waters on the earth—long, long before the one of which the Bible speaks; but shall we be better men for knowing that either? I cannot see why we should. Now the Bible was sent to make us better men (p. 48).

"A man may say—But the flood must have been caused by clouds and rain; and there must have been some special natural cause for their falling at that place and that time.

"What of that?

"Or that the fountains of the great deep must have been broken up by natural earthquakes, such as break up the crust of the earth now.

"What of that?

"Or that the rainbow must have been caused by the sun's rays

shining through rain-drops at a certain angle, as all rainbows are now.

"What of that? Very probably it was; but if not—what of that?" (p. 50.)

It is quite unnecessary to comment on the tone of these passages. It is the direct opposite of the tone Mr. Kingsley assumes when he is lecturing Dr. Newman on the love of truth for its own sake.

"When I found Dr. Newman allowing his disciples in page after page, in line after line, to talk nonsense of this kind, which is not only sheer Popery, but saps the very foundation of historic truth, was it so wonderful that I conceived him to have taught and thought like them?"—*Kingsley's Pamphlet*, p. 22.

So it would appear Mr. Kingsley's creed on the article of Truth may be thrown into this shape:—

"The love of truth for its own sake is a virtue which can in no wise be dispensed with (as Dr. Newman doth vainly talk), but is incumbent on every man born into the world. It is above all things, and in an especial manner, to be admired, praised, and held up to public respect when controversies do abound with certain persons of the Romish church. And it is a marvellous preservative against the childish and immoral superstitions of that church. Nevertheless, there be others possessed of such an irrational and irreverent love of this virtue that caution is to be used. To seek the truth in the lives of the English Saints is laudable and proper. To seek the truth in the lives of Moses and the Prophets is idle, nay, much to be reprehended."

Such a creed would not be very moral, perhaps, but it certainly would be very scriptural. We admit at once that Mr. Kingsley has ample authority in Holy Writ for a certain laxity of practice in the matter of truth-speaking; and we only protest against his intolerance of a similar liberty in others who, like himself, are orthodox believers. If he will turn to the book of Genesis, in that book alone he will find precedents in over-abundance to cover his own conduct and that of Dr. Newman also. To say nothing of the able manner in which the patriarchs Abraham and Isaac "economised" the truth on the relation in which they stood to their wives, Jacob is a palmary instance, well fitted to show the compatibility of downright lying with orthodoxy. "And he said, Art thou my very son, Esau? And he said, I am." Mr. Kingsley has a sermon on this interesting story of Esau and Jacob, of which it is only fair to say that it is worthy of the subject and has caught not a little of its spirit. In that sermon we are told that—

"Esau is not the sort of man to be the father of a great nation, or of anything else great: greedy, passionate, reckless people like him,

without due feeling of religion and the unseen world, are not the men to govern the world or help it forward, or be of use to mankind, or train up their families in justice and wisdom and piety. . . . It is men like Jacob whom God chooses,—men who have a feeling of religion and the unseen world; men who can look forward and live by faith, and form plans for the future,—and carry them out, too, against disappointment and difficulty, till they succeed."—*Gospel of the Pentateuch*,* p. 76.

It is not to be denied that persons having this gift of forming plans for the future and looking forward have immense advantages over those who are without it: particularly if they add besides a wise economy in the article of truth. It is generally thought that Jacob's descendants to this day are to a certain extent distinguished by these qualities—shall we say, virtues? A scoffing, sceptical, and wicked world like that which we see to-day resents these patriarchal virtues with considerable asperity at times. But of course this cannot affect Mr. Kingsley, firmly fixed as he is on the sacred text of the Pentateuch, which he is shocked to see criticised.

Many pages of Mr. Kingsley's pamphlet are occupied by quotations from Dr. Newman's works, intended to show the marvellous and all but incredible superstitions and puerilities into which the latter has suffered himself to fall. The argument is this:—Mr. Kingsley finding Dr. Newman narrating and recommending the most monstrous absurdities as worthy objects of belief, and knowing him moreover to be a man of singular ability, he came to the conclusion that Dr. Newman could not believe what he was writing, and hence the inference that he cared not for truth for its own sake. Now Mr. Kingsley admits that in this he was wrong; that it is a question of honesty or veracity, and that Dr. Newman having preferred to be considered rather a fool than a knave, there was nothing more to be said. "Too many prefer the charge of insincerity to that of insipience—Dr. Newman seems not to be of that number." (*Kingsley's Pamphlet*, p. 27.) The long extracts from Dr. Newman's works are given to show what misled Mr. Kingsley, to excuse him, as it were, for having made such a mistake as accounting Dr. Newman a knave when he was only a fool; and also, we think, these extracts are not absolutely free from the suspicion of being made *ad augendam invidiam* against Dr. Newman.

Verily, we will not quarrel with Mr. Kingsley for expressing disgust at silly miracles and childish credulities. Any man who in any way lends help, be it never so small, towards the final expulsion of this "nonsense" from the world is entitled to the thanks of those who wish well to the progress of mankind. What we complain of in Mr. Kingsley is that he offers help when it is superfluous, and that he withholds it when it is most needed:

that he abounds with scorn and ridicule when it is a question of Roman or mediæval miracles: that he is solemnly apologetic or dumb when it is a question of certain other miracles far more general and obstructive. The Roman miracles are comparatively harmless through the very intensity of the evil in them: the poison is so rank that the system in many cases throws it off before it has had time to produce effect. Many men who can very comfortably swallow and digest a certain limited dose of the marvellous, find their stomachs rise in flat rebellion against the enormous bolus Catholicism expects them to gulp down. Yet, it is against the latter that Mr. Kingsley's remarks are exclusively directed. He is filled with disgust at the miracles attributed to St. Walburga. He is silent (on this occasion) on the miracles recorded in the Pentateuch. On a previous occasion he has taken them under his patronage.

At the end of the little work from which we have already quoted, Mr. Kingsley gives a reason which he calls "unanswerable" for

"Believing, like our forefathers, that the Old Testament is true. The Old Testament as well as the New tells us of the 'noble acts' of the Lord—of certain gracious and merciful and just things which the Lord did to the children of Israel. But if that be not true, what follows? That God has not done the noble acts which men thought he had, and that therefore God is not as noble as men thought he was, that men have actually fancied for themselves a better God than the God who exists already. Absurd!"—*Gospel of the Pentateuch*, p. 234.

We will not say whether Mr. Kingsley is right in calling this "unanswerable;" he is certainly wrong in calling it a "reason." However, as it is not our object to contest Mr. Kingsley's views on the Pentateuch, we shall not meddle with the reasons which he adduces in their favour, even though they resemble the above one, and have the character of irrefragability. Our object is simply to make it appear that on the strength of reasons which to his mind are unanswerable, Mr. Kingsley considers that we ought to agree with our forefathers on the subject of the Old Testament, *i.e.*, believe it entirely and completely. At least we think that without rashness so much meaning may be attributed to the above passage. Whether it has any other or any further meaning, we happily are not called upon to decide. This suffices for the purpose we have in hand.

But we must first quote a few of the miracles which it is alleged Dr. Newman believes, and in consequence excited Mr. Kingsley's disgust. In the Life of St. Walburga—

"The writer not only has expatiated upon some of the most nauseous superstitions of the middle age, but Dr. Newman has, in a preface signed

with his initials, solemnly set his seal to the same. The writer . . . . . dares to tell us of such miracles as these: how a little girl playing with a ball near the monastery was punished for her over-fondness for play by finding the ball stick to her hand, and running to St. Walburga's shrine to pray, had the ball immediately taken off. How a woman who would spin on festival-days in like manner found her distaff cling to her hand, and had to beg of St. Walburga's bone before she could get rid of it."—*Kingsley's Pamphlet on Newman*, p. 23.

Melancholy enough, truly, that at this age of the world such things should still be written and believed. But we have to ask whether, all things considered, Mr. Kingsley is in a position consistently and unreservedly to condemn them. As we have seen, he is a vigorous defender of the faith of our forefathers as regards the Old Testament. This carries with it a pretty extensive acceptance of miraculous matter. Of miracle, do we say? Of small account indeed were it if they "who believed like our forefathers that the Old Testament is true," believed only miracles as innocent as that about the little girl who prayed to St. Walburga. Belief in miracles beyond doubt is a pitiful and injurious superstition, but the miracle has yet to be invented which for awful and appalling power of evil could approach many a lesson conveyed in the pages of the Old Testament. For instance :—

"And Jael went out to meet Sisera, and said unto him, Turn in, my lord, turn in to me; fear not. And when he had turned in unto her into the tent, she covered him with a mantle. . . . . Then Jael Heber's wife took a nail of the tent, and took a hammer in her hand, and went softly unto him, and smote the nail into his temples, and fastened it into the ground: for he was fast asleep and weary. So he died."—Judges, iv. 18, 21.

Is this one of those noble acts of the Lord, doubt or rejection of which reduces us to the absurdity "of actually fancying for ourselves a better God than the God who exists already?" Or is it one of those noble acts, like many more recorded in Holy Writ, whose paths can be traced through after history by the light of martyrs' fires and crimson stains of blood which will never fade away? And then mark the cold, cruel, unrelenting ferocity of the Eastern barbarian—

"Blessed above women shall Jael the wife of Heber the Kenite be, blessed shall she be above women in the tent. . . . The mother of Sisera looked out at a window, and cried through the lattice, Why is his chariot so long in coming? Why tarry the wheels of his chariots? . . . . So let all thine enemies perish, O Lord: but let them that love him be as the sun when he goeth forth in his might."—Ibid, v. 24, 28, 31.

And this is Scripture, "given by the inspiration of God." If our conceptions of God transcend this, we are landed, says Mr.

Kingsley, in hopeless absurdity. We are to accept this story of Oriental barbarism as the voice of the all-pure, all-merciful God; but the story of a little girl who, when playing with a ball, found it stick to her hand, we are to reject, as being too outrageous to be believed. Doubtless, in miracles, as in other things, tastes differ. But if we were called upon to choose which we preferred as a matter of faith, that God made a ball adhere to a little girl's hand, or that God said, "Blessed above women shall Jael the wife of Heber the Kenite be," we should not select the latter.

And now it will be readily believed by our readers when we say that we have not written thus far simply to bring home to Mr. Kingsley certain inconsistencies of thought and language. That Mr. Kingsley, as a polemic, is not a match for Dr. Newman; that he has thought fit to throw stones at Dr. Newman from the door of his own glass-house, these are not intrinsically matters of deep importance: but it is important that Mr. Kingsley's house should be seen to be one of glass; that when he begins to smash his neighbour's windows some of his own panes coming down in a clear, musical cadence may warn him of the state of matters at home. It is important that the compromise which he and others have attempted to make between reason and authority, science and Scripture, should be seen to be untenable, transitory, hollow as the Peace of Amiens. It is important that the serious character of the present crisis in religious matters should be clearly understood. That it is Yes or No, and that there is no *via media* between them. That when Mr. Kingsley says, "Let comfortable folks who know no sorrow trouble their brains as to whether 60 or 600,000 fighting men came out of Egypt with Moses. We care not for numbers:" as if the matter were not worth an earnest man's attention, he as good as states in writing that he has not examined or has not understood the subject.

We wish to insist on this point, that compromises between reason and authority are growing less and less desirable, and even possible. The longer these two rivals stand confronting one another the more plain does it become that one or other must be supreme; that clever compounds of the two are becoming daily more unsatisfactory to all parties, whether free inquirers or believers.

For upwards of two hundred years England was the chosen home of compromise on nearly every subject except the exact sciences; and this national characteristic, visible in our constitution, in our legislation, in our philosophy, was certainly as apparent in our religion as anywhere. We are not finding fault with this, but merely stating it as a fact. Indeed, it can hardly be doubted that it is because Englishmen have not been logical, have cared little for consistency, that they have enjoyed so much

more internal peace than other nations. The Revolution, the greatest triumph compromise ever won, was an agreement to leave questions alone which experience proved could not be settled without a great deal of trouble. Independents, Fifth Monarchy men, Radicals, and thoroughgoing people of all kinds, were to be silenced and made to keep their extreme views to themselves, so that respectable, moderate people, who found half views suit their purpose very well, could go about their business quietly. Two opinions had been left firmly implanted in the minds of Englishmen when the ferment of the Reformation subsided; these were, that the Bible was all true and infallible, and that the Pope was a wicked impostor. Those points were settled. Woe betide the man who hinted a doubt of either. On these two points England was deaf to the voice of the charmer, charmed he never so wisely. The Deistical controversy, which survives in literature owing to its connexion with great names, never went to any depth in the national mind. Hume's wonderful scepticism was long before it attracted attention. England was determined not to be vexed and irritated and unsettled by deep investigation of the grounds of belief. The very moderate spiritual wants of the majority were supplied by the church in which Warburton and Hurd were chief priests. Those who needed stronger stimulants were satisfied by the dissenting bodies, and afterwards by Methodism. The highest forms of literature were neglected or forgotten. At last Dr. Beattie was considered a philosopher and Mr. Hayley a poet. It was an understood thing that first principles should be treated with contempt. Even the noble intellect of Burke could not escape the prevailing infirmity. The scorn he felt for the French Revolutionists arose quite as much from their appeal to abstract principles as from their odious crimes. Routine and red tape ruled the world in mind, body, and estate. Native simplicity and earnestness were superseded, it was thought, by the refinement of a civilized age; an age which cared not for philosophy when it was deep, nor for poetry when it was noble, which called earnest religion fanaticism and enthusiasm folly; which was heedless of the charms of a pretty girl's face till they were disfigured by patches and false hair, powder, and rouge.

The fire deluge of the French Revolution put an end to "the lifelong minuet" through which Europe had been majestically pacing for many years. Earnestness and depth were again wanted in a world which seemed likely either to go to pieces or take fire, if something, if even a great deal, were not done. To confine ourselves to our own country, a re-awakened spirit was soon discernible in literature. The noblest songs this land had heard since Milton died were poured forth by Coleridge, Keats, Wordsworth, and Shelley. Philosophy was not absent,

although it took longer to recall the spirit which had once dwelt in Bacon and Locke. In practical life reason gained rapid victories, the emancipation of the Catholics, the Bill of Reform. History was studied with new eyes. The revolutions and catastrophes of the present taught men to sympathize with and comprehend the revolutions of the past. Natural science was advancing with giant strides. It was impossible that religion should remain stationary amid the general movement.

Protestantism as a rule is merely individual and negative: if left to itself it crumbles into the fine sand of endless sects and subdivisions. The stout hoops with which the English Church had surrounded her portion of the Reformation had kept her together for two centuries; but this was, as we have seen, at the price of stagnation of the religious intellect. Now there were signs that this stagnation would not continue. Liberalism was rising steadily on all sides. Was the Church to be a Church; to oppose her advancing enemy, to curse him, to have no terms with him? or was she to let him in, to become a mere receptacle for sects and gradually drift away with the liberal tide from her old orthodox moorings? The leaders of the Tractarian party foresaw the state to which matters were tending with great sagacity and prudence. Without determining or even caring much where they were eventually to stop, they were clear on one point—viz., the direction in which they were to go, and that was *against* the stream of modern thought, further and further from the principles of reason and free inquiry. Rome was a long way off, and they did not think much about her, but modern notions were near and deadly, and must be expelled or avoided at all risks. Clear and resolute in their aim, a small knot of able men sent a thrill through every fibre of the English Church. They were no friends to half measures, they had no "fear of inferences." If Church principles led them in course of time to something very like Roman Catholicism, they said, "What then, if the principles are true?" They were thoroughly consistent; they gave up the Reformation, they anathematized it. They were quite right to do so, having satisfied themselves, somehow, that the human mind is not a fit guide for man. The wave they set in motion over the surface of English life rolled far and wide, disturbing much, and has not even yet subsided. It was a rude shock to the dominion of routine.

But Tractarianism failed as a resuscitation of the Church. The flight of its leaders to Rome was a complete confession that their object had not been attained. The English Church was likely to prove but a sorry breakwater against the advancing tide of modern thought. Still the attempt was not without effect. The enemies of Tractarianism—and they were many—were angry, aggressive

in their turn; a reaction against the reaction was established. Arnold and his pupils pushed the more vigorously forward, because some wished to hold them back. The stream pent up for a moment dashed over all obstacles till it has brought us to what we now see, dignitaries of the church taking the lead in attacks on every traditional dogma of Christianity.

Liberal ideas are beyond all doubt advancing; but something else is also advancing, and that is Roman Catholicism. Twenty-five years ago, in his "Essay on Ranke's History of the Popes," Macaulay drew attention to the revival of Romanism. In his graceful way he painted the fact, but he did not attempt a solution of the problem implied by it. In England the number of Catholic priests and chapels has enormously increased of late years. In France the *beau monde*, which once was infidel, is now Catholic. Even in Germany the Catholic theologians and controversialists hold their own against their redoubtable Protestant and rationalistic foes. The great main stream of human thought is tending in a direction of which no one can doubt; but there is manifestly a strong *backwater* carrying many minds away in an opposite direction. Europe on a grand scale seems experiencing an immense Tractarian movement after the manner of England.

Thus we get two clear facts amid all the confusion and contradiction of modern thought—the growth of disbelief, and the growth of Romanism; the growth of the party which trusts in reason, and the growth of the party which trusts in authority. Intermediate stand-points are getting less and less liked, less and less tenable. The age seems to say to every thinking man—

> "Take which you like, Reason or Authority, but having made your choice manfully adhere to it. Do not play fast and loose with it, do not take first one and then the other; do not use sceptical arguments against Roman Catholics and Roman Catholic arguments against sceptics. Do not let your opinions and canons of criticism vary according to the exigencies of controversy. If you choose Authority, follow it whithersoever it may lead you, and cast no lingering glances on the Reason you have left behind. If you select Reason, be *treu und fest* to her, and do not fall into a panic and be for deserting to her rival as soon as the contest becomes hot."

It should be understood that a First Principle is a First Principle. If the Bible or the Church is to furnish us with premises which we must accept, or conclusions which we must admit, it is of no use to think of science or philosophy, it is of no use to begin inquiries, at any stage of which we may be stopped. It is of no use to search the book of nature for new truths, if, immediately after we have found one, we may be told that it cannot be admitted, as "it contradicts the Word of God." Science cannot work with a halter round her neck. If on finding a fossil skull, or a flint

implement, and making the simple remarks, and drawing the natural conclusions which the case suggests, she is to be arraigned as profane, and oblivious of the "Holy Ghost, who inspired Scripture," her vocation is at an end. She had better retire to India or China for there is no place for her in Christian Europe. There is no use in disguising the fact that Christians, *as such*, are opposed to science; that is, are opposed to the free exercise of the human intellect in the investigation of truth. Of course the imputation is vehemently denied, but daily evidence of its justice is unfortunately at hand. Baptists, Papists, High Church, Low Church, are all in the same boat so far. One may be at the bow, and the other at the stern of the boat, but they all dread and hate the scientific spirit; and they are bound to do so if their principle, whether of an infallible church or an infallible Bible, be correct. An external Divine authority, be it Pope, Council, or Bible, if it is authoritative and Divine, must be obeyed, and must sooner or later obtain dominion over the whole man. Whether its pretensions are great or small, if they are immovable and indisputable, they must in time reach unto and subdue all human thought and action. It is the leaven which leavens the whole lump; the mustard-seed, which growing to a stately tree, covers the whole earth. The Romanists have always been fond of offering men the alternative of "a bottomless scepticism" or the "Catholic Faith." Hence there are no Pyrrhonists like them when they are controversially inclined: it is "all or nothing" with them. Their argument has always been, "If you trust your reason you will be atheists." Atheism! that is their grand word, which has been worth thousands of recruits to them. Now if it suits their purpose to scare men with the imaginary terrors of free thought, it suits ours equally to hold up to the world the very real terrors of Authority. "Take up with Authority," we would say, "if you like, but mind the consequences. Do not suppose you can say thus far and no farther. You are under the yoke, and you must either submit to it or shake it off. You may only believe in Moses, and pity those who believe in the Pope, but Moses may prove as hard a taskmaster as ever the Pope has done. Once convince yourself that it is your duty to put out your eyes, and it signifies very little in whose behalf the sacrifice is made; it has made you blind in any case. It is either reason or not reason which you have to choose. Follow Authority and it will make you a Papist, or as good as a Papist. Fence off never so small a portion of your mind from the patrol of free thought, and the odds are, if you are a thorough man—not a half-and-half man—that you will find yourself some day in the neighbourhood of Rome. The principle is the same whether you believe in the fig-leaf aprons of Adam and Eve, or in the Holy Coat of Trèves."

Art. VII.—Edmond About on Progress.

Le Progrès. Par Edmond About. Paris, 1864.

M. ABOUT has been named the literary grandson of Voltaire. Certainly he worthily emulates his grandfather in the variety and multiplicity of his works. Books of travel, novels, tales, plays, political pamphlets, and serious essays have issued from his prolific pen in rapid succession. His last production is the most notable of all, for in it are discussed the proper objects of human ambition, are traced the best means for increasing the happiness of the human race.

A fertile writer must necessarily repeat himself. Not merely will he employ a style with which his previous writings have made us familiar, but will probably expound doctrines already foreshadowed in them. A first work may attract on account of its freshness: an author's tenth or twentieth work may be original and attractive, but can hardly be fresh. A new acquaintance is an unfathomed deep. We cannot foretell what language he will use, or what subjects he will delight in. Yet the experience of several years will enable us to determine upon meeting him not as to the particular words he will utter, but as to the style of conversation he will employ, the ideas he will express, the line of argument he will adopt. Southey says, in his "Doctor," that an author who has one style only is a bungler. We hold that the critic is the bungler who fails in detecting the author by his style. Whoever should take up M. About's work on "Progress," and after a perusal of it should fail in perceiving its author's impress on every page, would be incompetent to criticise it. Differing from his other performances in title and object, it resembles them all in style and many of them in tone. An enumeration of these performances, and brief estimates of their peculiarities, will form the most appropriate preface to an analysis of his most recent production.

The work by which he first achieved popularity was an account of Greece as it was in 1852. To all who were not natives of Greece, that work gave great pleasure. The wonderful descriptive powers which its author manifested, the bitterness of his irony, and the sparkle of his style, were alike remarkable and attractive. That it was more clever than trustworthy, more effective as a piece of writing than valuable as a statement of facts, were attributable to this, that M. About was a thorough Frenchman, that he wrote in order to excite applause, to make the Greeks ridiculous, and

to display his own cleverness. His next literary essay was a novel called "Tolla," and having for object the depicting one phase of social life in modern Rome. The delicacy of the sentiments expressed in that novel, the skill with which the characters were drawn, the charming style in which the story was narrated, contributed to extend M. About's fame, and to give him a high place among contemporary writers. This work was as popular in England as on the Continent. A large section of the novel-reading public was delighted to meet with a French novel which was interesting without being indecent, and decorous without being dull. That its success was both unalloyed and deserved was evinced by its being speedily translated into German, Danish, Swedish, and English.

Hadji Stavros, a Greek brigand, was the hero of his tale entitled "The King of the Mountains." This was a modern Rob Roy or Karl Moor, a freebooter who had become sufficiently civilized to invest in foreign stocks the gains amassed by robbery and murder, and to keep an account with a London banker, in place of following the examples of "The Forty Thieves" and their successors, and concealing his treasures in a cave, or burying them in the earth. The impression left by this highly-coloured and very horrible tale was that the modern Greeks were so worthless and corrupt as to merit extermination rather than the support and sympathy of Europe. "Germaine," a story of Parisian life, was at the same time an exposure of the bad features of French society. It was a more genuinely French novel than any M. About had produced; the characters, though well drawn, were for the most part repulsive and contemptible. An aged marquis, who has exhausted both his fortune and person by his excesses, agrees that his daughter Germaine shall espouse a rich Spanish nobleman, obtaining, as the reward of his complacency, a large sum of money from his future son-in-law. When this scandalous bargain is made Germaine has lost one lung, is rapidly losing the other, and is apparently doomed to an early and untimely grave. The nobleman who asks her hand in marriage does so knowing her to be on the point of death, and hoping that she will not long survive her wedding; his object being to render legitimate a child he has had by a mistress. After the ceremony, Germaine, who is well cared for, gains strength, and gives promise of recovery. Her husband falls in love with her, and desires to prolong her existence in place of counting upon her death. His mistress being neglected for Germaine, becomes jealous of her rival, and contrives to get small doses of arsenic furtively administered to her. Instead of dying of the poison, Germaine recovers from her malady, the small doses of arsenic proving a cure for the consumption. The result is that she and her husband live happily together,

while those who aimed at taking her life are made to die violent deaths. Such is the plot of what competent French critics regard as M. About's best novel. Though marked by many beauties of style, and though the materials which compose it are artistically disposed, yet Germaine is, in our opinion, one of the least praiseworthy of all M. About's works.

To this story of Parisian society succeeded one containing a picture of peasant life in the South of France. Maître Pierre, the hero of it, was the antithesis of Hadji Stavros; the former being lauded as the benefactor, as the latter was execrated as the plunderer of his species. The object of the author was to show the possibility of converting that barren and pestilential district of the South of France, called the "Landes," into a fertile garden and salubrious place of abode. If he had embodied his statistics in an agricultural treatise, he would probably have laboured in vain. As it was, the mixture of hard facts and agreeable fictions, of telling anecdotes and abstruse calculations, dashed with the love-story, which compose this work, made Maître Pierre a book very charming to peruse and very useful to ponder.

After producing the foregoing works, M. About essayed a totally different vein, passing from the composition of works of fiction to criticisms on works of art. He published two volumes, in one of which he criticised the pictures contributed to the French International Exhibition of 1855, and in the other the French Academy pictures of 1857. There was much cleverness, and not a little good sense in his criticisms. His object was the discovery of what was really praiseworthy rather than a crusade against what was weak or blameworthy in the pictures he examined. About the affectations of the realistic school he said many things both sharp and incontrovertible. According to him, a realistic painter values colour more than drawing; whereas a great artist, whether ancient or modern, must both draw and colour well. A realistic painter he likens to a boy who, having grasped a lizard by the tail, and the animal having thrown off its tail and escaped, exclaims that he has caught the lizard. Still, since realists go to nature for inspiration, they do better than if they had confined themselves to copying or emulating the great masters, and it is far better that they should clutch the lizard's tail with both hands, than that they should go away empty-handed. For to become a servile copier of the ancients is even worse than to squander time in laboriously reproducing dead leaves or dirty straw. Successful imitators are in turn taken as models by silly contemporaries. Paintings so produced resemble a vessel of milk which is taken to town, and from which, at every halting-place, a portion is subtracted and an equal quantity of water added. Consequently, when the vessel reaches its destination it will contain pure water only.

Both nature and the old masters should be diligently studied, but at the same time every artist should follow the bent of his genius, should have a style of his own. Were Raphael and Holbein, Titian and Velasquez, Rubens and Leonardo da Vinci to paint from the same model, each one would produce a work differing radically in character and effect. Force would be the predominant quality of one, grace of another: one would impress on his figure the stamp of rude health, another would make it express intellectual power. The predominance in the picture of any particular excellence or quality of the model would constitute the artist's style. Style, which represents the particular traits or features an artist loves to dwell on, is good or bad in proportion as it represents what is beautiful or ugly in nature, what is noble or ignoble in man.

By far the most famous of M. About's numerous productions was the work on "The Roman Question." The priests were so much incensed, that they succeeded in getting the French Government to suppress it. Of this the author had no cause to complain, as his own popularity and the demand for his book were thereby largely increased. That the book was a paragon of cleverness could not be questioned. That it was either a wholly fair or trustworthy one was less certain. The priests have countless enemies and few friends. Arrayed against them are hosts of men of great talent and rare skill in attack. Their defenders are seldom men of genius, and are never men of tact and discretion. The defence is certainly a most hopeless undertaking, for who can parry a sneer or repel a sarcasm? When figures the accuracy of which nobody can dispute, and statements which, though one-sided, nobody could controvert, are adduced to prove that the Papal administration is the most burdensome in Europe, that the faces of the pope's subjects are ground to the earth in order that he and the cardinals may fare sumptuously, it is certainly no answer to allege that the pope is one of the meekest, most benevolent, and virtuous of men. Yet such was the character of the answers made by the upholders of the Papacy to M. About's damaging charges.

A variety of plays, tales, essays, and a novel, constitute the remaining works of this author. His plays were hooted off the stage, and although this was attributed to the intrigues of a cabal, yet there were other good reasons why they should have proved utter failures. Smart writing will of itself ensure the success of a work of fiction, but something more is required in order to fascinate a theatrical audience. The plot must be well constructed, the incidents must be novel and natural, and the personages lifelike. Now, the plot, incidents, and personages of M. About's plays are deficient in all these respects, and for this deficiency a few clever hits and some pieces of telling dialogue are very in-

adequate compensations. No one who has read his published plays can wonder at M. About's failing to achieve a theatrical success. On the other hand, his tales and essays have had hosts of readers, for they possessed all the requisites necessary to render such literary compositions attractive. Perhaps the least happy of all his works is his novel, "Madelon." The subject of it is that which Dumas the younger has brought into fashion, the life and adventures of a lady of no virtue and of luxurious tastes. The cleverness with which the subject is handled does not counterbalance the fact that the book is an imitation. When he produced "Tolla," M. About struck out a new vein for himself, and for so doing deserved and obtained praise. In producing "Madelon" he pandered to the depraved tastes of a profligate public, and for so doing has been justly censured by those who admired his talents. He has been sufficiently punished in finding few sympathisers, even among those to whom novels of that class give especial pleasure.

His last book is addressed to those who reflect, rather than to the more numerous class that enjoy what is called life. An intimate knowledge of Bohemian society is not the best qualification for composing a work on the philosophy of human progress. From a Bohemian point of view the proper result of civilization would be to bring within the reach of all on earth the peculiar pleasures which Mahomet promised to the faithful hereafter. But M. About's view is the very reverse of this. He wishes for that which all good men desire, the amelioration of man's lot on earth, in order that his intellect may be cultivated and his highest faculties expanded. Than this nothing can be more admirable, but the fine sentiments in this work are tarnished by the suspicion that its author is not thoroughly in earnest. Dismissing this suspicion for the present, let us give an exposition of the contents of the book.

He states in the preface that being overlauded by one party and over-depreciated by another, he has written this book in order to show himself in his true colours; that being no longer young and not expecting to be great, he is desirous to benefit his fellows by adding some results of his reading and observation to the common fund of human experience. He professes to belong to a school of practical men, who, disregarding hypothesis, care only for proven facts. This school does not dispute the existence of another state of existence, but till this be demonstrated, confines itself within the limits of reality. Within these limits, of which the horizon is bounded, and wherein neither charming visions nor menacing spectres exist, the disciples of this school make the most of a lowly state and a short life. M. About and those of his school, in rejecting all hypothetical conclusions, run

the risk of frequently giving very unsatisfactory solutions of certain problems. Yet imperfect though these conclusions are, they have this in their favour, that men of every country, character, and religion may accept them, being equally acceptable to Christians as to Mussulmen, to Deists as to Atheists. Among the things which all may accept as true is, that this, without miraculous intervention no atom of matter can either have beginning or end, that from the time when this globe was an inert mass of matter up to that when it was clothed with vegetation and covered with animal life, there was uninterrupted and incontestable progress. A step in this progression was the birth of man, Nature's crowning work. Man is the legitimate ruler of the globe, inasmuch as no other natural organism is so complete in itself, is superior in development to the human organism, or equally qualified for indefinite improvement as it is.

What, then, is the ideal of progress, what the maximum of happiness here below? It is that human life should be protracted to its attainable natural limit, that the earth should be made to nourish as many men as it can contain, that men should become as perfect and as happy as they possibly can be. The perfection of which man may dream, and perhaps attain, consists in the entire and harmonious development of his physical and moral being. Whoever shall have combined in his own person, in proper equilibrium, mental and physical health, vigour, and beauty, is perfect. To sacrifice the mind to the gratification of physical appetites is to sink to the level of a brute. To destroy the body by inches in order to develope the mind is to act like a madman. He is truly wise who rejects no kind of happiness, and strives to augment it in himself and among his neighbours.

We are all links in a chain. Those things of which we boast, we owe to the successive labours of preceding generations. The health which we enjoy is attributable to the studies of countless physicians, from the time of Hippocrates down to the present day. The poetry with which our memories are stored, the paintings with which our eyes are ravished, the examples of heroism, virtue, or magnanimity which are offered for our imitation, are due to those who formerly filled our places on the earth. Without them we should not be what we are. Unless we do likewise our posterity will have no reason to value us. It is not enough that men should refrain from evil; they are bound to acknowledge their appreciation of what their predecessors have done for them by transmitting an equally valuable heritage to their descendants. In truth, the men now existing play the part of Providence to those who will hereafter people the earth.

Whatever short-sighted and unreflecting men may say about the glories of former ages, it is certain that on the whole the

present is as great as any previous age. It may be that we shall look in vain among our contemporaries for statesmen as virtuous as Aristides, for generals as invincible as Cæsar, for more admirable sculptors than Phidias, for diviner painters than Raphael, for more charming poets than La Fontaine and Molière, for orators more eloquent than Demosthenes or Cicero. If the few are less remarkable, the majority are more comfortable. The great men of former times, when assembled together, would make but a small gathering. But the lot of the majority during the ages of Louis XIV., of Leo X., of Cæsar, and of Pericles, what was it compared with that of the majority now? Formerly, a few great men marked an epoch. Now, unless the mass of the people be well fed, well clothed, and well instructed, we call a country barbarous, whether it be or be not distinguished by a few men of genius.

A distinctive trait of this age is the rapidity with which any valuable invention is brought into general use and spread over the whole earth, and then superseded by something more useful and still more complete. Probably one or two centuries elapsed between the discoveries, first of the sun-dial, then of the hour-glass, and then of the water-clock. Between the invention of the water-clock and the clever piece of mechanism which is said to have been sent by the Caliph Haroun Alraschid to Charlemagne, more than a thousand years elapsed. Seven hundred years were required to convert the fixed clock, actuated by weights, into a portable clock. Three hundred years were required to convert the huge pieces of clockwork which our forefathers chained to their girdles into the watches we carry in our waistcoat-pockets. The compass was invented two thousand years before Columbus thought of employing it in order to discover the New World. Gunpowder, which was first made in China, we know not how long ago, was brought to Europe during the fourth century, yet cannon were not cast till seven or eight hundred years afterwards. First a cannon was produced, then a harquebuss, then a musket, and lastly a rifle. The interval between these several discoveries is so great that more than three centuries separate the firing of the harquebuss which caused the death of Bayard, to the invention of the revolver which made the fortune of Colt.

Formerly the inventor was a man apart. It was requisite for him not merely to make a discovery, but to convince his fellows that what they had believed to be true was the very reverse of true, and to overcome the opposition of influential associations which were interested in upholding the old delusions he had exploded. An inventor is no longer a man preaching in the wilderness. The moment he opens his mouth to speak, thousands listen to and profit by his teaching. At the same instant two or

more men now make identical discoveries. If an invention be imperfect when first made, others add what is wanting, or supersede it by something more perfect. The danger now is, so many are competitors for the honour of having made a particular discovery, that posterity will never learn to whom the honour really pertains. Who will ever decide as to whom the credit is due for the application of the electric current to telegraphic purposes? "Whereas the monomaniac Erostratus who set fire to the temple of Diana is immortal, because no one could claim partnership in the act."

Two classes of men will deserve the gratitude of posterity for having made the nineteenth century what it is: stock-jobbers and reviewers. Stock-jobbing has done some harm; but on the whole far more good. Now and then it will cause a disastrous crisis when the markets of Europe shall be inundated with unmarketable securities. But the circulation of these securities will also have created lasting benefits. The isthmus which now divides two seas will then have been cut through; tunnels will then have pierced mountains which are now barriers separating two countries; rivers will be embanked, cities drained, marsh land reclaimed, hill sides wooded; the whole earth will have been rendered more habitable, and the sum of human comfort will have been doubled. These advantages will have had their source in the extension of joint-stock enterprise.

Reviewers, too, will merit the thanks of posterity. Their thanks will be due not because a pamphleteer named Pascal invented the wheelbarrow, nor because three or four other writers shall have solved the problem of aërial navigation; nor even because every now and then one of them hits upon a truth of universal interest, like that of the sovereignty of the people and the principle of nationalities. Were they only simple go-betweens, the pedlers of ideas, and nothing more, their part would still be one of considerable importance. Ideas, like capital, multiply by circulation. Hence, an able writer does exactly the same work as Rothschild, with this difference only, that he obtains less pay.

"One day I met a man who lived by selling spectacles to the peasantry. In reply to my questions, he said that he got on pretty well, as even the poorest and most ignorant were now anxious to see clearly, but that he had many drawbacks to contend against, seeing that when he entered a village the boys stoned him and the gendarmes asked for his passport; that, notwithstanding these things, he plied his trade, because animated by the thought that in selling his spectacles he was enabling those who were nearly blind to make use of their eyes. I told him that I and my comrades were carrying on a similar traffic, and with similar objects. We vend in France and abroad, spectacles of all colours and sorts: we sell rose-coloured ones through which the

wretched may behold a future of justice and equality, blue ones which enable a man of low degree to look upon gilded thrones and sparkling crowns without being dazzled, magnifying ones, through which a useful man appears ten times greater than a prefect in all his glory. My brethren and I are as much persecuted by those in authority as you are by naughty children and insolent gendarmes. High officials are firmly convinced that journalists wish to sell red spectacles to the people in order to incite them to overturn the Government and get possession of the Government offices. Whatever be the kind of spectacles sold, those who are engaged in selling them must not be deterred by any obstacles, or discouraged by the thought that their labours will never them honour—they must work.

"According to some, to labour is a duty; according to others, labour is a hindrance. In 1848, we sang a workman's ditty to the effect that labour was liberty. Now, to labour is the law in accordance with which man exists on the earth. Yet the majority think idleness a sign of nobility—a thing of which a man should be proud. We cry out about the spread of democratic opinions; still, at heart everybody is very much of an aristocrat. A manufacturer who has made a fortune thinks himself ennobled if he marry his daughter to a marquis. A man holding the most insignificant Government post is regarded as far superior to him who keeps a shop. 'A Government official is almost a gentleman: he does so little work.' When by mishap a young girl is reduced to marry a young man who is rich, well read, and respectable, and making twenty thousand crowns a year by his business, she explains her downcome in a very roundabout way to her old schoolfellow—'My husband is in business, but he is a merchant, he does things on a large scale, he hardly works at all, so to speak, merely appearing in his office for half an hour daily. Besides, he counts on retiring from business very soon.' Her friend, who is the wife of a sub-prefect having an income of four thousand five hundred francs, affectionately embraces her, saying—'Poor dear! I shall be always the same to you. My husband has no prejudices. We shall be delighted to be introduced to yours when he shall have retired from business.'"*

From the moment that a man ceases to labour, French society regards him with respect. It is most desirable that the cleverest people in the world should learn to reverence those who toil. Unfortunately, however, the toilers entertain very silly notions about their respective merits. The merchant who has no signboard above his door, thinks himself superior to him who has one, the wholesale takes precedence of the retail dealer, the retail dealer of the costermonger, the costermonger of the workman, the city workman of the country workman. Even among working men there are grades, printers ranking first and scavengers last. It is not customary to cite Mussulmen as examples, yet on this point they argue more justly than we do. According to them, it matters not what a man's calling is; the man ought to be

* These paragraphs have been abridged from p. 41 to p. 50.

esteemed for his wisdom or virtue. In the bazaars of Constantinople and Algiers men may be seen whom all consult and venerate, one being a maker of slippers, another a mender of clothes. While labour is honourable in itself, there are certain kinds of labour which should be discountenanced. Formerly, two poor men might be seen carrying a rich man in a sedan chair through the streets of Paris. In 1764, such a sight occasioned no comment: now, it would cause a tumult. In these days men could not behold their fellows doing the work of horses without being indignant.

Whether a man be rich or poor, noble or servant, enlightened or ignorant, his person is sacred; there is none who can properly claim authority over him. Instead of this being inculcated, the education given to mankind is similar to that given to the dwarf trees which grow under the shadow of the monarchs of the forest. Sometimes the towering oaks demean themselves so far as to tell the tiny trees that their spreading branches shelter them from the sun and protect them from the storm; the trees reply that they are oaks also, and would wax strong and tall, were it not for the shadow which covers their heads. When the huge trees are cut down, the dwarfs soon become monarchs in turn. Every man has illimitable rights over nature, but has none over his neighbour. He is only bound to obey laws to which he has given his assent, to respect those whom he has himself set in authority. There are his natural rights. What some men demand as their rights are follies. Such, for instance, is the pretension for which so many were slaughtered in 1848, and which means that any person has the right to take up arms in order to force society at large to compel certain of its members to employ and pay those for whose services they have no occasion. Equally foolish is the demand that those having property should share it with those who have none. Not less foolish is the asserted right to be educated at the expense of the State. Because education is a good thing, it does not follow that people should have to educate their children under compulsion. As for the right to rise in rebellion, which has been claimed as one inherent in men, it means that, where universal suffrage prevails, four individuals may plot to render themselves the masters of forty.

But inviolate though each man's person may be, a man must associate himself with others if he would benefit himself. In "Robinson Crusoe" we see man placed alone, face to face with nature. He was a man of some education; he had at his command tools, arms, books, and a few grains of wheat, these grains of wheat representing the labours of a hundred preceding generations. Although placed on an island having a fine climate and fertile soil, although in no danger from either beasts of prey

or pestilential marshes, yet his life was always hanging on a thread, and was not perfectly secure till the day when he formed the rudiments of a society by obtaining the companionship of Friday. Why is it that the savages of South America, who live amid one of the finest of climates, and on one of the most productive of soils, are poor and wretched, and exist, on an average, from twelve to thirteen years; while Englishmen, born amid cold and fog, in a land of which the natural productions are grass and oaks, have a minimum existence of thirty-nine years? It is because these savages do not associate together in tribes, while in every Englishman's cradle is a tiny invisible piece of paper, representing a share in the "Great Britannic Society."

The progress of society tends towards the formation of a vast European association, in which each member will labour for the advantage of himself and of the others. A beginning has been made by the establishment and success of International Exhibitions. Yet many years must elapse before all men will act as if conscious that, in respecting the rights of each other, they are obeying a law of Nature. At present, nations and individuals associate themselves together with a view to gain a personal advantage, to the detriment of the others. When the Treaty of Commerce was concluded, the French fondly hoped that by means of it they would enrich themselves and ruin the English. The English entertained an equally charitable hope. Both have grumbled, because hitherto both have profited and neither has been ruined.

The type of modern society is the omnibus. Suppose we wish to go from the Madeleine to the Bastille, if we take a cab we shall have to pay two francs, and the journey will occupy three-quarters of an hour. The omnibus, which is a society on wheels, will make the journey in half an hour, at the cost of three sous. In fact, the omnibus is not merely a four-wheeled coach, it is also a car of Progress; the symbol of peaceful association based on freedom. We enter and leave it when we please. Therein, whoever pays enjoys equal rights, without any distinction of rank or person. The conductor politely obeys those who feed him: he never dreams of tyrannizing over his masters. Whatever you say or read, he dare not ask for an additional fraction; "nor dare he make a fat lady sit upon your knees, which I venture to say would be intolerable oppression."

Unhappily, the cleverest people in the world will enter on the path of Progress only when it suits them, or else with reluctance. If all the mothers of France were assembled in the Plain of Saint Denis, and asked what careers they would choose for their sons, not more than two would select that wherein Parmentier, Jaquart, or Franklin distinguished themselves, while the

remainder would desire for their sons either the epaulettes of a colonel, the mitre of a bishop, or the embroidered uniform of a prefect. The Government, diplomatic posts, the army, the fleet, the bench, the bar, and the church, are very honourable and very useful institutions, but they were instituted for the sole purposes of maintaining things as they are. Education, agriculture, trade, commerce, arts, and sciences, have for their objects to render the world better than it is. It is necessary that Frenchmen should comprehend this. In America, and even in England, the first thing asked after the birth of a child, is what will he do? In France it is, what will he be? During the deplorable ages called out of mockery "the good old times," there was no security for person or property beyond the circle of authority; hence the inordinate desire to hold some office. The French Revolution did the reverse of extinguishing this longing. It threw open all posts, and inspired everybody with a passion for occupying them. There is not a French town that does not wish to have a college, or a father who does not stint himself in order to give his son a classical education; because whoever goes to a college may take a degree, and whoever has obtained a degree may become a candidate for a situation under Government.

Were the talents and activity which our 500,000 Government officials expend in obtaining and retaining their places, or in rising to higher ones, turned into other channels, they would suffice to solve all the scientific, manufacturing, and commercial problems which retard the march of humanity. The amount of courage, discipline, and self-denial displayed by our 500,000 soldiers during a year of peace, in marching from barrack to barrack, would suffice to erect a bridge between Dover and Calais, to the advantage of commerce and civilization. The following is the programme of a competitive examination lately held in sixteen French towns:—Each competitor must have been vaccinated, must be of irreproachable moral character, and the member of a respectable family. He must write French correctly, must make good abstracts, and be prepared to answer, both in writing and orally, whatever questions may be asked of him in geography, arithmetic, algebra, geometry, surveying, physics, chemistry, botany, and geology. Whoever shall succeed in this examination will be allowed to serve gratuitously, during several years, in the Imperial Tobacco Warehouses!

Assuredly it is bad enough that so much intelligence should be expended on such things, while so many cannot read or write, while so many Frenchmen cannot even speak the French tongue; but it is even more deplorable that Frenchwomen, even of the better class, should receive no education worthy of the name. We dwarf the brains of our girls as the Chinese dwarf their women's

feet. Desiring to keep them from temptation, we keep them ignorant. The same father who proudly recounts the progress of his boy in art and science, is even prouder of being able to say to his future son-in-law, "I am about to entrust to you a little angel who has never been out of a convent, who has seen nothing, who knows nothing, who is, in short, a perfect treasure of ignorance." There is an insurmountable barrier between the college in which we educate our boys and the convent in which we educate our girls. When persons of different sexes marry, they have no tastes or ideas in common. Moreover, the ignorance of the mothers of families leads to the perpetuation of children who from their birth are imbued with erroneous notions and dangerous prejudices. The fathers of families will one day learn that their daughters ought to have a lay education as well as their sons; that both should learn the same truths, should govern their actions by the same rules. "To give a good and solid education to the gentle sex would tend to double the army of progress, to draw closer the domestic relations, and to annihilate that extra-conjugal society (the *demi-monde* of Dumas the younger) which is now so very prosperous."

Very much is wanting as respects the condition of the agricultural districts of France. The work which is now done badly by individual cultivators would be far better done by a smaller number having larger farms. As it is, the soil yields only half what it is capable of yielding. One reason why the practice of agriculture is at so low an ebb in France, as compared with England, is that the majority of rich and educated Frenchmen prefer the city to the country, while Englishmen prefer the country to the city.

"A few years ago I learnt the following from a conversation held on board an Austrian steamboat with a French provincial and a Lancashire man, both of whom were merchants and both travelling on business. Both were pursuing the same object over land and sea—the possession of a hundred thousand francs a year from funded property, but their castles in the air resembled each other in the foundation only. The ideal of the provincial was to live in Paris amongst the cleverest men in the world. Life, according to him, could be enjoyed nowhere else. The ideal of the Lancashire man was to become the owner of something in the shape of a house, between a castle and a cottage, situated two hundred miles to the north of London, overlooking the sea, and surrounded by a park and old trees. There he would enjoy the society of pleasant neighbours. He would marry his cousin, take in the *Times* and the *Westminster Review*, hunt, have a cellar of the choicest claret, and a family of children whom he would educate in accordance with the venerable traditions of Old England. Each of his sons would choose his own profession. They would go forth and make their fortunes either in Liverpool, Manchester, London, at the Cape of Good Hope, or even in Calcutta, after which they would

return to their native county, buy houses, and enjoy life after a fashion similar to that in which their father had enjoyed it. In the city a man makes a fortune, but it is in the country that his wealth affords him pleasure."*

Nothing could have been more lamentable than the condition of French society when Louis XIV. ventured to say that he was the State. Still the State, as represented by him, was an organism, and therefore superior to the abstractions which have superseded it. According to Bossuet, every man is a slave in a twofold sense; he belongs to an invisible master—God, and to a visible master sent by God—the king. According to Rousseau and the "theo-democratic" school, the individual belongs to a God who is not an oppressor, and also to the State, a visible despot, an absolute master, an animal created by itself. According to the religion of Progress, should we be so fortunate as to witness its establishment, the individual will acknowledge no master. The modern State is an association voluntarily formed by a large number of free and equal individuals to provide at the expense of all for the security of each. The inhabitants of every country are united by a desire to maintain their frontiers, to defend their properties and their lives. Experience teaches that these and other duties must be entrusted to a Government. Equity requires that every person shall pay his share of the public charges, and shall have a voice in public affairs. Reason and humanity concur in determining that on controverted points the decision of the majority shall be calmly accepted by the minority; but it is both useless and detrimental for the presiding power to meddle with matters which concern a select few only. The French system of centralization obliges the Government to interfere in municipal, industrial, agricultural, theological, philosophical, and artistic questions, all of which are matters of private concern. The amount of work thus incurred by the Government involves the maintenance of a staff of half a million of officials, costing the country a vast sum and benefiting it in a very small degree. Worse still, a Government which must do so much cannot but displease many, and is obliged to diminish the freedom of all in order to curb its enemies. The system of repression results in periodical outbreaks on the part of those who are its victims. Hence, during eighty years, France has been alternately cursed with anarchy and despotism. Both these evils would be avoided were the Government restrained within natural limits and the centralizing system abolished.

Although we have shaken off the yoke of Divine Right, yet we still suffer from its effects. Countless abuses flourish for no other reason than that they were first originated by a heaven-

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* Abridged from pp. 183, 184.

descended monarch. The Americans are more fortunate; they cannot boast of a history, but they suffer little from tradition. The legacies of "the good old times" are the most intolerable of burdens. Among these are the numerous monopolies which are maintained by the Government at the cost of the people at large. For instance, no one can become a stockbroker without first obtaining permission from the Government, and next paying two millions of francs for the privilege. Professions and trades of every kind are environed with privileges. Thanks to the exertions of Michel Chevalier, a step has been made towards free-trade with all the world. As it is, the people of France are obliged to pay one hundred and fifty francs for what can be purchased in England for twenty-five. Indeed, all restrictions on commerce and the circulation of money ought to be removed. It is even questionable if the State be justified in making gaming a crime: should men choose to transfer their property through the medium of a gaming-table, they ought to be permitted to do so. They may act foolishly, but this is a personal and not a public matter. Yet that which the State should not attempt to prevent, it should equally abstain from encouraging: State lotteries and gaming-houses are in every way objectionable. Taxation should never be employed as an instrument of temptation and an incentive to vice.

Far less excusable than the French laws which forbid gaming is the law which prohibits the free disposition of property by will. What can be more ridiculous than that during life a man may dispose as he pleases of his property, but that after death he cannot bequeath it otherwise than as the law directs! Add to this the compulsory division of a father's estate among his children, and we have, first, a restriction on natural liberty; second, an injury to France. "A father is bound to educate his children, and prepare them to support themselves, but is in nowise bound to divide his fortune among them." The result of the French system is that one son may be an arrant profligate—a sharp thorn in his father's side; another may be dutiful and a great comfort to his father, yet after death both will claim a like portion of their father's estate. Nay more; should a man establish a manufactory and die, it will be sold and the proceeds divided among his children. His sons may in turn do likewise, and at their deaths there will be another sale and another division. Thus the same work has always to be done over again. Progress is consequently checked; agriculture, manufactures, and commerce languish under this system. "Common sense blushes at it."

Should a man die intestate and leave no legal heirs, his property lapses to the State. It ought to lapse to his parish: the parish is more closely related to the deceased than the Government. Seven hundred thousand francs are all that the State

acquires annually from this source. The sum makes no figure in the Budget; a portion of it would be a god-send to many a parish. Even a thousand francs would go far towards erecting a school or founding a library. Were this change made, a man destitute of heirs would no longer be isolated in his village; the whole village would display towards him the respect and attentions of an heir, and would be careful that during his last hours he was neither preyed upon nor plundered.

It may be objected that the kind of progress we have been advocating is material only; that were agriculture, manufactures, and commerce to flourish as we should desire, France would become the mere counterpart of America. No account has yet been taken of art, science, or literature, and of the part they play in ennobling human nature. The answer is, that France is now in the position of a man having a fortune to make before he can live at ease. Such a man cannot be expected to accumulate money and cultivate his mind, simultaneously. He knows, however, that the drudgery he has gone through will enable him to educate his children, and hopes that the mental pre-eminence unattainable by him will be reached by them. The present generation must work, in order that future generations may enjoy greater comforts and have more leisure. Millions of Frenchmen cannot read or write, are unaware of the distinction between right and wrong, while thousands pass their lives in brutish and criminal occupations, merely for want of a little capital. There are women who never hesitate between virtue and debauchery, because they have had no choice. These evils are as old as the hills, but the general conviction that they must be remedied dates from yesterday. When the remedy shall have been found, we shall enjoy the fine arts and other luxuries with tenfold zest. "What I require of Progress is that artists and poets, like other labourers, shall find society better organized, bread less dear, and cutlets more plentiful." Material progress has not absorbed and will never absorb all the energies of this generation. Were it so, we should risk leaving bad habits as well as fortunes to our successors. "My sole object is to show what is needful to be done in order that all may be happy and free here below; my sole hope, that having read this book, some of those who now do nothing, or nothing well, may be induced to employ their talents and powers more profitably."

This age is said to be fertile in miracles, but it is added that these are all of a very practical kind; that we live in an age of steam, electricity, gas, guano, crinoline, india-rubber, photography, drainage, and universal suffrage, and yet are less lettered, less artistic, less delicate and polished than the contemporaries of Louis XIV., or even of Francis I.! Now, to say that the present age has produced nothing in art or literature comparable with

the great works of antiquity is to assert what is very difficult of proof. At all events, the intellectual workers of this age have induced thousands to read, understand, and admire the productions of other ages. If the ancients would not find rivals, were they to revisit the earth, they would owe half the praises that would be showered on them to the exertions of those who do not profess to rival them. It is impossible to determine the absolute rank of living authors. "Fénélon was unjust to Molière, and Bossuet cruel; Madame de Sévigny ranked Bourdaloue too high, and Racine too low." In 1828 the partisans of the Classical school regarded the advent of three new poets as a public calamity. The result has been the addition of Lamartine, Hugo, and Musset to the number of our admirable poets. Nor should it be forgotten that the works of Aristophanes, Terence, Plautus, and Molière, though worthy of being read and re-read, are no longer fitted for representation in public. From a practical point of view, the successful plays of living writers are more valuable than the immortal works of the greatest dramatists. In one department of literature we have distanced our predecessors. History as written by Augustin Thierry, Guizot, Mignet, Thiers, Henri Martin, Sainte-Beuve, Michelet, Taine, differs entirely from that written by Livy, Tacitus, Bossuet, and Voltaire, and is far superior to the history of any contemporary writers, with the exception, perhaps, of that written by Macaulay. As for novels, can any previous ones rival those of our day? If we enumerated the names of great contemporary musical composers, sculptors, and painters, we should show a long catalogue of names which will be remembered hereafter. But what is done by those who maintain that arts and letters are decaying? They blame the Government, and call upon it to produce great men. In answer to the call, the Government offers prizes, but the great men are not forthcoming. It would be far better if arts and letters were left to take care of themselves. If Cardinal Richelieu had not made the French Academy a national institution, it would probably be as independent, wealthy, and useful as the English Royal Society —a society which is truly royal, for it owes nothing either to the liberality of Chancellors of the Exchequer, or to the patronage of Sovereigns. According to circumstances, the motto of the French people has been either *He gains his end who is patient*, or else, *He gains his end who is importunate.* It would be well if, taking advantage of the Treaty of Commerce, France were to import the English motto, *He gains his end who works.*

Two principles, both thoroughly French yet both contradictory, alternately influence the Home administration and the Foreign policy of France. Foreigners fancy that all Frenchmen are cast in the same mould, are all revolutionists and courtiers, sceptics and bigots, brave and servile, half Zouaves and half footmen. Closer

study would teach them that the French nation is composed of men of two very marked temperaments, and of men floating between the two. The one class is composed of Tories,* the other of Patriots. The Tory is sober and staid in language and deportment. He has perfectly settled ideas about everything in heaven and on earth; is convinced that one person possesses inalienable rights; that a certain institution is based on everlasting principles. To support his honour and dignity he wearies himself over certain good books. With a proud satisfaction he puts his trust in particular fables: he reverences certain thrones in imminent danger of being overturned, and contributes his superfluous means to uphold certain causes. "He is a very different being from the dancing-master whom foreigners regard as the typical Frenchman. Yet he is thoroughly French, both by birth and descent. He is the descendant neither of Molière, nor of Voltaire, but is the lineal successor of those who stoned Molière's bier, and who ordered the common hangman to burn the works of Voltaire."

The Patriot is as voluble as the Tory is reticent, expressing his views without hesitation, being, in fact, a living profession of faith. But his ideas are as little original as those of the Tory. He borrows from others those which suit his taste. Concerning the obstinacy of kings, the cunning of priests, the Inquisition, St. Bartholomew, treacherous Albion, the inalienable sovereignty of the pecple, and the glory of the French name, he is so well accoutred as to be able to stand his ground against ten armies. Unfortunately, he has read and reflected little, and keeps the embryos of his ideas steeped in alcohol. There is much good in him, despite his free-and-easy manner; he has generous instincts, the sentiment of honour, and he detests tyranny. If France were peopled with Tories only, she would soon be blessed with an absolute monarchy. Were Patriots the only inhabitants, she would be the most unstable, enterprising, and insupportable of Republics. Were both classes face to face, and alternately possessed of power, the Tories would send the Patriots to the rack to please a God of mercy, while the Patriots would behead the Tories in honour of liberty. Between these two classes stands the mass of the nation, but it unfortunately inclines to each alternately, and is too versatile to remain long in any one frame of mind.

At this moment the mass of Frenchmen are uncertain as to what kind of foreign policy ought to be pursued. It has been said that the reason why France is so dangerous is that she has a large standing army and no principles. Unhappily, she has too

* The word we have translated "Tory," literally means churchwarden. It is *marguillier*.

many principles, most of which contradict each other. She supports the sovereignty of the people and divine right, the principle of nationalities and of natural frontiers, of non-intervention and also of intervention. One of two courses must be taken; there must be either a return to the old despotic system, with the restoration of all its abuses and the reimposition of all its burdens, or else a step taken on the pathway of Progress. If the latter course be followed, battles will be fought, not to annex fresh territory or obtain natural frontiers, but for the sole objects of freeing the oppressed, and of preparing the way for a general peace which will never again be broken. Yet previously to setting out on such a crusade, France ought to enjoy freedom at home. Whenever the majority of Frenchmen shall be agreed in demanding freedom and all its attendant blessings, they will obtain them without either erecting barricades or rising in rebellion. All that is necessary is that they should understand each other and act together. Should they do so, the Government will speedily accede to their requests.

Within the usual compass of an article it is impossible to give an exhaustive analysis of a large octavo. Hence, in stating M. About's views on Progress, we have had to omit many and to curtail several. Nevertheless we have said enough to give a clear notion of the scope of the work, and to enable a correct opinion to be formed as to its merits. It would be grossly unjust to withhold our thanks from M. About for having tried to impress on his countrymen the propriety of bestowing on the patient worker the honour and praise they now lavish on the useless idler. From his book on Progress they may learn the lesson gathered by Longfellow at Nuremberg,

> "as a floweret of the soil,
> The nobility of labour, the long pedigree of toil."

Perhaps no nation is sufficiently conscious that labour is really honourable and that idleness is really disgraceful. Certainly, of all nations the French is the one that persistently acts on the maxim, that the chief end of man is not work but pleasure. Consequently, as soon as a Frenchman has secured what he considers a competency, he retires from business and lives on his income. There is nothing absolutely wrong in this. A man may be as happy with a fixed income of three hundred, as with one of three thousand a year; but the man who elects to lounge through life after he has accumulated sufficient capital to return him a yearly income of three hundred pounds, is a far less useful member of society than he who aims higher. The man with three hundred a year, a wife and a family can barely manage to live; he cannot form a library or collect choice pictures, while the man with three thousand can do all that and much more. In the

matter of fortune Englishmen aim much higher than Frenchmen. And thus it is that England, with less natural advantages, is a wealthier country than France. Were the majority of Frenchmen as determined as are the majority of Englishmen to better their positions, France would become one of the wealthiest countries in Europe.

It is because Frenchmen are too easily satisfied that the prevailing form of Government is so despotic. The great body of the people really cares nothing for freedom of speech and the liberty of the Press. It cares far more about the weight of taxation. The middle class is the body and soul of France, and that class is devotedly attached to the Imperial Government. Perhaps the most unpopular thing ever done by the present Emperor was the conclusion of the Treaty of Commerce with England. The middle class, which is both ignorant and short-sighted, believed the effect of that measure would be to reduce their profits. That class considered itself entitled to be protected against the competition of foreigners, and considered an approximation to free-trade as a breach of privilege. It is a mistake to suppose that the privileges with which the nobility used to be taunted have been extinguished by the Revolution. They have been snatched from the aristocracy and appropriated by the middle class. To prove to that class how great are its deficiencies has been M. About's object in penning this work. He is rather too severe a censor to be accepted as a teacher. He is far too clever a writer to be taken as a leader. The French pay little heed to those who cannot amuse them, and those who amuse them they refuse to obey. It may seem absurd to condemn a book because of its being too clever, yet from a practical point of view cleverness is a mistake. The men who can keep the House of Commons in a roar never become Prime Ministers. If we add that M. About gives us the impression of writing that which he hopes will be popular rather than what he knows to be true, we shall have stated all that can be said in his dispraise.

M. About's avowed objects have our fullest sympathy; the principles he upholds we respect; in the ultimate triumph of Progress we sincerely believe. That all the dwellers on earth should be able to live in comfort by their exertions, we consider most desirable; that society may be organized so as to render this possible, we hold to be incontrovertible. Even were this a Utopian vision, we should prefer believing the vision to accepting the heartrending conclusion that "whatever is, is right." Life would not be worth a day's purchase were we certain that the future would be a counterpart of the present. Our exertions in the cause of Progress would be worse than useless were they merely footprints in the sand.

Art. VIII.—Thackeray.

If the possession by Thackeray of a genial temperament in private life was a question with the majority of people, it was quickly set at rest by the flood of essays which his untimely loss called forth from the literary world; and it is no small credit to his brethren in letters that they sought to set their friend right with the public, and give us at once the result of their personal knowledge, instead of making us wait until long-hid letters and a tardy biography should explain what the man in his inmost heart really was. Due, as it undoubtedly was, in a great measure to the important position he held in the social gatherings at the "Garrick," it yet marks a liberal, generous feeling among men of letters thus to right the public on that point concerning which the deceased novelist seems to have felt most strongly—the accusation of cynicism. We shall have occasion to refer to this once more, and endeavour to discern why the public formed that estimate of Thackeray; but at present we may leave his personal character and turn to the writer.

What was it which first gained him the public ear?—by what means did he retain it?—will his writings find a public in the future, or will he descend to posterity like Richardson and others, as one of those brilliant writers who enlighten and adorn an age, but reflect too much the habits of an epoch to interest a second generation?

What was it which first gained him the public ear? It certainly was not the pure Saxon-English in which his sentences are clothed, for alas! we find that many writers who neglect their grammar even, secure an immense audience, to the delight of their publishers and their own gratification. Good as was his diction, it pleased the critics much more than the mass. It appears to us that his success lay rather in giving us sketches, more or less personal, of the men and women about us. They were not merely types of character; they were living realities. We refer more particularly to the "Snob Papers" which appeared in *Punch* in 1845-6, which marked him as a public writer of singular powers; but there were others in the Christmas annuals —"Our Street," "Mrs. Perkins's Ball," &c.—which contained likenesses equally striking of people around us; and if names gave us no clue to the originals, assuredly their known habits

in society were a sufficient guide. We may instance the gentleman rider in the "Snob Papers," who "astonished the *badauds*" of Paris by the coolness of his seat and the neatness of his rig as he took his preliminary canter on that vicious brute The Disowned, before starting for the "French Grand National." Hundreds of readers of *Punch* knew to whom it referred; the likeness was recognised in a moment. Captain Shindy, again, was by no means a type only of a large class of club grumblers. We much more incline to think that he was a well-known man about town at that time, who died very suddenly a few years ago. Major Ponto was, perhaps, more a type than a portrait, and the same may be said of the Marquis of Carabas; but portraits were the rule and types the exception in his earlier writings.

Looking about him for subjects, Thackeray naturally took advantage of his position, and his route lay in the club districts. His sketches were vigorous, his audience through *Punch* all England; what wonder that the opinions of those most able to judge of the truth of his work were endorsed by others who could see that a master-hand was etching the figures! Yet we do but half justice to those matchless papers if we consider that they caught the public ear by mere correct descriptions of persons, their lives and their manners. They were much more than this. They showed the bold, uncompromising character of the man: they gave us an indication of his power to expose every kind of lie and humbug; they marked a writer who had strong moral as well as intellectual qualities, and that stern sense of justice without which no author ever becomes famous, for without it he cannot appeal to the sympathies of the wise and the good.

We cannot pass them by without a few more remarks. We own to a feeling of gratitude that we lived in a day which first saw them in print, for to all who tasted the fruit as it dropped week by week before them, it was permitted to leaven the inherent snobbishness of their nature by the absorption of these antidotes to pride and selfishness which Thackeray provided. Can we not remember more than one stingy host who ceased to tell his butler to dribble the sherry? Was there not more than one lady of our acquaintance who chattered less about her aristocratic connexions? We speak as one of those who have sat at the feet of the great master, listening with reverence to his weekly discourses not, we hope, without some benefit; and lucky we deem it would each generation be, if, week by week, were set before them such literary food, touching on things within their curiosity, so good, so piquant, and so refreshing as those "Snob Papers," which warned their fathers against selfishness, flunkeyism, and vice!

What, then, first gained Thackeray the public ear may, we think, be assigned to the personal character of his portraits, their truth, his own uncompromising hatred of wrong and his strong sense of justice, a characteristic which peculiarly appeals to English sensibilities. And in this last we might find a ready answer to the question, "By what means did he retain the public ear?" But there were many other points in his writings which made him an idol among the educated classes.

Running, as he did, a literary race with another eminent humorist, it was his *spécialité* to be able to paint a gentleman with all his faults without caricaturing him into a something which no other gentleman ever saw. Again, we are eminently a practical people. Even in our hours of relaxation we carry with us our love for what "can be" rather than what "might be." We love a Hogarth better than a Watts, and the lecturer who proves his case by practical experiment better than one who wanders into theory and foretells important but, until proved, to us problematical results. When we read books of amusement we would rather have a good description of a schoolboy's feelings than the ideal passion of an Othello or a Hamlet. That is our normal state of taste, and Thackeray suited the market; nor did he suit by the supply of a low description of goods. If through want of imagination he fell far short of the great names in the world of art, he followed in the footsteps of two of the master-spirits, Goethe and Shakespeare, in the delineation of his characters. He affected to have no heroes; but taking such as he gave us to be heroes in the sense of the principals in his story, we invariably find that they had much infirmity of mind and temper, and that he maintains our interest in a man or a woman, even after we have ceased to respect them. We think it is Bulwer who says that it is among the most legitimate and highest provinces of the poet to depict the contrasts in character which make a weak man interesting, to show vice in the virtuous and virtue in the wicked; and he goes on to say, "this unquestionable truth in art once granted, it follows as the very condition of fiction that to a hero thus selected human interest must be given."

If, in "Vanity Fair," Thackeray gave occasion for the remark that his characters were all knaves or fools, he greatly improved upon this work in subsequent novels* in point of composition, although he never equalled it in real power. In the "Snob Papers" he showed his ability to sketch single

* Thackeray was a remarkable instance of how slow a great intellect may be in comprehending that art does not consist in painting everything in sombre hues, but that a landscape, to be perfect, must have exquisite beauty in the sky as well as a rugged foreground. It was only by his later writings that he showed his appreciation of what Shakespeare saw intuitively—that there are

figures; in "Vanity Fair" his power to paint powerful portraits. At this period he promised to be the English Juvenal, but he retrograded from this lofty position. The change led him to give us works more perfect in an "art" point of view, less perfect viewed in their moral effect on his generation. The reasons for the change in the style of his writings are worth studying. It appears to us to have been due to three causes: the improvement in his worldly prospects, which made him look at men and things with a more kindly spirit; consequently a more evenly poised mind, which began to see the two sides of every question; and a disposition which was impressionable to present influences.

These three things combined caused Thackeray to leave off writing "for a purpose." That there are always two sides to the shield of life may be correct, but that one does not present greater untruths to fight against, we may well take leave to doubt; and if there are abuses to correct, to ring the changes on the white and black in the same person will hardly help in the task, however much it teaches that lesson we should never forget—to be charitable to our neighbours. But to write essays on charity in the form of novels is one, and a very good thing; to write down abuses and bad men in the style of the "Snob Papers" and "Vanity Fair" is another, also very good thing. We are not called on here to express an opinion whether, in his works written with no purpose, Thackeray did not take the walk best suited to him; but in saying that it was a different pathway from that

great as well as little men and women on this stage, and that a picture, to be true to life, must give us the noble as well as the base. Then Thackeray relieved the shadows on his canvas by bringing into light the sunny figure of Colonel Newcome. It was the result of thought, study of life, and greater experience. We venture to say it was not in him when he painted the Marquis of Steyne.

Treating human nature from a club point of view, as the deceased writer was fond of doing, the great satirist may be compared to a late Major P. whom he probably knew. This man belonged to three clubs, at one of which the breakfast was excellent, at another the soups, at another the cellar of wines: but of these good points the Major was at first ignorant. So being an inveterate grumbler, he sent in numerous backed bills to the Committee. At length, after much experience, he discovered their *spécialités*, and finding that there was no such thing as perfection, wisely contented himself with what each afforded him; and breakfasted at one, lunched at another, and dined at the third club. After much experience of human life, and a considerable number of backed bills sent in to *his* committee, the public, Thackeray found that whilst some people had their failings they also had their good qualities; and that some were so excellent in the display of noble traits as to be deserving of encomium. So he ceased making such vehement complaints, and refreshed himself (and his committee) by a contemplation of the good qualities he had at length found out.

which at first he appeared likely to pursue is but to state actual facts.

Farther on we shall revert to the influence which an improved position had in mitigating his early cynicism, but as regards the impressionable character of the man and the influence it had on his writings, some remarks may not be out of place.

Most of our readers will remember Thackeray's extreme severity towards military men and the army as a class. Coming from France, where theoretical freedom and liberty of thought is as much in advance of those elements in England, as the practical freedom of the latter, with freedom of speech, is greater than it is in the French nation, he was tinged with those doctrines which maintain absolutely that warlike men do but embody the principle of despotism, that standing armies are a curse, and that the men who lead them are foes to freedom. Animated with these sentiments, Thackeray satirized and caricatured them. His ensign tumbled down the Haymarket under the protection of some lady in yellow satin; his cornet was debauched in his regiment, and when obliged to sell out got the next comer to purchase his glandered charger. These were sketches of individuals, but the spirit which moved the artist to draw them was that scorn and contempt for a system which nurtures any faculties but those of the mind, and places a premium on birth and money rather than on education and talent. Suddenly all this changed. Thackeray was a great man. He sees, he says, the other side of the shield. We have no more attacks on the soldier; if anything, he is rather an amiable character. How is this? Has further intercourse with society and meetings with the captains and majors who hang about town imbued the author with the idea that they are an exceptionally virtuous race? Has he forgotten the principles he learnt in France? or has he said enough bitter things about these representatives of a system which has so many words of command for a dictionary, and a law against free thought for a creed? How are we to find an explanation for this change? The truth appears to us to be, that in London life and society Thackeray, the great author, found himself jostling with many in the profession he had satirized. We daresay they paid him court, for, if a perfectly stupid, they are at any rate a kindly and generous race. Thackeray was touched. He could not bear to "hob-nob" one day with a colonel and the next day reflect on the man's profession in the strain of his earlier writings.

Emerged into London society from the chambers where his strongest writings were produced, Thackeray seems to us to have been like a man going to Vienna with strong views on the iniquity of Austrian rule in Venice, and gradually acquiescing in the treaties which gave the Hapsburg House a power to oppress a

portion of Italy, as the gentleness, courtesy, and deference of Austrian magnates insensibly affect him. Or, like a public writer exposing the errors of the law and the obstinate stand which attorneys make to all law reform, who may suddenly fall in with a parcel of jovial solicitors and cease his satire on the system of which they are members. We fear, therefore, that the insinuations gently put by an eminent writer and friend of the deceased satirist must hold good. Thackeray did not perfectly follow up his first impressions about great untruths. He preferred to follow Horace in satirizing social vanities rather than Juvenal in exposing crying evils and preaching that liberty which only comes to a free nation by a perpetual onslaught on the parasitic plants that grow with its growth. Again we say, that we refrain from expressing an opinion on his qualities in consequence of all this. Every author must write according to his constitution, and the public must accept the results. It is for the critic to note the facts. Every age must accept the man destined to leave his mark upon it. That mark may affect but a certain portion of society, or, if the man is a giant, it may mould the thoughts of a generation. That Thackeray left a mark no one will dispute. We think it was not so large a one as it might have been had he had the energy to pursue the line of thought and the strong views with which he returned from France. Others have to take up the thread of his morality, to show the rising generation that snobs still exist, and are to be regarded as loathsome and noxious animals; that neither a soldier nor a peer has any relative rank save that which superior intellect may give him, for it was at this point that Thackeray left off.

Thackeray was the exponent of certain commercial-literary views, which, however worthy of our acceptance as conveying the absolute broad principle on which men must appeal to literature as a means of existence, are hardly capable of application to many individual cases which may be within the reader's knowledge. They were shortly these: first, those who find their scribbling difficult to dispose of have no right to cry out against an ungrateful public, or the hard-hearted publishers who will not buy; second, a thing, whether a literary work or a cabbage, is worth what it will fetch and no more, &c. &c. Of course these were truisms, but as Thackeray perhaps knew by experience, they were of that ind which young authors at first starting have some difficulty in accepting. So far as they lead authors to study with care, and write with some regard to common art-rules, they cannot be too well remembered, and they must, as we have said, be always regarded as the absolute broad principle on which literature as a means of livelihood must be based. But it would be easy to show that this fact which must be accepted is not necessarily a useful fact. For

it is a direct inducement to young writers to produce works which shall appeal to current and popular fancy instead of works which shall elevate the public taste: it is a premium on the production of second-class goods. Still we must accept facts as they exist, and Thackeray had the common sense to see this; but in doing so we would remind those who seek to win their bread on his commercial-literary principles, that they have yet a task to discharge when attention to their business has gained them the public ear, viz., to supply no longer just that which is best liked, but to instil salutary precepts which do not impress the popular taste.

There is no question that Thackeray tried more than once at that which must, to any thoughtful writer, be the highest end of his ambition, the production of a type, not the reproduction of a specimen, of humanity. We cannot say that he succeeded, but even admitting his failure in offering us types of humanity, he affords by his writings a very peculiar instance of the slight width there is between the result of an extended process of thought producing an image partly based on personal experience, and the creation which flows from genius almost unaided by experience of the world. The Marquis of Steyne, Major Pendennis, and Colonel Newcome are all idealized extensions of people with whom Thackeray had come in contact. Their characters hang too much on the events of the period in which they are set to lead us to expect that they will form in future generations samples of noblemen whom more advanced civilization may have swept away. Still, in our judgment, we must remember that "art is not to be degenerated into a science," and Juvenal's images, produced by a very similar process, are still quoted, and his writings studied because they are truthful as well as because they are vigorous.

Following the great English delineator whose birthday we have just celebrated, at any rate in this respect, that he made his characters true to nature and themselves, Thackeray, as we have already observed, engaged our interest rather in the wrong than the right doers, but no one can say that our real sense of right is ever led astray, or that our feelings of obedience towards the laws of God are one whit diminished after we have perused his writings. They are strictly moral, and if at times his brush placed on the canvas some social scars which the prudes of this world would rather have had screened, well may we say that those only can see them with the eye of regret whose imagination is so foul that the sculptor's masterpiece is admired only for its nudity, and appreciated only for the qualities which appeal to a degraded appetite!

A review of Thackeray would be incomplete which omitted some notice of the vein of thought which coloured his relations

towards women. He dwelt with considerable unction on the inconveniences of mothers-in-law, the coquetry and egotism which distinguished that class of young women of whom Beatrix, in "Esmond," is a type in the true acceptation of the term, and the amiable, kind, good, but somewhat weak lady of whom Helen Pendennis was the image. We admit at once that in all these Thackeray failed to appeal to the feelings of the masses, of the world as a whole: but is he less to be valued because by his peculiar idiosyncrasy he caught at the salient points which so strike the more educated and the more thin-skinned among us? A popular author recently put into the mouth of his fairest creation, "that odious novelist had frightened mothers-in-law out of their daughters' homes." The *mot* was a joke, but if, as we think, there was a tinge of truth in it, how many men, honest and loving, but withal irritable, have to thank Thackeray for reminding the well-meaning, vigorous, but altogether out-of-place ladies who usurp the control of their daughter's home, that their presence perhaps is not such an unmitigated blessing. We have not touched on the consideration of Thackeray's general view on the marriage question. It was shortly this: that some fall in with good wives, others with bad; that chance rather than design governs the results of all love, and that very little reflection is ever exhibited in the process which tends to unite two young people for better or worse. Fault has been found with him for this; he has been treated as the philosopher who can see nothing in love but "impulse and passion, sometimes fervent, more often languid, but seldom guided by reflection." We would even go further, and say that our satirist arrived, not at the most perfect ideal of what love should be, but at the most perfect representation of what love is, when he described it in these terms. Even Shakespeare says—

> "In love, the heavens themselves do guide the state,
> Money buys lands, and wives are sold by fate!"

And Juvenal has just preceded him with the lines—

> "Nos, animorum
> Impulsu, et cæca magnaque cupidine, ducti,
> Conjugium petimus, partumque uxoris; at *illis*
> Notum, qui pueri, qualisque futura sit uxor;"

—(the *illis* referring to the gods.) And thus we find summed up in a few lines what Thackeray is condemned for having spread throughout several volumes. We may certainly question the propriety of having dwelt on it at such length, but it will be rather because it is a sad truth that wont bear too much light, than because it is no truth at all. Reflection is a fine thing, no

doubt, but we think that if the marriage-registers were searched it would be proved that when men arrive at the years past the thirties which induce it, they simply leave the world to get populated by the men who have rushed into matrimony without the magnificent philosophical principle of reflection.

Taking leave now of the positive and material side of Thackeray's writings, let us endeavour to ascertain how far they are affected by the personal character of the man himself. We have stated that his route lay in the region of the clubs, and that he drew from personal experience, but this does not necessarily mean that he was at all subjective in his treatment of people. Shakespeare sketched many a character in his daily walks who live immortally, but no one pretends to say that our greatest poet was subjective. There are many points in Thackeray's writings which incline us to place him among objective writers, but after a careful review of all he said and the train of thought which he invoked, we incline to place him among those who were swayed in their compositions more or less by self, and who give us therefore subjective as much as objective treatment of life. We speak of this as a matter of fact, not as one which in any way affects the value of what he has left us. We incline to the opinion of an author already quoted, who, speaking on this subject, says—"Art cannot be degraded into a science: it cannot be limited to the fetters of scientific phraseology. We cannot invent a set of school terms to prove, without further discussion, that one poem is great because objective, another not so great because subjective." Still, as influencing our estimate of the man, not of the author, it is interesting to discover how far Thackeray mixed up himself and his own characters, how far he introduced his own feelings and passions into words and deeds, how far he followed Byron in this respect.

We remember that at the commencement of the "Snob Papers" he was careful to tell us that he was the historian of snobs because he was one himself, and more than once in a confidential "aside" to the public, he hinted that he was as bad as the man he sketched. He even said that he should like to walk down Pall-mall with two Dukes on his arms. This might be gentle laughing, but we incline to think there was a certain sincerity beneath it all—the self-consciousness of the truthful man who had studied his own mental defects, and had no intention to claim—on the contrary, rather strove to disclaim—a self-immunity from the weaknesses that influenced others. "Know thyself," said the old Greek, and perhaps those only best discover the cause of the principles in human nature who have first marked their appearance on their own skin, and re-

membered the rich condiments of pride, selfishness, and luxury which have induced them. Are we unjust when we say that it was because Thackeray had something of the British flunkey in his disposition that he was enabled to trace out the habits of that noxious animal? that it was because he had in younger days grasped at many little pieces of dignity now become valueless to the well-known author, that he was able to sneer at his followers in the same track? If any think that we do him an injustice in recalling weaknesses which might be buried, we can only say that that man is, in our eyes, greater who digs in his own heart for less beautiful traits of human nature, and is not afraid to expose the weaknesses he himself has felt, than the writer who gives us airy romances and fictitious sentiment, slurring over the desolate hovels of habit and custom in which we live, together with himself: one is material and honest, the other imaginative—perhaps honest also, but still more fond of exhibiting the beautiful produce of the brain than the sad, sad ugly picture which his own heart would afford.

Let us take "Pendennis," a novel which has not been accounted his best, but which has had equal popularity with any of his other works. Here we have two characters totally distinct, as different in their daily life and habits as it is possible to conceive, and yet each marking the author's self-consciousness, each in their degree a prototype of the man. We allude, of course, to Arthur Pendennis and George Warrington. Some have thought that in the latter he drew himself, and at first sight it seems natural to couple the thoughtful, grand, slightly cynical, because hard-tried man, smoking his lonely pipe in his chambers and wearing his tattered clean shirt, with the sarcastic, vigorous writer; this may seem more natural than to couple the latter with the prig Pendennis, selfish, dandified, preferring claret to beer, conceited, vain, and spoilt, and yet with Thackeray's own honest heart, which eschewed vice, and tried hard and successfully against the power of the Evil Nature to withstand temptation. But let us look at the conditions which form an author like the one we are discussing. He does not come among us armed with the knowledge of life and humanity; he has to go through bitter experience: to learn who are true and who false friends; he has to commit his own little extravagances, and reap the bitter fruit of them; he has to know that he has been a fool before he can learn to be wise. All this was Thackeray's lot, if we have not been misinformed by one who knew him at college, and we think we trace in much of Arthur's early career the thoughts, the habits, and the ways of the young Cantab—Thackeray. A great man has two lives—the life of youth and good spirits, of gay laughter and little thought,

and the second nobler existence when he has begun to *think* and to work, such as is delineated in Warrington. Passing through the youthful times that were marked less by intellectual greatness than by a genial temperament (Arthur Pendennis) we see him burst forth into the trenchant vigorous author (Warrington), and yet again in private life the Pendennis of his youth, ambitious of social fame, fond of good society, proud of his rank as a man of letters, and yet again hiding his nature under the assumed cynicism of the lonely writer, Warrington.

It is too true an accusation against literary men that they are egotists, nor can Thackeray be exempted from the charge. They sit apart and commune with their own hearts, and remember more keenly than others the misfortunes to which they have been subject in those dearer ties which make the inner life of man so happy. Of so much egotism Thackeray in his character of Warrington was the slave, but in his real character there was plenty of the Arthur Pendennis, whose weakness, but whose domestic happiness, he loved to sketch; not grand to the outward world, but self-satisfying to his own nature, inasmuch as it had dear children to lean on,—one of whom could aspire to win something of his own literary fame. We thought, as we saw him pass down Oxford-street a few weeks before his death, with one of these on his arm, and a crowd of gazers on every side, that there was more happiness in the heart which beat beneath those silvery locks at the homely pleasures of the matured Arthur than he ever felt from the renown gained by the lonely Warrington. Pendennis was Thackeray in his earlier and later days; Warrington was Thackeray when a hard struggle with Fortune made him see so much more clearly the nobler duties of the writer.

But, subjective as may have been his treatment of these and some few other characters (Clive Newcome for instance), he was perfectly free from this charge in the more prominent of his male portraits: the Marquis of Steyne, Colonel Crawley, Foker, Major Pendennis, Captain Costigan, and Colonel Newcome, are all as objective as it is possible to be, and mark a great painter as little inclined to give us repetitions of a certain form studied in a looking-glass as Michael Angelo or Sir Joshua Reynolds.

The short biographies already given to us explain some points in his character as author not undeserving attention, the more so as they undoubtedly tended to raise him to the pedestal which he afterwards occupied. One was the character of his handwriting, which was remarkably clear and easy to read. If young authors knew how much "copy" was refused by the press simply through the editors being unwilling to wade through pages of illegible writing, they would pay more attention to their copper-plate. What Thackeray wrote was always good, but we doubt if he

would have got admission to more than one publication we could name had not the formation of his letters enabled the editor quickly to discern the ability of the language of which they were the vehicle. We also learn what too many prone to write are apt to forget that literature to be a success must be followed as a profession, and that to him alone can be awarded the laurel wreath who not only writes well, but much. "You treat literature as you would the balls on a billiard-table," said an authoress of well-known fame to an aspirant for literary honours and a place as contributor to a magazine she edited. Thackeray wrote with care and corrected with judgment—he never treated literature like billiard-balls.

One word as to Thackeray's cynicism. We confess to being glad that the world should know, as his friends have long done, that he was of a genial temperament, but we do not quite see that this completely exonerates him from the charge of cynicism, so far as his writings are concerned. Perhaps we have explained in our remarks on Pendennis and Warrington what we think Thackeray's character was. When his genius first burst forth, when he first learnt to detect sophisms, and to batter to pieces fallacies, he craved that homage which the English people slowly accord to their greatest men, and no one can pretend to say that his writings during that time were genial. We should have been sorry if they had been, for we should have missed all those striking pictures, which marked him as a master in the art of depicting character, and towards which a cynical disposition to view the worst points of the human mind aided him. But perhaps we shall be told that this was not cynicism, that it was only the truthful man's desire to expose what he saw. Did he see nothing bad, then, in his later years that he became so much more, what the public term, genial? Had the English race made such a stride between the publication of "Vanity Fair" and the "Newcomes" that the observer could only see in the last a sunny side to the mental dispositions of his creations? We fear not, and we think we shall be more just if we side with public opinion, and impute to this great writer a dash of cynicism at a certain period of his life, which was exceedingly beneficial to his compatriots.

And why this touchiness at the charge of a quality which made him great? Thin-skinned as he was, like the rest of the literary tribe, he had great common sense, and we own that nothing has surprised us so much as to learn that he complained of the critics who found out the source of his power. We think he said of "Pendennis" that authors don't mind just criticism, or approve it when it praises in the wrong place, and it would have been more

in accordance with his character, if he had said to some literary friend—"The Thunderer is right; I am not genial! I cannot speak of abuses in honied language! I should never have described a Becky if I had not been a little cynical. I give you a novel without a hero because, in my views of life, there are no heroes, and every character I draw is a knave or a fool. Because the men and women on my stage are worthy of that character, why should they expect me to be genial when dealing with such topics?" That is what Thackeray might in fairness have replied to any charge of cynicism, and it is the weakest point in his literary career, that he should have complained of criticism that was really fair.

But, however cynical Thackeray may have been in early life, he proved that he was not at heart so by becoming more genial and kindly as he became more advanced in worldly means and honours. It may not redound so much to his fame to have it said that he only became amiable when troubles were past, and genial only when the world acknowledged his power; but it is human nature, and in criticizing Thackeray we must give him the measure he would have meted to others. And he has plenty of precedents. Was Schiller the same when he had settled down with Charlotte as when he wrote the "Robbers"? Do not material comforts influence the views of the author as they do the half-paid clerk and the well-paid secretary? It is only the bitterest misanthrope, whom no advance in life will change, that continues to pour forth an invective against his species, and to see no white as well as black side to the shield of life.

And now we come to the question whether his writings will find a public in the future? Comparisons may be odious; they are sometimes necessary. Another generation may read Bulwer Lytton to a little less degree than Walter Scott. Will Dickens, will George Eliot find a public in the future? We doubt the first; there are those who are sceptical about the second, and yet they both show qualities in some respect superior to Thackeray. Going to a neighbouring country, will Victor Hugo find readers a century hence? and yet the author of "Les Misérables" takes a more comprehensive view of mankind than Thackeray did.

It is a superficial view of a man's writings to say that because they only present specimens of an epoch, the dealers in vanity-wares of a certain period, that therefore he has no chance to become a classic. We can hardly conceive our grandchildren not being interested in the study of "Vanity Fair," quaint as may seem our manners and habits in that future day. We are not less interested in Juvenal because our House of Commons does not meet to discuss the cooking of a turbot which Mr. Charles has sent to Buckingham Palace.

Powerful sketches must always live. A vigorous writer, free from any sectarian bias, must have some claim to immortality. We look at Raphael's work and we read Shakespeare, but we are still interested in Hogarth. May not our children be in Thackeray? Truth and a vigorous sense of justice are always welcome to the English mind, nor can we expect in one century to find so keen an exponent of these qualities as the man whose loss we deplore. But with all deference to those who would limit the domain of art and vouchsafe to "Esmond" a higher praise than to "Vanity Fair," we think that it is by the latter that he will induce posterity to grant him the garland of posthumous renown. In his highest power he was a vigorous draughtsman rather than a skilful artist. His fame will rest on his power of form rather than his composition of groups. As he gained in the latter he fell off in the former, not much, but sufficiently to make his single figures gain the longest degree of attention.

He has gone too early for those allied to him by birth and affection; he has gone too early for those who love to see and pay reverence to the author of many a pleasant and instructive hour, but we thank Him who, in His good will, has taken him from us, that he did not go too early for the fame he so well earned. That is complete and everlasting, and if consolations can be found for the mourners, for the dear ones he has left at the Palace Green, it will be discovered in this at least, that he lived to defend a great man's memory,* and to scorch the club gossips with their own paper.

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* Alluding to his paper on Lord Clyde.

Contemporary Literature.

THEOLOGY AND PHILOSOPHY.

THE name of Strauss has long been a bugbear in the English "religious world." High Churchmen and Low Churchmen, in sermons, pamphlets, and periodicals, hush naughty children with the name of Strauss.[1] At other times, indeed, we are told that Strauss shot his bolt in vain; that the reaction in Germany is complete; and that English clergymen have recently been pluming themselves on criticisms and speculations long since exploded in the land of their birth. We must acknowledge to being greatly delighted at the manner in which all this rubbish will be effectually blown away by the very person who is most competent to do it. And we shall be greatly mistaken if Strauss's present work does not produce a far deeper impression, when it comes to be known in this country, than its predecessor did. The public mind is now better prepared, and the book itself is better adapted for the general reader, both in design and execution, than the original "Life of Jesus" was. The method of the former work was critical or analytical, conducing principally to a negative result; the method here pursued is partly synthetical, and to a certain extent constructive. In the former it was necessary to clear the ground, and to show by the internal evidence of a critical comparison of the Gospels, principally of the first three, that they are too inconsistent to sustain the doctrine of the ecclesiastical creeds concerning the person of Jesus Christ. But the generality of persons will only then be convinced that a doctrine or opinion is erroneous, when it has been made plain to them how the error arose.

In the present volume the author's "mythical" theory is fully applied to the details of the Gospel history. For English readers we somewhat regret the use of the term "myth:" it will, we fear, continue to be a stumbling-block to many who might otherwise perfectly understand and readily admit that narratives concerning Jesus, incredible as real history, may have originated as a spontaneous growth out of preconceived ideas current among the Jews concerning the person, character, and works of their expected Messiah. Like all other solutions of the difficulties of the Gospel history, it must not be pressed too far, nor be brought in on all occasions. But it has a far better claim to being a universal solvent than the rationalism which would account for the miracles of the New Testament by referring them to obscure or misunderstood operations of natural causes. Still it solves the miraculous narratives of the first three Gospels to a greater extent than it does those of the fourth. And the instruments of solution appear to us

[1] "Das Leben Jesu für das deutsche Volk bearbeitet." Von David Friedrich Strauss. London: David Nutt. 1864.

reducible to not fewer than four. 1. The rationalistic or naturalist, which may possibly account for some miracles, on the supposition of healing influences belonging to the person of Jesus: but the evidence is defective; nor would the possession of any magnetical or similar faculty enable us to draw any inference as to the moral and intellectual qualifications of its possessor. Even if the body of Jesus could be so lifted as that he could walk upon the sea, it would not justify the exclamation attributed to the disciples on such an occasion—"Thou art the Son of God" (Matt. xiv. 33). The ground, however, is greatly cut away from the rationalist solution of the Gospel miracles, by the circumstance of our not having sufficient evidence of the facts having occurred as recited. In other words, the naturalist solution is engaged in searching for a sufficient cause of the events, supposing them to have occurred; but we are rather occupied in an inquiry as to the cause of their having been described, supposing them not to have occurred. 2. A main element or chief contributing cause of the production of the Gospel history in the shape that we have it, may be found in the prevalence of certain expectations concerning the Messiah among the Jewish people, which, after the death of Jesus, were supposed by his followers to have received an accomplishment in him. This is what Strauss calls the mythical theory. We ought however to distinguish between the attribution to Jesus of assumed characteristics of Messiah when he gave no occasion for it, and the application to him of prophecies and Old Testament citations when he may have given occasion for them, although not in the sense in which his followers afterwards understood them. 3. For some of the acts of Jesus, and still more his words, may have suggested miraculous stories in entire opposition to his own meaning and intention; and there is reason to think his followers in the second, if not in the first generation, fell back into a gross interpretation of the words of the ancient Scriptures, which he had applied in a spiritual sense. The greater part of the forced applications to Jesus of the old prophecies, as well as most of the miraculous stories in the Synoptics, are reasonably traceable to this and the preceding source. 4. But in the fourth Gospel we meet with a design of the author, so palpably displayed, that the miraculous narratives contained in it can neither be attributed to spontaneous popular imagination, nor to popular Messianic ideas; nor are they apparently founded on real transactions, and present very slight traces throughout of actual discourses of the Lord himself. Thus, on the mythical theory, we may account for the growth of the greater part but not the whole of the Gospel histories, which in themselves, and literally taken, are incredible.

Undoubtedly an important branch of the inquiry will be, whether there was time between the occurrence of the events of the Lord's life, whatever they were, and the composition of the Gospels, for "myths" to grow up. The story, as we have it in the Synoptics, was undoubtedly current in Justin's time, though he does not cite our Gospels—probably much earlier. Is it supposable that a mythical narrative should have been generated between the date of the Crucifixion and the end of the first century, possibly by the time of the destruction of Jerusalem? Here once more must be carefully distinguished, when the word "myth"

is employed in England, between a mythology such as that of Greece, which was developed in the course of ages out of the nature-worship of the primitive Aryans, who turned in imagination the nature-forces into persons, connected them in imaginary relations, and created for them an imaginary history—and the adding, as in the case of Jesus, a mythical clothing to the personality of a real man, by attributing to him all characteristics which, according to the then circle of Jewish ideas, could exalt his dignity. In a word, we are using the term "mythical" in entirely different senses when we speak of the mythical Jesus of the Gospels and the mythical Apollo of the Homeric poems. Now a certain transmutation, as it were, of a real personality into an ideal one may take place rapidly in times of religious and political heat and excitement. A Luther in the eyes of Romanists, a Pope in the imagination of Protestants, a Bonaparte to the apprehension of Church-and-King Britons, readily puts on the attributes of the "Man of Sin." And when the Jewish polity was now at an end—when the coming of the second Moses, of David the Prince, of the Danielic Son of Man seemed altogether hopeless—the question would arise, Has he not already come? was he not Jesus of Nazareth? and then would be rapidly transferred to the person of Jesus the conceptions which had belonged in the mind of the people to the Redeemer of Israel. The progress of events would have shown that the expected Redemption could not be a temporal one—the Jews would be forced to acknowledge the unction of Messiah to be spiritual; yet wherever possible they would still apply to Jesus the words of their prophets in a literal sense, so filling up the vague outlines of his history, and so founding upon his own words the very opposite meaning to that which he had intended them to bear. We may call this "mythical," but it is not mythical in the sense in which the word sounds so offensive to English ears.

And after an intelligible account has been given of the process by which in all probability there grew up a narrative of the life of Jesus Christ, which would be incredible if literally understood throughout, there remains an equally arduous undertaking—namely, to suggest, at least hypothetically, what that life can really have been—to find it a place in the midst of the rest of moving and living humanity.

In the present volume Strauss first gives a brief account of such works as had preceded his original "Life of Jesus" on the same subject—those particularly of Hess, Herder, Paulus, Schleiermacher, Hase, and of the relation in which he stood to them; he then notices some of the criticisms to which he was subject, together with the orthodox reaction and the attempts of the Mediation theology. Afterwards he treats of the Gospels as the material or source of the life of Jesus, examines the external evidence to the existence of the Synoptics, and discusses the question of the date and authorship of the fourth Gospel. The internal structure of the Gospels is also reviewed, with their mutual relations. He concludes that these were not the production of eye-witnesses or contemporaries, but that an interval occurred between the events which they relate and their composition, sufficient for the up-growth of much unhistorical matter. The form which that unhistorical matter took was derived from the popular expectations concerning the Messiah; for a

mythus is a spontaneous production of the popular mind, not the work of a poet sitting down to invent, much less to deceive. It will be observed that Strauss does not set forth Jesus Christ as a mythical person, but that having been a really existing person, the clothing of his person, the description of his life is mythical. So much is preliminary. The first book is then occupied in eliciting, by analysis and comparison of the Gospels, the really historical element in the life of Jesus. The state of Jewish mental culture is reviewed, in conformity to which the personality of Jesus himself as a Jew of that age must be conceived. The appearance of the Baptist is described, and the relation of Jesus to him; and the probability is pointed out that in receiving baptism Jesus manifested repentance, or at least self-devotion to a higher life, although the Evangelists obscure that trait out of dogmatical reasons. The self-consciousness of Jesus is inferred to have been equable, undisturbed by struggle against evil; his moral life spontaneous, as a brother of all men and one specially beloved of God. The consciousness of himself as the Divine Reason Incarnate, according to the presentation of the fourth Gospel, is rejected. The relations of Jesus to the Mosaic law, to those who were not of the seed of Israel, to the Messianic idea and Messianic expectations are then treated of. Strauss apprehends Jesus to have conceived of himself as Messiah, but to have intimated a Messiahship far different from that which his countrymen and even his followers expected (Matt. xvi. 20, ff; Mark viii. 30, ff; Luke xi. ff). Of the miracles attributed to Jesus, some may be attributable to force of imagination, or other influences not supernatural: such prodigies as multiplying loaves, turning water into wine, walking on water, resuscitating the dead, are inconceivable and self-contradictory. Strauss entirely rejects the supposition that Jesus could have lent himself to any deception, or have taken to himself the credit of any supposititious miracle. Nor does he think that he availed himself of medical means of operating cures. The spiritual conception of his office, and the elevated morality of his teaching, was little understood by the Apostles, of which a remarkable indication is found in the Apocalypse. It is the earliest writing in the New Testament, and with great probability attributed to St. John the beloved disciple; but in it we find conceptions of the future reign of Messiah in accordance with the gross imagination, the self-conceit, and the revengeful temper of popular Judaism. The Master's mind was thus not interpreted to us by any of his companions; they have not done it, and apparently were not capable of it. Paul, who was capable, and who has to a certain extent done it, could only catch the echo of the Lord's words and the reflexion of the light which issued from him. The journey to Jerusalem and the Crucifixion are discussed, in which, notwithstanding discrepancies in the several narratives, there is traceable a sufficiently historical thread. The great question is that of the resurrection. Strauss puts away distinctly the supposition of a resuscitation from an apparent death; but he indicates with great clearness (apart from any question of miracle) the deficiency of evidence to a corporeal resurrection. He points out that while the four Gospels coincide, with variation of some particulars, in the fact of a real death, they diverge remarkably

upon everything which follows. As the fourth Gospel has been concluded not to belong to the Apostle John, it is shown that there is no eye-witness testimony to the resurrection of a body. For the Apocalypse testifies only to the fact of the death of Jesus, and to the belief in his continued life—"that liveth, and was dead" (i. 18). It is observed with great acuteness respecting the evidence of Paul, that the Apostle must have been aware before his conversion of what the disciples alleged, but that it had no weight with him until after the vision to himself; that he was so satisfied with the appearance to himself that he made no further inquiries for three years; that when he then went up to Jerusalem for the first time, he saw only Peter and James, who, it may be also noticed, are mentioned in 1 Cor. xv. as having experienced individually manifestations of the risen Lord, which might be of the same subjective character as that to Paul—convincing to themselves, but not evidence. And we think it should be especially remarked that in the three descriptions in the Acts of the conversion of Paul, there is nothing to show that he thought he saw a form, much less that he recognised features, or touched a body. He is aware of a great blinding light, and hears a voice, and he speaks of this as ὤφθη κἀμοί. But this is very different from the appearances, or some of them, as they are afterwards described in the Gospels, "handle me, and see," &c., and from the eating and drinking with the disciples. Moreover, there are traces in the Gospels themselves that the belief in the bodily resurrection did not grow up at once. And further, as Strauss observes from Baur, the belief of the Apostles in the resurrection of their Master sufficiently accounts for their subsequent conduct; upon what that belief was founded is quite another question; it was the belief that moved the world, and not the fact.

After having traced the historical element, and found, as he conceives, a residuum of fact or of great probability, the author undertakes, in his second part, to account for the additions which have been made in the Gospel narratives to the real history of the life of Christ. It is of course only by this real history that he himself has a place in human life; but the beliefs concerning him have a place in human history as beliefs, and must have had their own sufficient causes and occasions. These causes and occasions are found in the current opinions not only of Jewish but also to some extent, of Greek origin, in the century in which Jesus lived, and are distributed by the author in what he calls mythical groups. Thus Jesus is clothed with the attributes of David's son, and born in David's town, because such was a Jewish expectation concerning Messiah. In his supernatural birth are combined characteristics, both from heathen and Biblical sources: he becomes a second Moses because such a prophet had been expected; and a wonder-worker because the Jews anticipated Messiah to perform healing and mighty works. It is observable how completely this mythical view retorts various arguments from the Old Testament upon those who employ them. The pre-existent prophecies of the Old Testament, so far from being an evidence of a supernatural Revelation in the New, are an evidence of the natural growth of its narratives and doctrines. It is relied upon for instance, as a proof

of the Deity of Jesus that the Jews expected Messiah to be divine, and that divine attributes are ascribed to Messiah in the Old Testament: it is rather a proof, that though Jesus were not such he might naturally be thought such. We cannot follow Strauss through the details of his application; but when this work shall be translated into English, which we trust may shortly be done by a competent person, there will be found no difficulty for any reader of ordinary understanding with the vernacular Bible in his hand in verifying and appreciating his arguments throughout.

Truly, when the mythical growth is removed from the history of Jesus Christ, it is reduced to small proportions. The traditions which fastened themselves upon his person, may have been the very occasion of the perishing of real knowledge concerning him, which would have been invaluable to retain. For, says Strauss, these accretions are like parasitical plants—they not only cover with a strange foliage the stems to which they cling—they suck out their sap and cause them to wither. There will be much, therefore, in that life and character which can be filled up only in idea—but when the overlying traditions have been removed, it can be represented, in idea at least, as self-consistent. And although, in another sense of the word no life circumscribed in time and place can present the ideal of humanity, it may suggest and generate a perfection which the conditions under which it was revealed disabled it from exhibiting in itself.

The second volume of the new edition of Kitto's Cyclopædia contains, among its more important contributions, articles on the Genealogy of Jesus Christ, the Epistle to the Hebrews, the Gospels, Jerusalem, Jesus Christ, Inspiration, Isaiah, John, Luke: they resume recent controversies on the subjects to which they relate, in the interest of a most conservative orthodoxy.[2] The article on Inspiration appears to us unusually feeble. While repudiating a mere verbal dictation it would maintain a miraculous influence throughout upon the Biblical writers, because in the prophets we meet with the formula "The Lord saith," and because the writers of the New Testament wrought miracles which it would be difficult to prove except from the New Testament itself. One of the best of these essays is that on the Genealogy of Jesus Christ. The author differs from those who make the lists both of Matthew and Luke to give descents of Joseph. But what can be the value of the lists at all towards finding a real place in human history for Jesus Christ, when it is yet uncertain whether either of them gives his descent on the mother's side, according to any principles of investigation such as would be applied to another history? The difficulties of each list taken separately, and their accumulated difficulties taken together—with the entire absence of any confirmatory external evidence that they really belong to the father or mother of Jesus—lead to the conclusion that they were added when the idea of a supernatural birth of Jesus was beginning to be

[2] "A Cyclopædia of Biblical Literature, originally edited by John Kitto, D.D., F.S.A." Third edition, greatly enlarged and improved. Edited by William Lindsay Alexander, D.D., F.S.A., &c. Vol. II. Edinburgh: Adam and Charles Black. 1864.

attached to his person, in combination also with a notion of his Davidic descent. It is remarkable that in all three Synoptics occurs this very remarkable question to the Pharisees, "How is Christ the son of David?" (Matt. xxii. 41—46; Mark xii. 35—37; Luke xx. 41—44)—which implies that he is not so by natural descent, but spiritually. In Romans i. 3, we hear that he was made of the seed of David according to the flesh, but with no mention of supernatural conception, much less hypostatic union of the Divine and human natures: he is "declared to be the Son of God with power, by the resurrection from the dead." In the second and third Gospels, which are certainly of a subsequent date, we have a miraculous conception, with a claim at the same time to a kingly prerogative by reason of his Davidic descent, with which, in the first Gospel and probably in the third, it is inconsistent. The compilers of this Cyclopædia have conveyed to their readers a certain amount of superficial information, but have assumed throughout that the Bible is not to be subjected to the same analysis which would be applied to any other book or collection of books. What can be more puerile than the article on Jonah?—the solution that κῆτος does not necessarily mean a "whale," but any large fish, with the reliance on Matt. xii. 40, which, on comparison with the parallel place in Luke xi. 29—32, is an evident interpolation, and then the utter helplessness to show any connexion between the voyage of Jonah and his mission to Nineveh—*que faisait-il dans cette galère?* The only instance of a somewhat freer criticism which we have noticed in this volume is that on Josh. x. 12—14, where the whole responsibility of the astronomical miracle is thrown upon the poetical book of Jasher.

Cardinal Wiseman's Sermons are directed to a mystical illustration and an emotional application of the doctrines brought before the Church in the period of the year from Advent to Whitsuntide and Corpus Christi.[3] They were mostly delivered at Rome, in various years, under the sanction of the Pontiff for the time being, and were designed for educated English audiences, among whom many were not members of the Roman communion. These discourses were either composed for delivery, or, in some cases, taken down in shorthand. They abound in a certain kind of eloquence: when his Eminence ventures on argument he is not so successful. Thus, in the following extract, while attacking the inconsistency of Protestants in not worshipping the Virgin Mother, he most effectually—though unconsciously, as we suppose—unsettles the foundation of the Creed as to the supernatural incarnation of Jesus Christ.

"I would say to these men, 'How do you know that He was incarnate? How do you know that the Son of God became man? You say in your Creed that he was conceived of the Holy Ghost; who gave you evidence of that conception? Gabriel did not manifest it. He vanished as soon as he had delivered his message. You do not believe, no Protestant believes, that the Bible is a simple *revelation*—that is, a series of truths not known, and which could not be known by human means. The Evangelists themselves—the one from whom I have quoted tells us that 'Mary laid up all these words in her

[3] "Sermons on our Lord Jesus Christ, and on His Blessed Mother." By his Eminence Cardinal Wiseman. Dublin and London: James Duffy. 1864.

heart,' and that he sought information from those who knew everything from the beginning. Mary was the only, the sole witness in the world to the mystery of the Incarnation. There was only her word that she conceived thus miraculously of the Holy Ghost. . . . The real source of the historical and inspired testimony of the accomplishment of the great mystery of the Incarnation is Mary; and those who reject her could not have come to believe, except through her testimony, that God took upon Him our nature."—p. 338.

Nor do we think the argument, so far as there is one, in the following passage is more successful. Speaking of the death of Jesus and of Socrates, his Eminence says:—

"Often has the impious parallel been made between the most celebrated man of that class [of philosophers] in his last moments, and the Saviour of the world in His passion. But what a contrast in their situation! The one drinks with grace the poisonous draught, conscious that however he may be hated and envied by a few, the attention of his fellow-citizens rests on him with reverence, to catch his last words, and that of his disciples, with affection, to inhale the last breath of their master. The other drains to the dregs a chalice of bitter suffering, such as never before or since was prepared for any human creature, scorned, outraged, and insulted by the whole of his nation, abandoned, denied, and betrayed by His own dearest followers. What a contrast in their manner! The one, supported by his numerous friends, defends himself with earnestness and ingenuity, perhaps even with the sacrifice of his own principles, and beguiles his last moments by the cheering speculations of his profession. The other stands mute through His various trials, with every temptation of innocence to make a triumphant defence; and preserves an unabated equanimity amidst the desolation and abandonment of his cruel death."—pp. 147, 148.

Whether the traits are justified with which Socrates is depreciated in the above comparison, we need not inquire; but it is strange that orthodox divines do not perceive how their Athanasian doctrine of the union of the two natures in one person of Jesus, renders all exaltation of his human excellencies incongruous and puerile. M. Havet, in a brilliant article[4] reprinted from the *Revue des Deux Mondes*, observes that the life of a god, or the death of a god, are phrases to which it is impossible to attach any consistent sense, and morally, the sentiment they would inculcate is false.

"Ne parlons que de la mort de Jésus, elle n'est si touchante dans le texte même de l'Evangile, qu'autant que l'idée de Dieu en est absente. On sait le mot de ce patient qu'on menait pendre, et qu'un moine exhortait: 'Pensez, mon fils, comme Jésus s'est livré à ses bourreaux. Ah! mon père, il savait bien qu'il ressusciterait le troisième jour.' Parole au fond très philosophique, comme bien des saillies. Si toutes les idées de science, de puissance, d'éternité, que l'esprit humain attache à ce mot de Dieu venaient se mêler au spectacle de cette agonie, l'effet en serait détruit aussitôt. Jésus nous touche parcequ'il est un homme, et qu'il frissonne sans reculer au froid de la mort et à celui de l'abandon."—p. 42.

We must be allowed further to quote a passage, for the purpose of comparison with the foregoing extract from the Cardinal.

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[4] "Jésus dans l'Histoire. Examen de la Vie de Jésus, par M. Renan." Par Ernest Havet. Extrait de la *Revue des Deux Mondes*, revu et augmenté d'un Préface. Second Edition. London: Trübner. 1864.

"Non-seulement Jésus, dans ses derniers moments, n'est qu'un homme, mais il n'y est pas un homme extraordinaire. Pour mourir comme Socrate, il faut être comme Socrate, un personnage. Il n'est pas besoin d'être Jésus pour avoir la mort de Jésus. Le plus petit des hommes, le plus misérable, peut souffrir et finir ainsi; je ne dis pas seulement dans les mêmes angoisses, je dis avec les mêmes mouvements de l'âme, exaltée par ces épreuves. Les discours de *l'Apologie* ou du *Phédon* ne conviennent qu'à un philosophe; mais presque chaque parole de Jésus dans sa nuit dernière, . . . est à la portée du dernier de nous. C'est ce qui fait de la *passion* un drame d'un effet universel et incomparable. . . . Non, ni la vie ni la mort de Jésus ne perdent rien à être abordées avec la sincérité du libre examen."—p. 44.

In the sixteenth century, although the Roman Church resisted any modification of its doctrine, and indeed at Trent rendered it more stringent than it had been before, many ecclesiastical reforms were entered upon, partly, no doubt, because good men felt the righteousness of them, and partly because wise ones saw their policy. The laxity of the monastic orders was greatly reformed. Among those who distinguished themselves in this latter work, were St. Theresa and San Juan de Santa-Cruz, who undertook the reformation of the Carmelites or White-friars monasteries of Spain. Meeting, however, with much opposition from the order, they succeeded in founding in many places a separate and more austere branch of it, known as the bare-footed Carmelites, under a general of its own. Cardinal Wiseman points out, in his preface to Mr. Lewis's translation of the works of St. John,[5] that the life of the saints—that a mystic life—is not inconsistent with learning or with practical activity. These volumes form a complete manual of the mystical method. But it does not appear that the Christian belief is necessary to the mystical process. It supplies, no doubt, as the supposed history of Buddha might supply, concrete objects on which to fix the attention, and so to draw the mind away from ordinary human interests; but a higher meditation will only perceive in these concrete histories the truths which they shadow forth or embody; and contemplation face to face with the Source of all truths, all life, all being, will have no longer an eye for the earthly history, or even for the doctrine, of a Buddha, a Mahomet, or a Jesus.

From time to time is mooted again the question of the possibility of a reunion of Catholics and Protestants; with some, no doubt, out of a design for advancing the ecclesiastical designs of a party or church, with others, from a genuine desire to promote the real interests of religion. A considerable stimulus to this discussion was given by the publication of Dr. Döllinger's work on "The Church and the Churches." The present pamphlet of Dr. Frohschammer's, of Munich,[6] editor of the *Athenæum*, from which periodical it is re-

[5] "The Complete Works of Saint John of the Cross, of the Order of our Lady of Mount Carmel." Translated from the original Spanish, by David Lewis, Esq., M.A. Edited by the Oblate Fathers of Saint Charles. With a Preface by his Eminence Cardinal Wiseman. 2 vols. London: Longmans. 1864.

[6] "Ueber die Wiedervereinigung der Katholiken und Protestanten. Mit besonderer Rücksicht auf die Schrift. Pax vobiscum! Die kirkliche Wiedervereinigung der Katholiken und Protestanten historisch-pragmatisch beleuchtet von einem Protestanten." Bamberg: 1863. Von Dr. J. Frohschammer ord. P. der Philosophie a. d. Universität München. London: Williams and Norgate. 1864.

printed, is an attempt to put the question on a practical ground relieved from dogmatical and ecclesiastical controversy. It is quite clear that the differences between Roman Catholics and Protestants are not such as can be adjusted by debate, or be made the subject of a compromise; they cannot be settled according to the old story, by the Protestant accepting the belief in transubstantiation and the Romanist giving up the celibacy of the clergy. Nor could either side very well be brought even to treat: the Roman Church could not, because it would be contrary to its principles to parley with revolted subjects on an equal footing;—the Protestants could not, because they do not present one organized body, nor one definite creed; nor could they be bound to abide by any conclusion at which their representatives in conference might arrive. Nothing could be accomplished by a diplomatic attempt at conciliation. Yet there is a great opportunity before the Roman Church if it had courage to avail itself of it, by relieving itself of the more stringent parts of the Papal sytem, and by giving effect to the really catholic principles which have lain dormant within it. For its most eminent members have recognised, in what is known as the Doctrine of Development, a power of adapting the creed of the Church to the circumstances of each successive age; and if this power has recently been exercised somewhat irregularly in declaring the doctrine of the Immaculate Conception of the Virgin Mary, it might, on principle, be exercised in withdrawing that or any other doctrine which the condition of the churches and the world rendered inexpedient to insist on as part of the terms of communion. Moreover, in matters of worship, not only have certain variations of ritual been permitted, as in the Gallican and Milanese liturgies, but other departures from the Roman form have been allowed by dispensation; as, for instance, the administration of the Eucharist in both kinds to some churches. This power of dispensation is even exercised in the case of individuals, when they come over from other churches to the Roman communion, so that they are not required to assent expressly to all the doctrines of the Church by reason of the defects of their previous education. It is obvious that what can be dispensed with is not in itself essential; and if the Roman Church — without the offensiveness of a dispensation, could acknowledge those doctrines to be unessential, with the belief of which it can even now upon occasion dispense, there might be a free movement within it of persons who are now driven either into other communions or even outside the pale of Christianity. The Roman Church is in the best position of all others to set the example of mutual recognition; that is, that churches or congregations not having the same creeds or the same forms of worship, and therefore incapable of intimate communion, might nevertheless recognise each other as Christian churches. An earthly monarchy in the Christian Church is as impossible of realization as a universal secular empire. It would be the greatest glory of the Roman Church, and the greatest of all services which it has rendered to Christendom, to renounce a claim which is an anachronism, and in surrendering a material supremacy to win for itself a moral one. But if ever, when all vain

hopes of the fusion of Christian communions are abandoned, a Christian pacification shall be attempted by means of mutual recognition, there must be no setting-up of new essentials, either in doctrine or government—the name of Christian can be refused to no religious communion which claims it for itself.

The general purpose of the Bishop of Natal's Letter to his Laity[7] is to point out the inconsistency of the proceedings which have been taken against him by his prosecutor—for, in fact, the Bishop of Cape Town has been both his prosecutor and his judge. It appears to be the design of the last-named bishop to set up what he has the affectation to call a Church of South Africa in full union and communion with the united Church of England and Ireland. In the plenitude of the metropolitical dignity granted to him by the Crown and Parliament of England, who did not foresee the use it might be put to by a person eager to be playing at Pope, he has condescended to say that, considering the peculiarities of the case of the Bishop of Natal, an appeal will be *allowed* to the Archbishop of Canterbury. But if the Bishop of Cape Town is metropolitan, there can be no appeal from his court any more than there could be from the court of York to that of Canterbury; and if he is a metropolitan anywhere in the Queen's dominions, there is an appeal (as we know there is an effectual appeal from Canterbury itself, to the Judicial Committee of the Privy Council). We believe the case of the Bishop of Natal *v.* the Bishop of Cape Town has been already referred to it. But this playing fast and loose with the legal constitution of the Church is amusing. Here is a bishop abroad who owes to the Royal patent under Act of Parliament his title of Lordship, his prestige, his social status in an English colony, where without it he would be undistinguishable from a missionary paid by the Wesleyan or London Missionary Society, pretending to adjudicate on another bishop, not according to the ecclesiastical laws of England, but in reference to what he is pleased to call the voice of the Church Catholic. And we have prelates at home willing to let the law take its course, if possibly it might serve to crush persons holding opinions they dislike; but when it has been found that the clerical heretics know the law better than their prosecutors, know better than they the wideness of the terms of communion in the Church of England, and are more than safe, might have said much more than they have said with perfect propriety within it—then they too issue feeble and illogical pastorals, and thus appeal from the legal Constitution of the Church—under which they have their seats with the peers, their palaces, their thousands a year, their patronage, and all the social sweets belonging to high places—to an ideal Catholic Church, and to an external Revelation, as they personally interpret and understand it. If the Church of England, in the foundation deeds tripartite which describe the compact between itself, the State, and its ministers, formally executed by Convocation on the first part, by Parliament on the second, and by the Minister upon his admission on the third, does not declare the

[7] "A Letter to the Laity of the Diocese of Natal." By the Right Rev. John William Colenso, D.D., Bishop of Natal. London: Longmans. 1864.

Bible to be infallible, or good or true in all its parts—there are only two legitimate courses for those who are dissatisfied with that state of freedom to pursue. The one is to endeavour to make the terms more stringent for all future contracts—which we imagine would be hopeless; the other, to leave this lax State Church for a voluntary and unendowed association, which might adopt more catholic views of the miraculous Revelation, of the absolute truth of all the Bible, and of the supernatural authority of bishops as its infallible interpreters. There would be no difficulty in securing a pure Episcopal succession if all the bishops who signed the Episcopal Manifesto and the Letter to Bishop Colenso were to secede; it would be the experiment of the Non-jurors repeated on a grander scale; nor do we think there would be much difficulty in finding persons to take their sees under the simple authority of the royal sign-manual, as provided in the Act 25 Hen. VIII. c. 20; and it could then be fairly tried whether the "working clergy" follow the now existing prelates for the sake of the truth that is in them, or for anything else.

We are reminded by a reference in this letter of Bishop Colenso, of our having omitted to notice an excellent Lecture by Professor Owen,[8] delivered before the "Young Men's Christian Association," at Exeter Hall, originally published at the request of the committee, but since excluded from the annual volume. The Professor shows, as might be expected, how utterly irreconcilable are the Mosaic accounts of creation 6000 years ago, and of the Noachian deluge, and the divergence thereafter "of all existing air-breathing, or drownable, animal species from one Asiatic centre within a period of 4000 years." The ears of some of his hearers must have tingled when they heard such words as these:—

"I would fain believe that there are not among the representatives of the Christian world, whom I have now the honour of addressing, any to whom the expositions of the Power, teaching the world's vast age, the co-relation and concomitancy of death with life, the unintermittence of creative acts, may be abhorrent—who look with suspicion, dislike, or dread, upon the evidences, reasonings, proofs of geology, palæontology, geographical zoology—who have ears to hear and will not listen, who have eyes to see and will not behold. But if such there be, let me remind them that their mental condition is the same as that of the devout Christian, when the discoveries of the shape, the motions, and cosmical relations of our small planet were first propounded. They know not, or they refuse to receive, the later evidences of the power of God: 'They think they know the Scriptures, and they do err.'"—p. 31.

Dr. Büchner's "Force and Matter," may be popularly described for the English reader, as a compendious manual of Materialism.[9] The original German work was published eight or nine years ago, has gone through four editions, has been the object of attack both from

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[8] "Exeter Hall Lectures: The Power of God in His Animal Creation." By Professor Richard Owen. London: Nisbet and Co. 1864.

[9] "Force and Matter: Empirico-Philosophical Studies, intelligibly rendered." With an additional Introduction expressly written for this edition. By Dr Louis Büchner, President of the Medical Association of Hesse-Darmstadt, &c. Edited from the last edition of "Kraft und Stoff," by J. Frederick Collingwood, F.R.S.L., F.G.S. London: Trübner. 1864.

theologers and philosophizers, and has been translated into most of the continental languages. As the author's views are founded on, or confirmed, by the observations of modern science, he is himself hopeful that they may commend themselves to the English mind, which is specially adapted to be influenced by the evidence of experiment. Indeed he feels the more sanguine as to a reformation in prevalent theories as to nature and the world, because his own anticipations have received of late years unexpected illustration and confirmation in the works of English authors, such as Darwin, Huxley, and Tyndal; and he says:—

"What mental progress can be compared to the knowledge that man is not, as hitherto erroneously assumed, physically and mentally separated from and opposed to nature; but that he is the product of nature's gradually developed forces; and further, that this nature is not a chaos of incomprehensible forces, but a connected whole, subject to eternal laws in a constant state of progressive development, so that in the lapse of time the most stupendous effects are produced by apparently insignificant causes; and further, that the universe, the suns and planets, the wonderful organisms, from the minutest infusorium up to the antediluvian giants, and even the human mind in its grandest manifestations, are composed of and produced by the same materials and forces."—*Introductory Letter*, p. xii.

It is laid down as a pregnant axiom, that force and matter mutually imply each other; each without the other is a mere abstraction. We cannot conceive of matter unformed, force is necessary to its form: we cannot conceive of force without a material object. As with Aristotle, τὸ κινούμενον supposes τὸ κινοῦν. It is then pointed out that matter in the aggregate is immortal, though continually changing in its forms, not capable of being added to or diminished in its totality, but variable in its details. And as matter is immortal, so is its correlative force; and as the forms of matter are ever variable, so are the forces which produce them severally, but not the total amount of the universal force. Force may be converted but not lost: force can neither be created nor destroyed. Force is as immortal as matter. Matter and force are, moreover, both of them infinite; we cannot conceive of limits to either, in space any more than in time, and if one is illimitable so is its correlative. Many who will fully accompany Dr. Büchner as to the immutability and universality of the laws of nature will not admit the inference that a Supreme Reason and Will is thereby excluded; rather they consider them as the expression of the Sovereign Will, which is coextensive and coetaneous with the universe, and the Source both of all force and matter. Dr. Büchner of course disallows that there are evidences of design in creation. On the contrary, he says:—

"No one can deny that in its unconscious and necessary creative impulse, Nature has produced a number of beings and contrivances in which no design can be detected, and which are frequently more apt to disturb than to promote the natural order of things."—p. 94.

It is, indeed, not easy to see how Nature, if it operates by a necessary impulse, can produce that which tends to disturb Nature. In the chapters on the brain, the soul, and thought, the author maintains, not only that brain is the organ of the soul and instrument of thought,

but that thought is its product, a product of its material changes. Innate ideas are consistently dismissed, and with them the ideas of Deity and of immortal life; nor is any supplement attempted from inference or ratiocination. Finally, it is said, that "the connexion of Nature is so essential and necessary, that free-will, if it exist, can only have a very limited range," and the striking observation of Spinoza is quoted: "Human liberty, of which all boast, consists solely in this—that man is conscious of his will, and unconscious of the causes by which it is determined." (p. 239.) If the conclusions of Dr. Büchner are esteemed by many to militate against their notions of morality, he is well aware of it, and meets, or rather defies, the objection in the words with which he closes:—

"We must finally be permitted to leave all questions about morality and utility out of sight. The chief, and indeed the sole object which concerned us in these researches is truth. Nature exists neither for religion, for morality, nor for human beings; but it exists for itself. What else can we do but take it as it is? Would it not be ridiculous in us to cry like little children, because our bread is not sufficiently buttered? To those who may, by some of the results of our investigations, have felt shaken in their philosophical or religious convictions, we recommend the following passage of Cotta as a fit conclusion of this chapter and of the whole work:—'Empirical natural science has no other object than to find out the truth, be it, according to human notions, consolatory or the reverse, beautiful or ugly, logical or illogical (?), rational or absurd (?), necessary or contingent.'"—pp. 257, 258.

M. Littré prefixes a preface to the new edition of Comte's "Philosophie Positive," which is to be completed in six volumes.[10] It is impossible, of course, to change the title which Comte thought proper to affix to his work; but there cannot have been a less appropriate one for it than to call it a philosophy. It distinctly repudiates all insight into causes, either efficient or final. It attempts to give a conspectus of all existence which falls under human knowlege, with express exclusion, as puerile and nugatory, of all questions as to *whence, wherefore, whither?* Yet a conspectus of the material of human knowledge necessarily implies its co-ordination; and though it reject final causes, it must admit the relativity of all existing things. M. Littré indeed observes, that the doctrine of conditions of existence is a most fruitful one in its consequences. Certainly it is as consistent with theism as the doctrine of final causes is—while it is neither so presumptuous in assuming a completeness of knowledge which cannot belong to man, even concerning the meanest of existences, nor in attributing characters to the Deity which we are incapable of verifying. This co-ordination, interdependence, and mutual conformity of existences in the universe, implies a unity of idea, not only a

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[10] "Cours de Philosophie Positive. Par Auguste Comte, Répétiteur d'Analyse transcendante et de Mécanique rationelle à l'Ecole polytechnique, et Examinateur des Candidats qui se destinent à cette Ecole. Deuxième édition, augmentée d'une Préface par E. Littré, et d'un Table alphabétique des Matières. Tome 1mier, contenant les Préliminaires généraux et la Philosophie mathématique. Tome 2ième, contenant la Philosophie astronomique et la Philosophie de la Physique." London: D. Nutt; Williams and Norgate, 1864.

unity in our knowledge incomplete as it is, but an inherent and antecedent unity in the constitution of the things themselves. And thus to many minds the observation of coherence in all parts of the universe will be as fruitful of theistic inferences as was the hypothesis of final causes. Nor when held in conjunction with theism is it open to the objections with which the notion of God as a contriver, designer, and artificer is hampered; for the Deity on this latter hypothesis, is represented either as limited by a material foreign to himself, making the best he can ἐκ τῶν δοθέντων σκυτῶν; or as pretending to be so limited, and playing at it.

So that if it be granted to M. Littré that we cannot insist on the structure of the eye as an exemplification of final cause for the purpose of sight, it cannot be denied that it is adapted for seeing with on the one hand, and adapted to external objects and to an atmospheric medium on the other—nor can the environment, nor the eye, nor the perceiving subject have generated, any one of them, any one of the others. Yet they are mutually adapted. Theologians have frequently been fond of dwelling on final causes, not only as instances of contrivance and design, but as evidences of Divine Benevolence. They must find it very difficult while assuming an absolute omnipotence and an absolute benevolence in the Deity, to account for contrivances for the inflicting pains on sentient beings, for the propagating poisons and diseases, for the production of parasitical pests of the most repulsive kind in various animals—as worms and other entozoa in pigs, sheep, and men. We have however, no right to assume that the Divine Being must be characterized by what we should term pure benevolence—and there might be no insuperable difficulty, in recognising final causes, if we would allow that in any organism, much more in the whole organism of nature, "ends" must be complex, subordinate, mediate, and more or less final. But at any rate all these co-existences, though they do not present to us a perfect beauty, goodness, or fitness relatively to some single object, nevertheless do fit into each other according to a plan which, whether we like the result or not, implies, or seems to imply, a mind. Now truthful as the doctrine of co-existence is, and we think it is at least as consistent with theism as with a pure materialism or hylozoism—and prevalent, as we think it likely to be, over the old doctrine of final causes—we cannot at present be persuaded that its prevalence will be due more to the philosophy of Comte than to the philosophy of Hegel. We apprehend the *à priori* idea of Hegel can retain no permanent place in human speculation. No one in his senses will pretend to be a seer of all science or a prophet of all history. But the Hegelian pretension familiarized many minds, in its day, with the conception of a universe of which all the members and all their functions are mutually interdependent and mutually imply each other. Experience makes us acquainted with co-existences in detail; thence we infer by hypothesis or anticipation, which is the parent of observation and experiment, co-existences and relations as yet unknown.

Dr. Ritter vindicates the claims of a genuine philosophy, as neither pretending, with the so-called absolute philosophy, to construct mentally *à priori* the universe of things, nor as limited to a mere empiricism, to a

mere material observation, or at most to the apprehension of general laws.[11] For the general laws apprehended by physical science are no more than classifications and notations, dead and barren of all productiveness; neither the mechanical, dynamical, nor the teleological theories can account for natural phenomena as science presents them, nor assign any reason why its generalizations reach so far and no further, nor indeed justify its generalizations and classifications themselves. But with a view to a philosophy of the natural sciences, should be borne in mind that all real existences are individuals; and true science will observe, and a true philosophy endeavour to account for, differences rather than resemblances; for in that way only are we led to recognise in the principle of individuation the key to a true theory of causation. This principle of individuation will account for all singular existences comprehended in the general conditions which the universe affords. The individualization of inorganic things may be said to be due to forces—of organized things to souls. The term Soul (*Seele*) is applicable not only to the individualizing principle of the animal, but also of the plant, as the Greeks distinguished the vegetative from the animal *psyche*. Not that when we speak of a soul we are to understand a substance; it is the predicate of an individual substance having the property of self-development (p. 268). A complete doctrine concerning soul is not attainable either empirically or philosophically; but psychology being a branch of physics, the material of such doctrine is given by experience of particulars, of which the import must be ascertained by philosophy. We observe then that soul implies body; under the former are comprehended a group of activities of the inner and reflex life of the individual, under the latter the outward manifestations of the life. The soul of the individual is aware of its general relations to that which is external, it is not only living but life-giving; is not only a result, but a power. Such power may be mysterious; so is the force or source of attraction; but to deny that there is such a peculiar power at the root of a certain group of phenomena would amount to denying that such group of phenomena is distinguishable from other groups. Nevertheless, the abstract conception of soul is not to be hypostasized, whether we recognise the organizing force with less power in the plant, or with greater power and in wider relations in the animal. Nor are we to be disturbed at the obscurity which attends the passage from inorganic to organic nature, or from life to consciousness. Origins are indeed only points in a continuous movement, and generation is not due to a different energy from growth. For, to instance in vegetative growth: let us assume at a given moment a certain equilibrium between the plant and its environment; from moment to moment that equilibrium must be varied and readjusted, and the origin of organized Nature out of unorganized is as easily conceivable at some point of variation or readjustment, as the passage of any existence from one to another form.

The individualizing powers, or souls, may be considered as force-

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11 "Encyclopädie der Philosophischen Wissenschaften." Von Dr. Heinrich Ritter. 2ter Band. London: D. Nutt. 1864.

atoms (*kraft-atome*), differing, it must be observed, from corpuscular atoms in that we cannot predicate of them that they occupy space. And with respect to an inquiry as to the seat of the soul in organized beings, though a force cannot reside or occupy space, it can manifest itself in space. So that the apparent localization of the soul in the brain of animals, is because in them this force tends to concentrate its manifestations, while in vegetative life it tends to distribute them through the organs. The transition from the lower animal to the higher human life, and the growth and superinducement of the higher faculties upon the lower in the life of the individual man, follow a similar law of evolution to that already pointed out. And the conclusion of the closely argumentative treatise is that physical science cannot be conceived of as a whole complete in itself; its efforts are directed only to the collecting of particular experiences: in holding itself aloof from the arms both of the speculative and practical Reason, it is delusively engaged in the search after means without any perception of ends. It thus conducts to a teleology which it cannot find in itself; it must attach itself to a higher science than itself, and find its due place in subordination to the moral and rational life.

A critical examination of texts from the Nicomachean Ethics of Aristotle will interest Oxford readers, and suggest material for "papers."[12] Dr. Moritz endeavours to ascertain, in a number of passages more or less disputed and difficult, what Aristotle really meant, giving him credit for having written with a meaning, without bringing to him the meaning which he ought to have expressed.

POLITICS, SOCIOLOGY, VOYAGES AND TRAVELS.

ALTHOUGH the introductory notice and editorial remarks contributed by Sir E. Head to his collection of Sir G.C. Lewis's essays on the administrations of Great Britain[1] are of the slightest possible description, no one can fail to be thankful that a series of papers so valuable and interesting have been brought together in a consecutive form. Their intrinsic merits, their impartiality and insight, wanted only the authority of a name so universally respected to make them a general text-book of the political history of the half century of which they treat. The admirable balance of mind for which their distinguished author was so remarkable, is disturbed by nothing but his contempt for dulness and incapacity. If, from this cause, he was not inclined to make allowances for Lord Sidmouth's career, it is to be considered that his criticisms are not amenable to those rules which

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[12] "Aristotelische Schriftstellen untersucht von Moritz Vermehren, Dr. Phil. Erstes Heft. Zur Nicomachischen Ethik." London: D. Nutt. 1864.

[1] "Essays on the Administrations of Great Britain, from 1783 to 1830." By the Right Hon. Sir G. C. Lewis, Bart. Edited by Sir Edmund Head. London: Longmans and Co. 1864.

apply to simple biography, where every element of personal character must be weighed, but are justly and properly directed to the nature and consequences of the acts themselves which are passed under review. Statesmen must be content to be judged by an external standard, and to have their conduct criticized by the light of the events they influence. A personal consistency and an amiable consideration of anything but the national interests they undertake to forward and protect, cannot be taken account of when an estimate is to be formed of their character as politicians. Reflections such as these should not be lost sight of in the perusal of Dean Milman's very engaging vindication of his friend in a letter to Sir G. C. Lewis, which is here inserted as an appendix to the essay on the Addington administration. This letter is so attractive in its form, and so well calculated to rehabilitate the personal reputation of Lord Sidmouth, that it is absolutely necessary to remember it is his public and not his private character that has been subjected to those terms of reprobation against which it remonstrates. Good intentions not enlightened by intelligence, and amiable motives which interfere with public duty, may be fairly set aside as irrelevant in an estimate of the political character of their possessor. A more complete review of the progress made by liberal opinions up to the critical period of the Reform Bill, and of the various hostile influences with which they had to contend, than is afforded by these essays, cannot be desired. It is greatly to be regretted that Sir G. C. Lewis did not himself republish them during his lifetime. The consciousness that none could so well supply the connecting links of narrative, and the supplementary remarks which would have given a more complete unity to their form, perhaps lies at the root of the extreme meagreness of editorial annotation which has been bestowed upon this republication. But after all, we are, perhaps, too apt to forget that the author had in view the history of the Administrations only, and in our admiration of his performance, to lose sight of the fact that he in no way contemplated a history of the important half century on the political progress of which he has thrown so much light.

A sixth edition of the late Archbishop Whately's Annotations to Bacon's Essays[2] is a conclusive proof of the popularity of the work; and yet, in spite of its many unquestionable merits, there is perhaps no other of the kind in which there is so great a contrast, both in tone and style of thought, as that which exists between Lord Bacon and his annotator: where the former is concise, dogmatic, and condensed, the latter is universally diffuse and argumentative. The Essays are, perhaps, more provocative of thought in their readers than any other existing book, but it is impossible to think while reading the annotations: you feel as if driven along a well-paved road, with walls or hedges on either side, which often shut out all view of the country around, however much they preserve you in the path which leads most directly to the point in view. The excellent practical sense of

[2] "Bacon's Essays, with Annotations by R. Whately, D.D." Sixth edition. London: Longmans and Co. 1864.

the observations which abound in these pages, and the remarkable aptness of the illustrations of the principles sought to be enforced, become in the last degree fatiguing if pursued for too long a time: a sense of weariness seizes on the reader, and almost persuades him that good sense itself can become a bore. These illustrations, from their neatness and precision, leave the same unsatisfied impression on the mind that follows on a day spent in an Italian garden; while their diffuseness is as fatiguing as the long alleys which are met with in such artificial landscapes. The ready-made thought and practical moralizings of these annotations completely swamp the free and deep suggestiveness of the text; while their overwhelming copiousness leaves Bacon's wisdom floating, but almost drowned, in a sea of prudential considerations for the regulation of the mind, of excellent pedagogic quality but poor intellectual refreshment. It is very difficult to say when a word is sufficiently antiquated to need explanation; but it is quite certain that this feature of the present volume is pushed to an extreme consideration for possible ignorance, which is at times laughable. After all, had these reflections been found, as the greater part of them may be, in the Archbishop's own works, they must have met with unqualified praise; but by the side of Bacon, and constantly carrying the reader away from him, they are placed under a light perhaps the most unfavourable to which they could possibly be exposed.

There is no science so fruitful of valuable and often startling results as etymology applied to the names of places, mountains, and rivers; but neither is there any which calls for wider and more accurate information in those who pursue it. As geology may be called a summary of physical science, so etymology thus applied demands a full acquaintance with every branch of historical research. But when learning and caution go together in this study, the most curious, and at the same time the most convincing, results are often arrived at. An excellent idea of the method pursued in the scientific analysis of the meaning of names may be arrived at by those who can make no pretence to carry out such inquiries, from the Rev. Isaac Taylor's "Words and Places."[3] By pointing out the mode of growth which has given origin to names in recent times, especially in America, and by an interesting account of the chief local ones in London, he displays the close connexion, too often lost sight of, which exists between the names of places and their history. In these two instances there is almost always positive historical evidence to support the etymological deduction; but it is where history is silent, and etymology has to rely on its own resources, that the most remarkable results are arrived at. Many well-ascertained facts connected with the emigrations of the various races which now cover Europe, have been established on such grounds alone, but as firmly so as the most remote conclusion which comparative anatomy has furnished to the geologist. Mr. Tay-

[3] "Words and Places; or, Etymological Illustrations of History, Ethnology, and Geography." By the Rev. Isaac Taylor. London: Macmillan and Co. 1864.

lor's book is not only valuable in itself, but is so well furnished with the fullest references to all the great continental philologists, and supplemented with tables showing the distribution in England and on the Continent of those substantive and qualitative components of local names which are of the most frequent occurrence, that it can hardly fail to become most popular among those who wish for information on the questions which it handles. An excellent index on the one hand, and an ethnographical map of England and the neighbouring shores on the other, make it a peculiarly handy book for such purposes.

"Military Ends and Moral Means" by Colonel Graham,[4] is simply the miscellaneous contents of an officer's commonplace-book, copious indeed, and gathered from a very extensive reading, but animated by no very clear guiding moral principles, as might be expected from its title. It would seem almost superfluous to enlarge upon the advantage of acquiring any extent of moral influence over a body of men you have to lead and direct in every conceivable circumstance; but the secrets of such ascendancy are hardly to be publicly taught, flowing, as they do, from personal character in the corps on the one side, and the officer on the other. In war, all means are accepted by the author as moral ones, in so far as they are not yet repudiated by the progress of civilization. There is very little criticism of existing rules to be found in his pages, and but little condensation into practical formulàs of the innumerable instances of military practice in all time with which they abound. At least one-half of the volume is filled with short notices of successful stratagems: these may be in some degree useful to professional readers, but almost all stratagems are in their nature so simple, that where the officer in command does not perceive the opportunity, he will hardly be the better for having read of cases where it has been seized upon by others who have gone before him. This accumulation of instances gives the book a desultory and fragmentary character. The author very naturally tries to persuade himself that the army is recruited from somewhat higher motives than the Parliamentary Committee of 1850 reported to be the case: we are afraid that he will make few converts to this opinion. It is sufficient that after enlistment the education of the regiment, the *esprit du corps* which follows on it, generally qualifies the recruit for that unreasoning obedience which, after all, is the first requisite in the common soldier, and which would be ill replaced by more elevated but less reliable qualities.

"Garibaldi and Italian Unity," by Lieutenant-Colonel Chambers,[5] is simply a manifesto of the Party of Action; it descends to no argument with the antagonists of the hero whose wonderful career it recounts. In the author's opinion, there can be no question of the wisdom of the

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[4] "Military Ends and Moral Means: exemplifying the higher Influences affecting Military Life and Character; the Motives to Enlistment; the use of Stratagems in War; the Necessity of Standing Armies; and the Duties of a Military Force aiding the Civil Power." By Colonel James J. Graham, author of the "Art of War." London: Smith, Elder, and Co. 1864.

[5] "Garibaldi and Italian Unity." By Lieut.-Col. Chambers. London: Smith, Elder, and Co. 1864.

course pursued by Garibaldi at every moment of his life. This conviction gives animation and movement to the tale he has to tell, but this animation is never absent from the narratives of enthusiastic partisans. Every consideration of ordinary prudence is treated as treason to the cause of Italian Unity, and no allowance is made for the difficulties which beset the Moderate party at Turin. Not to count your foes, and to rely solely on the goodness of your cause, are principles of action which receive very different names according to the success which attends upon the cause entered on under their inspiration. It is impossible for any Englishman to pretend to pass judgment in so critical a juncture, where the only grounds for coming to a just one are to be drawn from an intimate knowledge of the Italian people. Whether their enthusiasm under the leadership of Garibaldi would have been enduring enough to have enabled them to overcome the enormous difficulties in their way to Rome and Venice, is a question in itself so hard to answer with any confidence, that the most charitable construction is due to both parties who have come to such different conclusions on its momentous issue. The Party of Action have this great advantage—they speak out without reserve, they at least know on what they rely, and they believe themselves capable of carrying out their purpose. This advantage is not enjoyed by their adversaries; many motives of action which must exercise the greatest influence on them cannot be made known for many years to come, and their absolute condemnation cannot be pronounced until those years have brought about their revelations. This reluctance to set so much already gained upon the hazard of a single throw, is so natural a feeling, that somewhat less violent terms than treason, perfidy, and subservience to a foreign power, may be justly claimed by them. The violence of the author's denunciations of all who have ever differed from his hero, is the chief defect of this book, which is otherwise well put together from the various public documents connected with its subject, and enlivened by copious extracts from the works of Captain Forbes, Admiral Mundy, Count Arrivabene, and the contributors to the daily papers who followed the progress of the Sicilian campaign.

Dr. Lawrie, the proprietor of a Turkish bath in Edinburgh, has brought together a great mass of miscellaneous information on various methods which have been adopted by the ancients, and in almost every country of the world, for bringing about the profuse perspiration which constitutes the essential feature of these establishments;* he lays under contribution a pretty wide range of reading on the subject for evidence of their harmlessness, but yet admits that it is desirable, at least at first, to take a bath of this description under medical superintendence; this of course cuts two ways. For is not Dr. Lawrie at least in Edinburgh, ready to give the benefit of his advice to those who may visit his establishment? It is somewhat remarkable, that while professing to give an account of most of the Turkish baths in England, he makes

* "The Roman or Turkish Bath." By James Lawrie, M.D., L.R.C.S.E. Edinburgh: Maclachlan and Stewart. 1864.

no mention of that founded by Mr. Urquhart in Jermyn-street, in spite of his frequent allusions to that gentleman's advocacy of the system, and of his acknowledgment of obligation to him for much of his information on the subject.

Though essentially an advertisement, his book will interest the now tolerably numerous public who frequent Turkish baths; but it cannot be said to add much either to our antiquarian and scientific information concerning them.

The only novelty in M. Villiaumé's new treatise on Political Economy[7] is the strange purpose with which it is written. Acknowledging as he does the truth of its laws, and displaying their action with great insight and clearness, he yet appears to think that the chief value of his book is to be found in his suggestions for their counteraction. He is full of scorn for those who believe that these laws will ultimately, by their action on human character, produce the only wholesome system of the distribution of wealth. Like so many of his countrymen, he is carried away by the notion that it is sufficient to cleanse the outside of the platter once for all, and that society can be forced into new paths by a determined legislation in advance of the moral principles of action which are dominant among its members. In France political economy is treated too often as a part of the art of government instead of one of the numerous sciences contributive to this art. Although M. Villiaumé advocates no communist or socialist system, he yet lays down the following maxims for the guidance of every statesman, which speak unequivocally of the school in which he has studied:—"Poverty in any nation is the fault of its government." "The poor will cease to be seditious when the rich refrain from oppression." "So long as anyone is in need of necessaries, no one should be allowed the enjoyment of any superfluity." From these maxims the colour of the author's criticisms on the laws of political economy may easily be inferred by anyone acquainted with the tone of thought they indicate. A convert by force of insight from those doctrines destructive of capital, which, for a prospect of momentary ease, lay the axe to the root of all production, he yet retains so much hostile feeling against accumulated wealth that all his projects for a better distribution of its benefits are directed against capital, but with a gradual pressure which shall rather appropriate the golden eggs than kill the useful animal that lays them.

Though free from the extreme impatience of his school, he is thoroughly penetrated by its distrust of the free action of unrestrained liberty, and exhibits the inherent despotism of ultra-democratic opinion in the clearest light. He looks upon his cotemporaries as schoolboys who must be coerced for their good, and not as reasonable, if erring fellow-creatures, who must be first convinced of their mistakes before they can be expected to relinquish them. We cannot in this place pursue him into any of his special doctrines, but his book is worthy of a very attentive consideration, and though it is impossible to agree

[7] "Nouveau Traité d'Economie Politique." Par N. Villiaumé. 2 vols. Paris: La Croix & Cie. 1864. London: David Nutt.

with him, that the chief purpose of political economy is the abolition of poverty, there are so many of his countrymen, and a few of our own, who tend to this opinion, that a clear advocacy of such measures as are conceived by his school to lead to this result cannot fail to be useful and instructive to all who are competent to entertain any opinions on the subject. This volume could hardly be better followed than by M. Rondelet's "Morale de la Richesse,"[8] in which he traces with great patience and ability the influence of increased wealth upon the moral sentiments of society, and displays the absolute dependence of any steady moral progress upon the advance of material production. Reflections similar to those which fill his pages are never absent from the works of the best political economists, but in none that we are acquainted with is this important line of thought followed up with such exclusive care. To English feeling there is too much parade of discovery and an affectation of reconciling political economy with philosophy and morals; but the valuable remarks with which his pages abound cannot fail to have a most beneficial effect upon those whose acquaintance with political economy is chiefly gathered from its traducers. In France this class is very large, and M. Rondelet's work is peculiarly appropriate to the state of French opinion on the subject it takes in hand. In England it seems almost useless to insist upon such elementary truths as that capital is the child of labour—that its smallest accumulations cannot be used as such without being in the first instance distributed among those who have no capital of their own—that every increase of capital is a fresh incitement to industrial undertakings that cannot be entered upon without improved tools and machinery—that every improvement thus made in the material elements of production absolutely calls for a corresponding moral and intellectual advance in those to whose care they are committed—that the more complicated the industrial pursuits of any country become, the more absolute the necessity of public security—that as the sense of public security advances, and with it the consciousness of individual freedom, the efforts of each member of the society for his own material and moral advancement are infinitely facilitated, and a virtuous life rendered more easy. These considerations, and many more not so immediately obvious, are admirably set forth by M. Rondelet, and give his book a peculiar value that ought to recommend it to a large circle of readers.

The most striking testimony, however, to the advance made in France by the ideas which owe their origin to the study of Political Economy is to be found in M. About's "Progrès."[9] In this brilliant, caustic, and pretentious volume, the author makes his appearance as the Courtier of Progress; and it is a good sign for those who long for clear daylight, when the worshippers of the rising sun are seen to betake themselves to their knees. The pleasure which his readers always

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[8] "La Morale de la Richesse." Par M. Antonin Rondelet. Paris: Didier & Cie. London: David Nutt. 1864.

[9] "Le Progrès." Par E. About. Paris: Hachette & Cie. 1864. London: D. Nutt.

find in M. About's wit and subtlety is, however, too much interfered with by the gross cynicism of his illustrations, and by the tone of banter with which he attacks those who are behind what he considers the best notions of their time. There is a revolting assumption in this tone of argument that is most offensive to any refined taste. If it were translated into the direct equivalents of self-esteem which it implies, it would meet with universal and deserved derision. The progress of opinion hardly stands in need of this spurring and kicking; and however clever, entertaining, and amusing we may find M. About's gambols, they are not likely to be long remembered after the first impression—which, it must be confessed, few can resist—has worn off. The feats of arms of the most accomplished free lance are very rarely rewarded with more than a temporary renown.

A collection of letters, originally published by M. Prevost-Paradol, in the *Courier du Dimanche*,[10] will be found not only interesting in itself, as containing refined examples of ironical treatment, but also gives a clear insight into the difficulties which beset the liberal party in their effort to bring the action of the Government under any form of criticism which would not be immediately suppressed. These letters are models of style, and those which are thrown into the form of dialogues are among the best imitations of the *Lettres Provinciales* which have appeared for many years.

In his preface to a collection of papers contributed to *Macmillan's Magazine*,[11] Mr. Trevelyan hopes that some pardon will be extended to his performance on account of the excitement and emotion under which he received the greater part of his impressions, and acknowledges that he is ashamed of much that they contain. There is very little to be ashamed of. In the latter half of these letters he recoils with considerable violence from those feelings which a contact with the native character hardly ever fails to arouse in the mind of an educated European. He was cured of his contempt for the slavish vices of the Hindoos by the violence of those who have gone beyond him in the same direction, and with a feeling of repentance, opposes the maxim of India for the Indians to those who speak of the latter only as Niggers. The whole of the non-descriptive part of his book is written under a reaction of feeling, which, however praiseworthy in itself, hardly preserves him from "falling on the other side." We can no more pretend to govern India for the Indians, than totally forget their interests in an exclusive consideration of the Europeans who are equally British subjects. That the Hindoos have been oppressed in times past is no reason why they should be exclusively considered in every project for the improvement of their country. The difficulty of reconciling the interests of the two races must be resolutely faced and overcome; and perhaps it may be a necessary stage of progress towards such a result, that the doctrine of India for the

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10 "Quelques pages d'Histoire Contemporaine. Lettres Politiques." Par Prevost-Paradol. Paris: M. Lévy Frères. London: D. Nutt. 1864.

11 "The Competition Wallah." By G. O. Trevelyan. London: Macmillan and Co. 1864.

Indians should play its part, and a certainly amiable one, in putting down the tendency to cut through all questions on the d——d Nigger principle. In our opinion the best of these letters are those which restrict themselves to descriptions of Anglo-Indian society, and to such pictures of oriental scenery as are contained in the account of a tiger-hunt in Nepaul. The author is very observant, and has a high flow of natural spirits, which, however, betray themselves in a somewhat jerky fashion, in this partaking greatly of the tone of Indian society, which seems to move on under the influence of two kinds of stimulant—pegs for the body and puns for the mind.

Mr. Trevelyan seems to suppose that public opinion at home is as unenlightened on Indian affairs as he confesses himself to have been on his arrival at Calcutta. There is very little that is absolutely new in his volume, unless it be the picture he draws of the smouldering feelings of revenge on the one side, and hatred on the other, which we cannot but think is somewhat overcharged by his natural exasperation at some unfortunate instances of overbearing brutality which he himself witnessed. He is, however, so lively, graphic, and amusing, that he will probably convey to many who would not have been at the trouble of seeking it in less attractive directions, a fair picture of Indian life and manners. His short cuts to universal improvements are at the worst but a "feather in the cap of youth."

A much more practical and satisfactory book on India will be found in Col. Greenaway's very complete review of the chances of success which may be looked for by an European settler in the Southern provinces.[12] This volume is full of sensible and moderate criticism on the character of Anglo-Indians on the one side, and on that of the natives on the other. Every kind of crop is treated of, and with an evidently intimate knowledge of the subject that attracts the fullest confidence to the statements of the author. The necessity of artificial irrigation for the wet crops is shown to be a difficulty that can in most situations be contended with at an expense much smaller than is usually supposed. The best plans for the construction of tanks are given, and full directions for adapting them to all those accidental circumstances which determine the area from which they are to be fed.

It seems to be clearly made out that anyone with about 1000*l*., and the commonest prudence, may, by farming in the high lands of Mysore, ensure a very handsome profit, in a climate that for a great part of the year is perfectly healthy to Europeans who do not give way to those temptations which so often interfere with the health and comfort of Anglo-Indians, but which are in no way connected with their pursuits as Indian farmers.

In 1860 Mrs. Smythe accompanied her husband, who was appointed by the Duke of Newcastle to inquire into the advisability of accepting an offer of the sovereignty of the Fiji Islands which had been made by some of the chiefs through the mediation of the English consul, Mr. Pritchard, a son of the Rev. George Pritchard of Tahitian fame.

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[12] "Farming in India." By Lieut.-Col. Greenaway, of the Madras Staff Corps. London: Smith, Elder, and Co. 1864.

The chief points to be investigated were the capabilities of the islands for the growth of cotton, and their fitness as a coaling station between Australia and the Isthmus of Panama. The report brought home by Col. Smythe was not only unfavourable on both these points, but threw great doubt upon the authority of those who had made the offer to cede the islands to the Queen. Under these circumstances it was very judiciously resolved to decline a responsibility that brought with it no increased powers of usefulness to the natives, nor advantage to the empire at large. All the papers connected with the progress of this inquiry are given by Col. Smythe in his wife's volume,[13] and are thus more generally accessible than when buried in the Blue Book of 1862. The bulk of the volume consists of letters written by Mrs. Smythe to her friends at home, giving her impressions of the strange scenes she visited. They are very pleasantly written, and without any pretence of intimate knowledge of the origin, religion, or government of the natives, give many particulars of their existing condition that are interesting, and, up to a certain point, instructive. Her chief hosts were the various missionaries she met with in the islands her vessel touched at, and a large part of her space is devoted to accounts of the progress made among the natives. The following is a good story of a temptation too strong for Fijian Christian principle:—

"There is often a good deal of simplicity and apparent inconsistency in the conduct of the local preachers and teachers, due no doubt in a great measure to a yet imperfect acquaintance with their new religion. At Lakemba a lawless white man, an American named Q——, had shot and carried off a pig belonging to a native. The people being Christians, instead of retaliating, asked their native teacher Obadiah to go and remonstrate with Q. Obadiah put on his black coat and went to Q——'s house, and with much earnestness pointed out to him the great wrong and injustice he had been guilty of; and concluded by saying, 'Just make the case your own; suppose a Fijian had killed and carried off a pig of yours, what your feelings be?' Q——, who had listened with the most respectful attention to Obadiah's exhortation, replied that he felt very grateful to him for so kindly coming to speak in the manner he had done, and that he now saw his conduct in quite a new light; but (he added, after a pause) the pig is now dead, and we cannot bring it to life again—shall we throw it out and let it go to waste, or, as it is just baked and you have not breakfasted, shall we now sit down, and you will ask a blessing? (putting on a serious face). Obadiah, taken by surprise by Q——'s penitence, and the compliment paid to his own clerical functions, and swayed, perhaps, a little by the irresistible love of the Fijians for roast pork, bowed his head, and reverentially said a long grace, after which the two set heartily to work on the pig. When he had eaten as much as he could, Obadiah went off complacently to report to his Missionary the success of his labours as a reprover of evil, and was as much amazed as confounded when Mr. —— exclaimed, 'What! and so you have shared the stolen pig?'"

There is also a very good account of the efforts made by Bishop Pattison to introduce Christianity among the inhabitants of the Loyalty and New Hebrides Islands. The climate of these groups is so unhealthy, and

[13] "Ten Months in the Fiji Islands." By Mrs. Smythe; with an Introduction and Appendix by Colonel W. J. Smythe, R.A., late H.M. Commissioner to Fiji. London: J. H. and J. Parker. 1864.

the natives are so wild and savage, that it has been thought best to visit them every year, and to persuade some young islander to return with the mission to New Zealand, where, after a short period of instruction he is, if he turns out well, in a few years qualified to return to his fellow-countrymen with such seeds of civilization and religious conviction as have found a resting-place in his mind. There is much that is reasonable in this plan, and the more so that all hopes of conversion by crowds are advisedly relinquished. The genuine results of careful training are thus left to bring forth their fruit in a natural manner. The volume has the advantage of many very good maps, which are but too often forgotten in books of this kind, and of several pretty drawings by Mrs. Smythe of the aspects of the islands from the sea.

In Mr. Eastwick's Journal of a Three Years' Residence in Persia[14] will be found a fair picture of the chance-medley and momentary expedients which in the East form the principles of government. The helpless manner in which the Shah contends with the Russians on the Caspian, with the Turkomans on his eastern, and the Afghans on his southern frontier, is of most ominous promise, and stands in glaring contrast with the importance of the country in ancient times, and with the part it may still one day play when we come in contact with the Russians on its plains. During the three years of his stay in the country, Mr. Eastwick was very actively employed making a tour to the southern shores of the Caspian, for a purpose he studiously avoids directly acknowledging, but yet indicates with tolerable clearness to have had for its object a report on the progress of the Russians in that direction; and again, on the advance of Dost Mahomed, he traversed the whole country in an opposite direction, while secretary of legation, that he might in some sort, by persuasion if possible, avert the conquest of Herat by the Afghans. On his return from this mission, for success in which his instructions gave him insufficient powers, he became for a short time Chargé d'Affaires at Tehran, where he successfully carried out the negotiations for the telegraph by the Persian Gulf, and brought to a conclusion the long outstanding quarrel with the Persian Government on the question of the amount of compensation to be awarded to Meer Ali Naki Khan, whose house had been sacked by the populace during our last war with Persia, on account of his English leanings. After a very short tenure of his office, Mr. Eastwick was recalled to England, but is diplomatically mysterious on the reasons which led the Home Government to take that step, yet not so much so as to conceal his feeling that he has been unfairly treated. His volumes consist chiefly of the journals he kept on his frequent travels through the country; they are thus somewhat too full of his state of health at particular dates, but at the same time display his very complete knowledge of the inhabitants and their possible resources. Although he entertains a high opinion of the Persian character, he allows us to form but a poor one of the prospects of their

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[14] "Journal of a Diplomate's Three Years' Residence in Persia." By E. B. Eastwick, F.R.S., F.S.A., late H.M.'s Chargé d'Affares at the Court of Tehran. London: Smith, Elder, and Co. 1864.

country. It suffers to the full all the evils of oriental absolutism, and these are not evils susceptible of an easy cure. Many of his anecdotes of the various embassies are highly amusing, and are always prudently veiled under feigned names. The whole book is written with great verve and ability, and gives us, at almost every page, reason to regret that the author's position precluded him from a more outspoken narrative.

"Availing himself," as he says, "of the possession of the necessary elements in carrying out travelling schemes—leisure and money enough for the particular purpose"—Mr. Cooke started on a journey due East, and on his return seems to have thought that the elements alluded to were all that were necessary for the construction of a history of his travels.[15] In a rambling preface he is very angry that some astrological speculations of his have not met with that degree of attention he considers them to deserve; and however little this may have to do with the book that is to follow, those who read prefaces are at least led to hope that at any rate they may find something new in its pages on the subject of Egyptian magic, and that, however small the author's manifest qualifications for an account of Egypt, Palestine, and Turkey, something distinctive may yet drop from one whose crotchet is a defiant belief in Mr. Morison's crystal sphere. But they will be disappointed: nothing is added to the accounts given by Lord Nugent and Mr. Lane, while the general narrative is little better than a bare epitome of ordinary guide-books, interspersed with such interesting information as this:—"I left Naples early with Mr. G.—Dark morning; the cabs are convenient here, and the drivers are civil. I took a ticket for Rome." Or the following, which concludes with a truly original and important remark:—"Dresden consists of two towns, the old and the new, divided by the river Elbe. The public collections are always open upon payment of a fee; and a dollar a day, as at Vienna, is sufficient for that necessary nuisance, a guide, *although a little German may obviate the necessity, as Italian will in Italy.*" The author starts with the anticipation that perhaps it will be said of his book by ill-natured critics, "We knew it all before, and better related." How he came to so judicious a conclusion we can hardly guess, unless he saw it in the crystal sphere; but then one must suppose he would have refrained from such an expenditure of his "money and leisure."

Another book on the same countries by the Rev. S. Smith,[16] is the result of a tour in the winter of 1862-3, and is addressed in the form of sermons to his congregation by the author. Nothing is more natural than that he should be desirous of conveying to his parishioners the impressions he derived from the scenery of that country in which so many of the events he had to speak of before them took place. For such a purpose his addresses seem excellently adapted, but we

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15 "A Journey due East." By Chr. Cooke, author of "Astrology in a Nutshell." London: Hall, Smart, and Allen. 1864.

16 "What I saw in Syria, Palestine, and Greece." A Narrative from the Pulpit, by S. Smith, M.A., Vicar of Lois Weedon and Rural Dean. London: Longmans and Co. 1864.

cannot sympathize with the feeling of satisfaction which prompts him to recount the saying of an old woman in his flock, who, on hearing that the folks at the parsonage had really been at Nazareth and Jerusalem, remarked, "Why, then, I suppose it is all true."

This kind of faith is hardly edifying, and the remark itself by no means so logical as that of an old Sussex woman who, much shocked by the history of the Passion, applied, after service, for further particulars to the clergyman who had touched her feelings by his description. But on hearing that the events in question took place a great way off and a long time ago, consoled herself with the remark, "Then let us hope that perhaps they are not true." This kind of argument is not confined to peasants, for many whose education ought to have preserved them from such confusion, accept as evidences of the truth of Christianity, coincidences between the existing manners and customs of Syria and those which are described in the Book which contains also the foundation of their religion.

"Our Garrisons in the West"[17] is a very clever, entertaining, and instructive account of our North American Colony. The author holds the opinions which are natural to his position on the various questions connected with Canadian politics, and they become one who, for a considerable period of his six years' stay in the colony, was in daily expectation of active service in its defence. As is usual with those who entertain his views, he is clearer upon the beauties and capabilities of the country, than upon the peculiar advantages which are derived by the Mother-country from its possession. On this point we do not wish to enter upon an argument that our space forbids, and the less so that we are much more attracted by the merits of his volume than annoyed by his politics. He has a very original vein of humour, which, like all genuine pleasantry, is full of suggestiveness; and the account he gives, in this tone, of the effects produced by the loneliness of a solitary outpost on the temper and discipline of those who are confined to it, strikes us as being as good of its kind as can anywhere be met with. Halifax and St. John's receive most of his attention, but he was enabled to go over the greater part of the frontier which would be most exposed to attack in the event of a war with America, and is of opinion that it would be more easily defended than is commonly supposed. The book is very well written, and sins only by an occasional tone of romantic and somewhat sentimental expatiation.

An eleventh edition of any book needs little special praise; Mr. Youatt's "Complete Grazier"[18] is such a compendium of all that can be taught by a book on cattle-breeding and the general management of stock, that a periodical revision, comprising notices of new implements and machines, is all that is requisite to enable it to keep its place in every farmhouse bookcase. This service has just been rendered to it by Mr. Burn, with a completeness that leaves nothing to be desired.

[17] "Our Garrisons in the West; or, Sketches of British North America." By F. Duncan, M.A., Lieutenant Royal Artillery. London: Chapman and Hall. 1864.

[18] "The Complete Grazier." By W. Youatt, V.S. Eleventh Edition, by R. S. Burn. London: Lockwood and Co. 1864.

It now not only treats of stock of every kind, but also gives the last results of experiment on the connected subjects of the management of grass-land, of grain and root-crops, and of the relative value of all kinds of manure, with a fulness that leaves nothing to be desired.

It has long been a custom among the English and American Congregationalists to keep up the memory of their common ancestry by reciprocal missions. The custom is no doubt a good one, but the published accounts of these missions are about the most wearying books that it is possible to read. The exaggerated importance which they attach to the reception met with in every small township visited by those entrusted with these greetings, and the constant repetition of the addresses and replies which form their staple matter, is so utterly without interest to any but the delegating bodies, that we question much if such literature ever spreads beyond the circle of the religious denomination to which it is primarily addressed. Last year, invited by a large body of Protestant clergymen in France, the Congregational Union of England dispatched such a mission to sympathize with their co-religionists in America, and to stir up their zeal in the cause of negro emancipation. An account of this mission has been published by Dr. Massie,[19] one of its members, and is fully characterized by the usual features of such reports; but it is also marked by such intelligence of the true issues at stake in the present conflict in America, and by such thorough study of the state of parties there, that it deserves the attention of a much wider public than is usually attracted by books of the kind. It is the best account we have seen of the condition of public opinion in America, and, what is still more valuable, it reflects the views of the more educated classes. It may perhaps be objected that the author necessarily fell into the hands of the Republican party, and was forwarded from one to another of their partisans, and thus allowed to see only through their eyes; but this objection will not maintain itself after a full attention to his statements, nor is it at all supported by any of those partisan excesses, either of tone or statement, which would otherwise, in such a case, be sure to betray their origin. The evidence which he brings forward of the growth of American opinion on the subject in which he was most interested is overwhelming and of the most satisfactory kind. Another point in which we do not think he exaggerates the usefulness of his mission is the effect produced by his personal addresses in all the chief towns of the Union, in showing his audiences that there is a large party in England who do not share in the distorted views of the most influential of the daily papers, and of many of the weekly ones. This is a service that many who now scorn it may before long be grateful for.

We cannot too strongly recommend Dr. Massie's book to many who would not otherwise expect to find in a mission-journal the good sense, intelligence, and accurate political information for which it is remarkable.

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19 "Anti-Slavery Mission to America." By James W. Massie, D.D, LL.D. London: John Snow. 1864.

With a great apparatus of scientific terminology, but without a vestige of scientific method, Mrs. Farnham lays the axe to the root of all discussions on the duties and rigkts of women, by claiming for them an absolute and innate superiority to men.[20] Starting with the assumption that there is such a thing as an intuitive perception of truth, she has a vantage ground, and a truly feminine one, from which she can assert that the conclusions at which she arrives are spiritually discerned in the first place, and that it is the office of science to follow after and demonstrate the previsions of a finer sense. This demonstration she does not shrink from attempting, and when a cold and scientific treatment fails to support her views, she is in no want of emotional grounds for anything she may wish to establish. Her book is clever, and entirely feminine in the best sense of the word, whatever may be thought of her incursions into the regions of structural anatomy. Her last conclusion, like Goethe's, is *das Ewig weibliche zieht uns hinan.* We think this is the first time it has been seriously maintained that the highest development of mankind is the exclusive property of the fairer half of it. In the language of lovers, this has often been asserted, but usually the lover has been associated with the lunatic and the poet, or it has been said that his language was more applicable to the ideal in his imagination than to the object to which he directly applied it. There is, however, one good feature in this book, which, indeed, is its animating spirit. Whatever any lover has at any time imagined his mistress to be, that Mrs. Farnham absolutely declares it to be the duty of every woman to become. It is impossible to quarrel with any doctrine that would lead to such a result; and we heartily wish there were a speedy chance of a generation of women who would display all that Mrs. Farnham declares to be the distinctive features of that highest form of humanity which it is reserved for her sex to make dominant in that period which she anticipates will commence about 1870, whence will date a new Hegira, to be called the Era of Woman.

Messrs. Blackwood have published a work of enormous labour and equal utility, in their "Index Geographicus."[21] To be able at any moment to ascertain the latitude and longitude of any place, in a list of more than 120,000, is a convenience that few would willingly forego; nor does the convenience end here, for the district and country are also given, while for those who possess Keith Johnston's Royal Atlas, the map in which the place sought for is laid down, is also indicated. The usefulness of such a volume speaks for itself; it only need be said that it is beautifully printed, and is of the most convenient size for a book of reference.

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[20] "Woman and her Era." By Mrs. E. W. Farnham. New York: A. J. Davis and Co. 1864.

[21] "Index Geographicus." Edinburgh · W. Blackwood and Sons. 1864.

SCIENCE.

THE first place in our scientific retrospect for the past quarter must be given to a little pamphlet by Mr. Herbert Spencer, on "The Classification of the Sciences."[1] In a former essay Mr. Spencer dissented from the mode of classification of the sciences proposed by M. Comte, but without indicating his own views as to the principles on which such a classification should repose: this omission is supplied in the present work. According to M. Comte, each science has its abstract and its concrete portion. Mr. Spencer holds an opposite opinion, regarding the sciences as abstract or concrete, but admitting a third and intermediate series, to which he gives the name of "Abstract-concrete." The elements of his proposed classification are as follows:—1. *Abstract Science* treats of the forms in which phenomena are known to us, and includes Logic and Mathematics; 2. *Abstract-concrete Science* treats of the phenomena themselves in their elements, and includes Mechanics, Physics, and Chemistry; 3. *Concrete Science* treats of the phenomena in their totalities, and includes Astronomy, Geology, Biology, Psychology, Sociology, and the allied sciences. Appended to the pamphlet are some "Reasons for dissenting from the Philosophy of M. Comte," called forth by a review of the author's work entitled "First Principles," written by M. Laugel, in the "Revue des Deux Mondes." In this essay M. Laugel describes Mr. Spencer as being to a certain extent a follower of M. Comte; Mr. Spencer contends that, far from this, he agrees with the great French philosopher only in those views which are common to his philosophy and that of most other thinkers, whilst he dissents from those opinions which are fundamentally characteristic of Comte's Positivism.

In his "Outlines of the System of the Universe,"[2] Dr. Christian Wiener aims, not unsuccessfully, at the production of a popular view, not of the constitution of the universe in its details, but of the laws and forces by which its phenomena are governed. Starting from a description of the general properties of matter, he proceeds through a discussion of the physical and chemical forces in their general application, to the consideration of the special modifications of force exhibited in the vegetable and animal kingdoms, preparatory to the investigation in his second book of the phenomena of the human intellect, which he treats from a purely materialistic point of view, regarding intellectual manifestations as functions of matter, and, in fact, as the equivalents of physical force. The actions of mind are analysed by the author from a phrenological standpoint, which he regards as the only sound basis upon which a theory of the intellect can be founded; psychology, according to him, being so uncertain that almost everyone

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[1] "The Classification of the Sciences: to which are added Reasons for Dissenting from the Philosophy of M. Comte." By Herbert Spencer. London: Williams and Norgate. 8vo. 1864.

[2] "Die Grundzüge der Weltordnung." Von Dr. Christian Wiener. 8vo. Leipzig und Heidelberg: C. F. Winter. 1863.

has different ideas about it. From these general considerations he advances to an examination, in a strictly utilitarian spirit, of the mental activities and their results and applications in the complex phenomena of human existence, devoting considerable space to the consideration of the nature of the Beautiful and to the natural laws of morals.

A curious parallel and contrast to the work just noticed is furnished by the treatise "De Naturis Rerum"[3] of Alexander Neckam, or Alexander of St. Alban's, the foster-brother of Richard Cœur-de-Lion, which has been lately published under the auspices of the Master of the Rolls. The "nature of things" doubtless presented a confused aspect to a scholar and philosopher of the twelfth century; and it is a confused picture that this one, although a distinguished man in his day, has handed down to us as his view of cosmical phenomena. In his earlier chapters he describes the creation of the angels, of light, of the firmament, and of the celestial bodies, in accordance with the so-called Mosaic narrative—a course which affords him a fine field for the display of that verbal and grammatical criticism which appears to have been at once his strength and his weakness. The universe, according to Neckam, consists of the four elements; and in his simple system of nature, all natural productions are supposed to belong more especially to one or other of the elements, and are treated of accordingly,—birds under the head of Air; fishes, under that of Water; mammals, reptiles, plants, and minerals under that of Earth. His descriptions are to a great extent derived from the writings of the ancients, and amongst these Solinus and Cassiodorus appear to have been his great authorities next to Aristotle and Pliny. Many of his statements of course border closely on the fabulous; and his views on matters which have been rendered quite clear by the light of modern science are most absurd; but he has interspersed his borrowed materials with a great number of anecdotes which show that considerable interest was taken in the habits of animals even in the semi-barbarous age of the first Richard. Many of these anecdotes, moreover, will be interesting to the antiquary from the curious illustrations they afford of the manners of the period. Among the most interesting chapters of the book in this respect are those relating to man, in which the author is led into various moral reflections, founded partly upon the doctrine of the Fall, and partly upon the state of society in his time. His references to subjects connected with morals and religion are not, however, confined to this, which would seem to be their legitimate place, but throughout all the chapters of his work, wherever he finds an opportunity, he tacks on a moral to his descriptions of natural objects, often, indeed, going out of his way for this purpose, or describing only particular qualities or supposed peculiarities of the objects, in order to furnish a text for his homily. Besides the treatise "De Naturis Rerum," the

[3] "Alexandri Neckam, de Naturis Rerum, Libri duo;" with the poem of the same author, 'De Laudibus Divinæ Sapientiæ.'" Edited by Thomas Wright, Esq., M.A., F.S.A., &c. Published by the authority of the Lords Commissioners of Her Majesty's Treasury, under the direction of the Master of the Rolls. 8vo. London: Longmans. 1863.

volume contains a long Latin poem, "De Laudibus Divinæ Sapientiæ," which, as stated by the editor, Mr. Thomas Wright, is to be regarded as a metrical paraphrase of the prose treatise, with considerable additions to certain sections.

Within the last year or two a new science, or rather perhaps a new department of Natural History, has been recognised among us, which, under the denomination of "Anthropology," promises to occupy a prominent place for the future. The subjects embraced by it are those which have been heretofore generally regarded as belonging to Ethnology, using that term in its widest and most elastic sense; but Ethnology, or the "Science of Races," as pointed out by Dr. Hunt in his Addresses,[4] can only include one portion of the great science of Man, which has for its task the solution of far higher problems than the mere discrimination and description of the different races of Mankind, or even their classification under certain more or less comprehensive groups. Anthropology, which Dr. Hunt defines as "the Science of the whole nature of Man," has to deal with such problems as that of the relation of Man to Animals, that of the mode of origin of Mankind, and of the specific unity or diversity of the various types of Men—investigations which call for the greatest liberality of opinion in order to their due discussion, and require the aid of nearly all the collateral sciences to bring them to a successful issue. The anthropologist must have recourse to careful anatomical and physiological researches in determining the physical agreements and discrepancies existing between man and his nearest animal relatives, and between the different races of mankind, whilst historical and archæological studies are of the highest importance in connexion with the latter branch of his subject, and a further light may often be derived from the investigation of the psychological attributes of the diverse peoples, especially as betrayed in their language. In the inquiry into the origin of mankind, the student will have brought prominently before him the whole question of the nature and origin of species; for it is evident that those who adopt the Darwinian or any other theory of the evolution of species from pre-existing forms, must take a very different view of the origin of Man from that entertained by those who maintain the theory of independent specific creations. In the investigation of this problem and of that of the unity or plurality of species of Man, no progress can indeed be made without a thorough acquaintance with the science of Zoology taken in its highest sense. Even the interesting question of the antiquity of Man can only be settled by the aid of Palæontology and Geology. Thus we get some half dozen primary sciences, all bearing more or less upon the History of Man, and each furnishing its own peculiar stand-point for the contemplation of the common object. To bring together all these scattered lines of investigation, to provide a means of making public the results of individual research in the various

[4] "Introductory Address on the Study of Anthropology," delivered before the Anthropological Society of London, February 24th, 1863, by James Hunt, Ph.D., F.S.A., F.R.S., &c.; and Anniversary Address, delivered before the Anthropological Society, January 5th, 1864, by James Hunt, Ph.D. &c." 8vo. London: Trübner and Co. 1863 and 1864.

branches of the Science of Man, and to furnish a free stage for the discussion of those difficult and often unorthodox questions which must be settled before Anthropology can claim to take its rank on a level with the kindred sciences, Anthropological Societies have been established both in London and Paris; and from Dr. Hunt's Addresses, as also from the known doings of these societies, we may see that they promise to foster the study of a very important department of science. Besides publishing a journal, which already contains many interesting and valuable essays, the London Society is devoting its resources to the translation of important foreign works, two of which will come under our notice in the present article.

The public *début* of the infant Anthropological Society, so far as it can be regarded as implicated in the proceedings of its president, was rather an unfortunate one, for Dr. Hunt's paper "On the Negro's Place in Nature,"[5] read before Section E of the British Association at Newcastle, was greeted with a perfect storm of disapprobation. In this essay, now published in a separate form, the author, after passing in review the physical and psychical characteristics of the negro, came to the conclusion that the negro belongs to a species of the genus *homo* distinct from, and inferior in many respects to the white man—an opinion in which he is supported more or less by the arguments of Huxley, Pruner-Bey, Vogt, and Broca. It was probably less the matter than the manner of Dr. Hunt's communication that aroused the indignation of orthodox and philanthropic listeners at Newcastle; for the tone of some parts of his memoir strikes us as harsh and unpleasing, and his depreciation of the negro and mulatto is so uncompromising as to produce an impression of partisanship. It is to this tone, which was doubtless unintentional on the part of the author, that he and his supporter, Mr. Carter Blake, must have been indebted for the charge so charitably brought against them of being the agents of the Southern American planters, hired to knock the ground from under the feet of the abolitionists; and the odium thus incurred speedily extended itself to the Society of which these gentlemen were officers, which was regarded by some people as established for the support and propagation of the most detestable and unphilanthropic heresies.

That the charge just referred to with regard to the Anthropological Society is without foundation may be readily seen from its proceedings, in which the most various opinions have received a fair discussion, and also from the nature of the two translated works already published under its auspices, which take diametrically opposite sides. One of these, the "Introduction to Anthropology" of Professor Waitz,[6] forming the first volume of his "Anthropologie der Naturvölker," although containing a most candid discussion of the facts, and in many cases indicating very fairly the defects of the evidence, is written with a strong bias in favour of the unity of the human species, which is the

[5] "On the Negro's Place in Nature." By James Hunt, Ph.D., &c. 8vo. London: Trübner and Co. 1863.

[6] "Introduction to Anthropology." By Theodor Waitz. Edited, with numerous Additions by the Author, by J. F. Collingwood, F.R.S., F.G.S., F.A.S. 8vo. London: Longmans, 1863.

conclusion drawn by the author from his review of the arguments adducible on both sides of the question. In this volume, which contains a general discussion of the principles of Anthropological Science, the author commences by defining the science, and shows that in the investigation of its most important problems, such as the determination of the specific unity or diversity of mankind, the mode of origin and original state of man, and his general relations to the rest of animated nature, the consideration of his merely physical characters can never lead to trustworthy results, and that for this purpose we must lay sometimes an equal stress upon arguments derived from psychical characteristics. In purely ethnological questions also, the psychical element is of great importance, and the author accordingly divides this volume, which is designed as a general introduction to his great work, into two parts—the one discussing the nature of the physical, and the other that of the psychical constitution of mankind. In the former part, the first place is necessarily given to the nature of species, a subject which the author discusses at length, dwelling chiefly upon the question of the fecundity of hybrids. His conclusion is, "that in every question of unity or difference of species, we are referred entirely to the study of the individual phenomena themselves;" so that the problem of the unity or diversity of the human species can only be settled "when the results of long-continued influences of all possible external conditions in which man is able to live are as fully and clearly ascertained as the results of all possible crossings of various human types after a long series of generations." The partial information which we possess as to the effects of various influences, such as climate, food, and mental culture, with the known tendency to hereditary transmission in producing variation in man, leads the author to the opinion that the physical type possessed by the respective races is by no means entirely permanent, although the amount of change which may be produced in it by the influences above mentioned is not ascertained. Passing to the anatomical and physiological differences which distinguish the races of man, the author admits that the former, although not sufficiently numerous or important to justify us in regarding the Negro, for example, as specifically distinct from the European, are yet so great as to leave it doubtful whether they could have been produced by gradual changes in the physical nature of a single human species; the physiological evidence, on the contrary, including that derived from the prolificacy or otherwise of crosses between the races, appears to him to be favourable to the notion of specific unity. In a subsequent section, after discussing the recorded effects of the intermixture of races, and reviewing the various theories which have been propounded as to the unity or diversity of the species of man, Professor Waitz argues that if we assume certain principal types of mankind to be specifically distinct, we must admit, with regard to the peoples belonging to these types, either a great amount of mutability of the type through external and internal influences, or a great intermixture of species. Regarding mankind as forming a single species, Professor Waitz ascribes great influence to intermixture in producing changes of type, in which, it seems to us, he is inclined to go a little too far, as we have no positive evidence of the

persistence of a hybrid race without renewed intermixture of its original elements. Our author sums up the results of his investigation into this branch of his subject as follows:—"The known facts not only permit the assumption of the unity of the human species, but this view presents less difficulties than the opposite theory of specific differences. . . . . But as the principal arguments in favour of unity of species rest upon the mutability of the human organism by external and internal influences the limits of which are unknown to us; and as, in the absence of any exact information as to the length of time they were in action, we cannot decide whether the power of these influences was sufficient to produce the existing differences, the question of unity of species remains an open one." An open question it will probably remain for some time, although the essay by M. Broca, to be next noticed, has certainly done something towards its settlement. So much of our space has been devoted to the discussion of the sections of Professor Waitz's book bearing more or less upon the question of the unity of the human species, the settlement of which is certainly at present the primary problem of anthropology, that we must pass over the remaining sections in a few words; they consist, in the Physical division, of an excellent analysis of the anatomical, linguistic, and historical elements for the establishment of a classification of mankind, independently of all questions as to unity or diversity of origin; and in the Psychological division, of an equally thorough-going and thoughtful investigation of the mental characteristics of man, and of the intellectual differences of various races. The primary characteristics of man, as distinguished from the brute, consist in the perfectibility of the former, in the power of forming a grammatical language, and in the existence of certain religious notions even in the lowest races; but the vast diversity of manifestation of these characteristics among different peoples, indicated by Professor Waitz, will furnish hereafter important elements in the working out of anthropological problems.

Dr. Broca's pamphlet on Human Hybridity,[7] of which a translation has likewise been published by the Anthropological Society, deals only with a small section of the vast subject treated of in the volume of Professor Waitz, but it furnishes a most masterly analysis of the evidence extant upon the important question to the discussion of which it is devoted, and founds thereon an argument which seems to point towards a definite solution of the problem of the unity or plurality of human species. The general tendency of this argument may be briefly indicated as follows. Up to a very recent period it has been generally believed that only animals of the same species were capable of producing a prolific progeny, and a strong argument in favour of the specific unity of man has been always founded upon this notion. Recently, however, the foundation of this argument has been gradually sapped, and zoologists are now convinced that in many cases the crossing of two perfectly distinct species may furnish a race of

[7] "On the Phenomena of Hybridity in the Genus Homo." By Dr. Paul Broca. Edited by C. Carter Blake, F.G.S., F.A.S.L. 8vo. London: Longmans. 1864.

prolific hybrids. But the degree of fertility of these crossings varies greatly in different species, for while some are perfectly fertile (*eugenesic*), the progeny of others will rarely breed except with a mate belonging to one of the original species (*paragenesic*), whilst in other cases the hybrids produced are wholly infertile among themselves, and scarcely fertile with either of the parent species (*dysgenesic*), or wholly infertile (*agenesic*). The question discussed by Dr. Broca is whether all intercrossings of human races be truly eugenesic, as commonly asserted; and he shows that while in the case of nearly allied peoples, such as Celts and Germans, there may be little doubt that their intermixtures are perfectly eugenesic, the accessible evidence with regard to other well known crosses, such as the Mulattoes descended from Europeans and Negroes in America, imperfect as it necessarily is, tends strongly in the opposite direction. It is clear, however, that no positive results in such a matter could be attained except by the complete isolation, for several generations, of a community of Mulattoes; but the general result of Dr. Broca's investigation leads us to the conclusion that the hybrids produced between the Negro and the European are paragenesic. The results of the intercourse between the European colonists and the natives of Australia and Tasmania are still more striking: after considerably more than half a century of contact of the two races, only *one* half-caste has been seen in Australia, whilst *two* are recorded as having occurred in Tasmania. The arguments which have been adduced by authors to account for this singular fact, some of them founded upon the belief that there is but little or no intercourse between the European settlers and convicts and the native women, and others upon the supposition that any half-caste infants produced have been destroyed either by the women or their husbands, are disposed of by Dr. Broca chiefly by means of incompatible statements derived from the writings of the same authorities. From these facts, if demonstrated,—namely, that the unions between Europeans (and other white races) and Negroes (or Malays) produce results inferior to those which constitute eugenesic hybridity in animals, and that in the case of the highest and two of the lowest known human races the mutual fecundity (*homœogenesis*) is so slight that scarcely any hybrids, even of the first degree, are known to be produced—we must inevitably come to the conclusion that some of the varieties of mankind, when brought to the test of mutual fertility, are wider apart than many well-established species of animals —a conclusion which Dr. Broca only hesitates to accept at present, on the ground that such inferences, settling at once the question of the plurality of the human species, and bringing with them such immensely important social and political consequences, cannot be admitted without ample verification.

The anonymous author of a very curious book, entitled "Miscegenation,"[8] originally published in New York and now reprinted in London, is of a very different opinion from Dr. Broca; he holds that

[8] Miscegenation: the Theory of the blending of the Races, applied to the American White Man and Negro." 12mo. London: Trübner and Co. 1864.

crossing, or misoegenation as he terms it, is necessary for the production of a perfect type of man, and declares that the future American of the United States is to be a eugenesic hybrid between the white and the black.

HISTORY AND BIOGRAPHY.

MR. GEORGE LONG, whose matured scholarship and balanced intellect admirably qualify him to undertake the task of historical investigation, has issued the first volume of "The Decline and Fall of the Roman Republic."[1] Commencing with the destruction of Carthage, the author proposes to continue the narrative to the end of the Civil Wars. "It is probable," he tells us, "that the second volume will contain the history of the same number of years as the first, and thus the two volumes will comprehend a period for which the evidence is deficient and also of little value." The portion of time included in the first volume is about forty-eight years—namely, from B.C. 154 to B.C. 106, from the memorable epoch marked by the overthrow of the great rival power already mentioned, to the close of the war with Jugurtha. Such a period, in itself rich in interest, is rendered additionally so by independent research and original discussion. In Mr. Long we have no rhetorical narrator or prepossessed system-monger, but one who, not content to follow the leading of modern historians, and feeling strong enough to handle the original authorities, has, while availing himself of the labours of other historians and critics, re-examined evidence, carefully thought out his views, and boldly recorded his opinions. The two most important topics treated in this volume are the Slave-rising in Sicily and the Reforms of the Gracchi. A perennial interest attaches to a subject of such paramount social importance as that of masters and slaves, that of patrician proprietors and plebeian lackalls. In our own age, the great problem that baulked the statesmanship of Rome demands with growing importunity its solution from that of modern Europe. The account of the slave-war in the ninth chapter of Mr. Long's first volume is very well done. Here, as always, Mr. Long produces an adequate impression, not by highly-coloured descriptions, but by a simple statement of facts, and emphatic economy of language. After the Roman conquest of Sicily the vacant lands stimulated the cupidity of the wealthy occupiers. The demand for labour was great, the market open, and "the demand brought the supply from all nations." The condition of the slaves thus imported was deplorable. "All of them had hard service, and their masters supplied them scantily with food and clothing. They cared little about their slaves; they worked them while they were able to work, and the losses by death were replaced by fresh purchases." At last their sufferings drove them into

[1] "The Decline and Fall of the Roman Republic." By George Long. Vol. I. London: Bell and Daldy. Cambridge: Deighton, Bell, and Co. 1864.

a conspiracy against their masters. The outbreak began with the slaves of the cruel Demophilus and his wife Megallis, who was "as bad as himself." The numbers of the rebels reached, it is said, 200,000. A very large number, at any rate, joined in the insurrection, till the slaves became masters of nearly the whole island. They were ultimately reduced by the consul P. Rupilius. Expecting no mercy from a Roman, at Taurominium "they held out till they were compelled to feed on human flesh—first on children, then on the women, and last on one another." The insurrection ended in the impoverishment of the rich, not in the amelioration of the poor man's lot; and Mr. Long, in relating how the disorderly band of Eunous destroyed the very industry by which he and his men were supported, *generalizes* the lesson when he remarks that "the history of all servile insurrections and of people as ignorant as slaves shows that if they were not checked, such men would destroy the accumulated savings of ages without ever thinking of producing, and would finally perish amidst the waste that they had made." From the specimens we have given of Mr. Long's treatment of this question, it will be seen that he is led away by no mere indignation-feelings to take the part of the oppressed against the oppressor. Where he does not think the policy of the reforming party likely to promote the end which it is meant to reach, no sympathy with the people seduces him into acquiescence with or palliation of error. To our minds there is something very beautiful and, so to say, *Christian* in what is told of Tiberius Gracchus and his devotion to the popular cause; but Mr. Long, while giving him credit for good intentions, and acknowledging the tyranny and avarice of the Roman aristocracy, considers his object—the restoration of the old Italian system—to have been impracticable, and his conduct, in one instance at least, the deposition of his colleague Octavius, to have been illegal. Moreover, he gives free expression to his opinions, even when he has to do so in opposition to an authority no less distinguished than Niebuhr, who holds that (in the case of Octavius), the people had a right to take away a commission from a man to whom they had given it. For the reforms of Caius Gracchus, again, Mr. Long seems to have no more admiration than for those of his murdered brother. Possibly Mr. Long's estimate is correct; but granting that it is, and allowing that the Gracchi were political Quixotes, we may still see in the policy of Tiberius, whose sympathies were not only with the Romans but with the Italians, and who endeavoured to improve by an agrarian law the miserable condition of the Italian cultivators, a foreshadowing of a more statesmanly policy, which on certain conditions shall ensure to the employed the ability to earn an adequate subsistence, as we may see in that of his equally ill-fated brother, whose *Lex frumentaria* was "a kind of poor-law," and whose senatorial reform was an extension of the full rights of Roman citizenship to the Latins, or perhaps to all the Italians—an adumbration of modern attempts for the improvement of the labourer's condition and the amelioration of representative government. On the other hand, Mr. Long's strictures on the turbulence, the incapacity, and ambition of the Gracchi ought to be read with no less attention than his anim-

adversions on the odious tyranny of the greedy nobles, and of a senate "whose conduct after the defeat of the insurgents is a proof that they were animated by a spirit of vengeance and a resolution to destroy a political party." Among the chapters in the present volume that deserve to be especially studied are the two that deal with the question of the public land and the opposition between the patricians and plebeians. In the arrangement of his narrative Mr. Long has followed the order observed by Livy, but has not, like the author of the "Supplement," crowded the events of each year together. By maintaining this historical continuity, the author has gained for the transactions which he thus recounts unusual clearness and distinctness, as in the chapters on the insurrection in Sicily, the tribunates of the Gracchi, and the war with Viriathus, the great commander, who for fourteen years resisted the progress of Roman conquest in Spain.

Spain, many hundred years after, became a conquering power herself. Inspired by the love of God and of gold, this great Catholic nation entered on a career of conquest in the Western Hemisphere which was probably quite as relentless as that of pagan Rome. One of the principal episodes in the story of the Spanish conquest is told in a very readable form, and in lucid, animated style, if we may judge from the English translation, by M. Michel Chevalier, in the first volume of a work entitled "Mexico, Ancient and Modern."[2] In three chapters he describes Mexican civilization prior to Fernando Cortez, the conquest of Mexico by that meekest of the soldiers of the Cross, and its condition under the colonial system. We could have wished that he had first instituted a critical examination into the value of his authorities, and that he had confirmed or confuted the objections of Gallatin, Wilson, and Cass to the trustworthiness of the old historical or pictorial documents. But though we do not find that he has attempted any such investigation, we think that he has told his story fairly enough from the same point of view as that of the late Mr. Prescott. Thus, he does justice to the chivalry without denying the avarice of Spain; and he exposes the superstition of European and Indian alike. If the Mexicans looked on the Spanish cavaliers and their horses as a species of centaurs, or regarded their European adversaries as white gods, the followers of Cortez—nay, Bernal Diaz himself—believed that they saw "the Apostle St. James drawing his sword for them, mounted on a white horse, and the Virgin encouraging them." If the Mexicans are accused of offering human sacrifices, the religious intolerance of the Christians is not forgotten. The principal object of M. Chevalier's book, however, is not so much to tell the story of the past, as to justify or explain French intervention. This he does, or tries to do, partly by alleging the claim of France to notable satisfaction for acts of spoliation committed on French subjects, or outrages and assassinations connived at by the Government of Mexico, and partly by pleading the moral purpose of the expedition, the political regeneration

[2] "Mexico, Ancient and Modern." By M. Michel Chevalier, Senator and Member of the Institute of France. Translated, under the author's superintendence, by Thomas Alpass, for many years foreign editor of the *Morning Chronicle*. 2 vols. London: John Maxwell and Co. 1864.

of that country, first in the interest of Europe, then in that of the Spanish branch of Latin civilization in the New World—a civilization which would, he thinks, be jeopardized were it not for the intelligence, the elevated sentiment, and military power of France. M. Chevalier apparently writes in all good faith; he is not over-sanguine; he even admits that the attempt to regenerate may miscarry. The intolerance of the court of Rome may defeat the Imperial purpose. From the very first the Archbishop of Mexico protested against certain measures of French policy. The clergy, or members of it, insisted that sales of church property should be declared null and void, and opposed the opening of a Protestant chapel at Mexico. Here, then, the Roman question meets us again—a question which M. Chevalier considers difficult, but refrains from pronouncing insoluble, because he still hopes for a change in the system and attitude of the Pontifical court. At the commencement of one of his chapters the author contends, in opposition to modern no less than ancient doctrines of mythology, that there is but one miracle,—the grandeur, the beauty, the fecundity, and harmonious operation of those laws to which an only and perfect God has submitted nature,—and condemns that portion of the church which employs the popular taste for the supernatural as one of the legitimate means for the government of societies. He instances the miracle of the Cross of Migné, the appearance of the Virgin of La Salette, and her of the grotto of Lourdes; the second of these portents being sanctioned by church dignitaries, and the third celebrated in a charge from the Bishop of Tarbes. He refers also to the pretended prodigy of Rose Tamisier, stigmatized by the court of Nîmes as an unworthy juggle, but rapturously applauded in the south of France. Glancing at the Allocution of December, 1856, he concludes that the principles which Rome wishes to force on America are such as belong to bygone ages, and are thoroughly hostile to the convictions of enlightened men in our own time. In spite of the irrational antagonism of Rome, M. Chevalier still ventures to hope that the Papal power will not obstruct the work of political consolidation in Mexico. From England and from the United States he anticipates no opposition; the former, he argues, must favour a policy which tends to restore her legitimate influence in the New World, to abate the exaggerated pretensions of the cabinet of Washington, and to limit the domain of slavery; while the Northern States have precisely the same interest as Europe, the restriction of the *peculiar institution*—a restriction that would be secured by the barrier which a powerful and independent government like that of a regenerated Mexico would erect against the aggressions of the South. On the encroaching policy of the South, M. Chevalier is justly severe; and to its slave proprietors he attributes the diffusion of that spirit of territorial aggrandizement which distinguished the nation as long as it was united. It was, he says, a settled plan among the Southern leaders to push forward the limits of the Federation indefinitely, at the expense of Mexico, of Spain as the proprietor of Cuba, and of the Republics of Central America. Slavery, abolished by the Mexicans, was restored under their ascendancy in the former province of Texas, which is more extensive than France; and would

have been re-established in other portions of Mexico as soon as their possession had been secured. In addition to the two concluding chapters, from which these remarks are derived, the second volume of M. Chevalier's informing and agreeable work contains three chapters on the War of Independence in Mexico, the Government of Independent Mexico, and the Resources and Future of the Country. As a discussion of one of the important topics of our time, the book is well worth reading.

In Mr. Carlyle's fourth volume of "Friedrich II. of Prussia,"[3] the events of about thirteen years are recorded in the author's well-known semi-humorous, semi-sublime style of thought and language. The volume has many luminous attractive paragraphs imbedded, as we think, in whole rubbish-heaps of wearisome details. An Herculean indefatigable cleanser of an Augean historical stable, Mr. Carlyle might have carried the purifying process still further with advantage. Is the fault in the critic, in Mr. Carlyle, or in the subject, that we cannot feel any very deep interest in this history; that it seems to us a prose epic run to seed? Looking at the industry, the research, the discriminative faculty which it evidences, and the flashing light which breaks out from its heterogeneous pages, we entertain a considerable admiration for the writer, but for the work, on the whole, a very limited admiration. The present instalment of the history of Mr. Carlyle's hero contains three books; the subject of the first book being the second Silesian War; that of the middle book the Ten Years' Peace; and that of the third the first campaign of the Seven Years' War, 1756-1757. The capture of Prague, the battle of Fontenoy, where figure "the martial boy and his English, *versus* the laws of Nature," the battle of Hohenfriedberg, that of Sohr, and that of Kesselsdorf, terminate in the Peace of Dresden—for Frederick a victorious, triumphant conclusion. The story of these battles is told with vigour, and the description of the battle-fields, which we traverse with Mr. Carlyle, is written with a vivid, picturesque accuracy. In the following book we accompany "the conquering hero to his cottage residence," Sans-Souci—so-called, conjectures his biographer, from the prominence which society gave to an expression that escaped the king, moralizing on the tomb which he had prepared for himself in its neighbourhood, "*Oui, alors je serai sans souci.*" In his retirement Frederick devoted himself to law-reform, the improvement of commerce, of agriculture, and lastly, to literature. Of political economy Frederick knew nothing, and Mr. Carlyle, who always likes to have a slap at what he is pleased to call the Dismal Science, justifies Frederick's ignorance in general, though admitting his error in some matter of currency. One thing we learn, worth noting, from a page in this part of the History—namely, that the famous project of the Frederician Code, founded on reason and the constitution of the country, and which has puzzled Mr. Carlyle's invisible enemy, Dryasdust, before now, *remained* a project, though "translated into all

[3] "History of Friedrich II. of Prussia, called Frederick the Great." By Thomas Carlyle. Vol. IV. London: Chapman and Hall. 1864.

languages, and read in all countries." In agriculture and the practical arts Frederick appears to have had some success; of his literary performances Mr. Carlyle seems to think little; of his "Poéshie" (the king himself spelled indifferently, though, in this instance, the blunder would seem to be somebody else's), he gives an amusing account, explaining how the royal pupil perpetrated his feats of rhyme, under correction of the famous poetical coach, Voltaire. Undoubtedly the most entertaining portion of the book is that which relates to this potent lord of speech, who, in spite of his monkey-tricks, and in one instance, alas! of downright documentary falsification and possible perjury, Carlyle insists had in him "a spark of Heaven's own lucency, a glance from the Eternities (in small measure)." Those who do not care for the contents of Book XVII., with its English diplomacies, French-English war, battle of Lobositz, and winter in Dresden, will read with amusement, and sometimes with admiration, the passages relating to Voltaire, his painful law-suit, his Berlin-Potsdam environment, and other "detached features" of him; the funniest of all being the semi-detachment or semi-attachment of the divine Emile, who, forgetting the proverb about the old love, took on with the new prematurely, not without results, as Mr. Carlyle would say. We give the final scene in this episode, with omissions:

"Madame du Châtelet, this night, while scribbling over her "Newton," felt a little twinge; she called a waiting-maid, who had only to hold out her apron and catch a little girl, whom they carried to its cradle. The mother arranged her papers, went to bed" [and died]. "Of course the supper-party burst up into her room—M. le Marquis du Châtelet, M. de Voltaire, and the others. Profound consternation: to tears, to cries succeeded a mournful silence. Voltaire and St. Lambert remained the last about her bed. At length Voltaire quitted the room; got out by the grand entrance, hardly knowing which way he went. At the foot of the outer stairs, near a sentry's box, he fell full length on the pavement. His lackey, who was a step or two behind, rushed forward to raise him. At that moment came M. de St. Lambert, who had taken the same road, and had now hastened to help. M. de Voltaire once on his feet again, and recognising who it was, said, through his tears and with the most pathetic accent, 'Ah, mon ami, it is you that have killed her to me!' and then suddenly, as if starting awake, with the tone of reproach and despair, 'Eh, mon Dieu, monsieur, de quoi vous avisiez vous de lui faire un enfant (Good God, sir, what put it into your head to—to—)!"

We may briefly indicate here the existence of a compact epitome of the "History of England," written with a vivacious mannerism by an evident admirer of Frederick's biographer, and which, though containing challengeable statements, is not without a certain merit of its own.[4] Here, too, we may draw attention to a popular edition of Mr. Tytler's "History of Scotland,"[5] the first volume of which opens with the accession of Alexander III., describes the struggle for national in-

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[4] "The History of England. With a Sketch of our Indian and Colonial Empire." By William Francis Collier, LL.D., Trinity College, Dublin, &c. London: T. Nelson and Sons. 1864.

[5] "The History of Scotland: from the Accession of Alexander III. to the Union." By Patrick Fraser Tytler, F.R.S.E. and F.A.S. 4 vols. Vol. I. Edinburgh: William P. Nimmo. 1864.

dependence, conducted by Wallace and Bruce, against the English king, narrates the events in the reigns of David II. and Robert II., and comprises an historical disquisition on the ancient institutions and manners of Scotland.

About four years after the death of Robert II., Thomas Walsingham, Monk of St. Alban's, was promoted to the office of Prior of the Cell of Wymundham. Previously to this period (1394), Mr. Riley sees reason for thinking that Walsingham was "engaged in the work of authorship or compilation." The portion of the "Historia Anglicana"[6] which he regards as more especially Walsingham's composition is that which extends from A.D. 1377 to 1392, the first fifteen years of the reign of Richard II. This portion is contained in the first volume, p. 329 to p. 211, *infra*, and forms, Mr. Riley tells us, the most valuable part of the compilation. In the second volume, recently published, is comprised the remainder of the work, including the period A.D. 1381—1422, to the end of the reign of Henry V. Mr. Riley appears to have discharged his editorial duties faithfully. In addition to the text, the new instalment presents us with no fewer than five appendices, and with so copious an index that it would make a small volume itself.

In the same century with the historian of St. Alban's lived the renowned warrior, Bertrand du Guesclin. His latest biographer, Mr. D. F. Jamison, of South Carolina, has written a circumstantial and amusing narrative of his life and times.[7] Bertrand du Guesclin, born about the year 1320, in the Castle of Mote-de-Bron, near the town of Rennes, in Brittany, was the eldest son of Regnault du Guesclin and Jeanne du Malemains, a lady of Sens, near Fougères. Bertrand was plain in appearance, not to say ugly. Hated by his father or mother, who often in their hearts wished him dead or drowned, says the chronicler, he grew up disobedient, obstinate, and rebellious. At the age of eighteen, however, he distinguished himself at a tournament; at twenty-three years old he took the side of Charles de Blois, whom he regarded as having the legal right to the province of Brittany, collected sixty men, and lost no opportunity of harassing the retainers of the rival claimant, the Count de Montfort. At the siege of Rennes, A.D. 1356, his bravery and good conduct attracted the attention of Charles; and the Duke of Lancaster held him in such esteem that he pressed him to enter his service. This overture Bertrand declined. Two or three years after, we find him bearing arms for the first time in the service of France, and leaving his young wife, Tiphanie Ravenel, the fair maid of Dinan, who had prophesied the successful issue of his combat with Sir Thomas Canterbury, to display his skill and daring at the siege of Melun. In 1364 he achieved a great victory at Cocherel, over the army of the King of Navarre. In the

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[6] "Thomæ Walsingham, quondam Monachi S. Albani, Historia Anglicana." Edited by Henry Thomas Riley, M.A., &c. Vol. II. A.D. 1381–1422. Published by the authority of the Lords Commissioners of Her Majesty's Treasury, &c. London: Longman, Green, Longman, Roberts and Green. 1864.

[7] "The Life and Times of Bertrand du Guesclin. A History of the Fourteenth Century." By D. F. Jamison, of South Carolina. 2 vols. London: Trübner and Co. Charleston: John Russell. 1864.

same year he was defeated by the English, and obliged to surrender to a squire under the pennon of Sir John Chandos. His release was obtained at the price of an enormous ransom, in raising which he was assisted by the French king Charles V., Pope Urban V., and Henry of Trastamara, the natural brother of Peter the Cruel, who was desirous of securing Du Guesclin's assistance in his contest with that prince for the crown of Castile. At this time France was ravaged by the formidable Free Companies, and to procure the grudging aid of Charles V., Bertrand engaged to rid the country of these brigand bands. Successfully negociating with their leaders, he marched from Châlons-on-the-Saône, attended by 30,000 men, towards Avignon, having previously promised to lead them against the Saracens, or attack the infidels in Granada, and threatening, in passing through Spain, to annoy Don Pedro, the murderer of his wife. At Avignon the Pope, who had excommunicated these wild adventurers, was compelled to grant them absolution, and a large sum of money as well. The chief object of Du Guesclin's expedition to Spain, hitherto carefully kept in the background, the enterprise against Peter, was now disclosed. Peter was driven from his throne, and Henry of Trastamara installed in his place. Loaded with wealth and honours Du Guesclin returned to France; but when Peter, who had procured aid from the Black Prince at Bordeaux, reappeared at the head of a powerful force, Du Guesclin hastened to the assistance of the new king. Defeated and detained a prisoner, he was at length released by the Black Prince, influenced by an adroit intimation that it was thought that he only kept him in confinement because he was afraid of restoring him to liberty. Du Guesclin again joined Henry of Trastamara, who, on the overthrow of his rival, was established on the throne of Castile. Peter was treacherously murdered by his natural brother, aided, according to one authority, by Du Guesclin himself, who, says Mr. Jamison, probably thought himself justified in keeping no covenants with a prince whom he regarded as a monster of impiety, &c., and who believed *that no faith ought to be observed with one who had attempted to seduce him from his allegiance to his natural sovereign;* the last part of which plea, whatever may be said of the first, strikes us as being excessively ingenious. As regards Peter himself, he was most likely reprehensible enough in private life, but as he had a strong party in many of the towns, it has been supposed that his rigid rule was less obnoxious to the people than to the nobles; and, indeed, his biographer tells us that it came to be remembered by some that "he was a great lover of justice; that his entire kingdom was secure from sedition, theft, and robbery; that he was greatly dreaded by all the kings of Spain, who, in their fear of his power, conspired successfully against his throne and his life." In the war recommenced (1369) between France and England, Du Guesclin's success was as conspicuous as his prowess. On assuming the office of Constable of France, he raised a small force and attacked the English camp near Pontvalain. Triumphing there, he next took the towns of St. Maur, Rulli, and Neroux. Other conquests followed. In the campaign in Brittany in 1373, he invaded that province, and compelled the duke to take refuge in England.

Some six years later, indignant at the suspicions entertained by the king of his loyalty, he returned him his sword of office. Mr. Jamison thinks that Morice has conclusively shown that Bertrand never abandoned the service of France. It has been said that he intended to go to Spain, and pass the rest of his life with Henry; but, according to Mr. Jamison's authorities, he succeeded the unpopular Duke of Anjou in the government of Languedoc, and while busied with the siege-operations of the strong fortress of Châteauneuf-de-Randon, was struck down with a mortal sickness. He died on the 13th of July, 1380, in the sixty-first year of his age. He was a splendid soldier, a skilled commander, a loyal servant and friend, a patriotic adversary of the English, and a worthy antagonist of the Black Prince, that flower of chivalry, and inexorable destroyer of the men, women, and chivalry of Limoges. It is not clear to us that Du Guesclin was anything more. It is enough, perhaps, that such men as the Black Prince and the great Constable of France should do their stint of work in war. We admire their indomitable *pluck*, as we admire that of both Federals and Confederates, who at this moment represent, for us, the manhood and unconquerable endurance of the race. Mr. Jamison himself, we may say here, is a Confederate, exulting in the escape of his MS. from the clutch of "an ever-vigilant enemy now blockading our harbour," for the author had to entrust its publication to a friend in England. We congratulate Mr. Jamison on the success of his venture. Will he allow us to ask, in turn, *where* it is, to use his own words, that "assassination has invariably followed the efforts to suppress duelling?—*where* it is that "thousands are slain by the revolver and bowie-knife?" Is it in the chivalrous South?

Somewhat more than sixty years ago, this homage to public opinion in the question of duelling cost America the life of one of her noblest sons—Alexander Hamilton. Mr. Riethmüller has told in simple, manly language the tale of Hamilton's life,[8] from his birth in the mountain island of Nevis, in the West Indies, on the 11th of January, 1757, till he committed "the grave and fatal error" of consenting to fight with Burr; and fell at Weehawken, on the Jersey side of the Hudson, on the 11th July, 1801. His father was a Scottish gentleman of the great house of Hamilton, who, embracing the profession of a merchant, and emigrating to the West Indies "in search of wealth," had married there a lady of the name of Faucette, of Huguenot descent. Young Hamilton was educated at King's College, New York. His acquirements were various; his skill in composition remarkable; his eloquence, even as a youth, impressive. At eighteen he wrote two pamphlets in defence of Congress, of such force and merit that the authorship was ascribed "to some of the leading men in the colonies." Soon after the adoption of the Declaration of Independence, on the 4th July, 1776, Alexander Hamilton joined Washington's army as a volunteer, when, on the heights of Harlem, and on the White Plains, *the Little Lion*, as he was presently called, was

[8] "Alexander Hamilton and his Contemporaries; or, the Rise of the American Constitution." By Christopher James Riethmüller, author of "Teuton," a Poem, and "Frederick Lucas," a Biography. London: Bell and Daldy. 1864.

distinguished by constructive skill, cool courage, and precision of fire. In 1777, Hamilton accepted Washington's invitation to join the staff. He was appointed aide-de-camp with the rank of lieutenant-colonel. Though admitted to the closest intimacy with his chief, and addressed by him with the endearing appellation of "My boy," he was unable to avoid a misunderstanding with Washington; and offended at a slight reproof which a real or supposed disrespect drew down, he retired from the staff in April, 1781. A few months after this he obtained the command of a battalion. Distinguished by his services in war, distinguished by his statesmanly papers, distinguished by his eloquence at the bar, the time arrived (after Washington's inauguration as President) when Hamilton was to be appointed by him the Secretary of the Treasury; and renewing the noble friendship of old days, was to become "his most tried and faithful counsellor." His career as a financier was honourable and successful. But whatever his merits in political or professional life, Hamilton's characteristic talent lay in his philosophical statesmanship; and accordingly, a principal object of Mr. Riethmüller's book is to exhibit his views on the question of the American Constitution. He early saw and pointed out to Washington the defects in the Confederacy, and borrowing a figure from mechanics, contended that "*the centrifugal is much stronger than the centripetal force in these States.*" In complete opposition to Jefferson, whose views are subsequently described by Mr. Riethmüller in words that show his own hostility, not so much to the man as to his principles, Hamilton was desirous to give an absolute instead of a limited sovereignty to the central power, as an expedient for avoiding the collisions between the Confederacy and the States, which, our author holds, "have been the fertile source of half the troubles of America." Great, however, as was his influence, what "with the extreme diversity of opinions in the Convention," and what "with the contending claims of State rights and Federal interests," all that Hamilton could effect lay in a compromise. The articles of the Constitution ultimately agreed upon are briefly enumerated in about five pages of Mr. Riethmüller's book. The general result was, to use the words of the author of "Considerations on Representative Government," that "the Federal Congress of the American Union is a substantive part of the government of every individual State," and not "a mere alliance subject to all the contingencies which render alliances precarious." To secure the acceptance of the Constitution, "one of the most efficient engines employed was the publication of a series of essays under the name of the Federalist." Of the eighty-five essays of which it consists, thirty-five were written by Madison and Jay; the remaining fifty by Hamilton, who wrote the first "in the cabin of a sloop as he glided down the waters of the Hudson on his way to New York." This paper was published on the 27th October, 1787. It advocated union under one government, and censured the perverted ambition of men who, from motives of personal aggrandizement, favoured the subdivision of the empire into several partial confederacies. This collection of essays is pronounced by Mr. J. S. Mill to be "even now the most instructive treatise we possess on Federal

Government;" and Mr. Riethmüller tells us that the Americans still regard it as the greatest and most complete exposition of the principles of their constitutional law. We cannot make a longer report of the facts or views detailed in this excellent biographical dissertation; but perhaps it is right to state that the author traces the calamities of the ruptured republic to the sovereignty of the populace, the uncontrolled licence of democracy, to the self-will and caprice, ignorance and clamour, before which intellect falls prostrate or retires; and that while he is of opinion that, had Hamilton lived, he would have supported the central government as against a local rebellion for a temporary purpose, he is inclined to think that that great statesman would have espoused what is obviously his own view—the policy of peaceable secession, where the only alternative was acquiescence or war to the knife.

Laurence Sterne died about twelve years before the declaration of American independence, aged fifty-three. The "Life" of the English Rabelais, which Mr. Percy Fitzgerald has just given to the world, is very welcome to us.[9] In addition to some twenty letters never before published, and numerous extracts from registers and minute-books, it comprises numberless traits and facts buried in obscure memoirs of his day. The result is perhaps a rather rambling and diffuse, but certainly an amusing and illustrative biography of a great laughing philosopher. In its pages we may discover the originals of the Shandean portraits, of Corporal Trim in Corporal Butler, Dr. Slop in Dr. Burton, Slawkenbergius in Cervetti, and Uncle Toby, "the high and only final Christian gentleman," perhaps in Roger Sterne, the father of the humourist. The sketches of the persons, places, scenes, and situations of the past which are scattered through the book, as of John Stevenson Hall, Crazy Castle, Ranelagh, &c., assist us in realizing the world of Sterne and his contemporaries. Our space prevents us from giving even an outline of the incidents of Sterne's life, unless at the expense of more important matter. To us, at least, it seems of more consequence to indicate the spirit of Mr. Fitzgerald's treatment of the subject. Protesting quietly against what we agree with him in regarding as rhetorical exaggerations in Mr. Thackeray's condemnatory estimate of Sterne's character, he puts forward what he calls an opposite view, slightly impairing its value, however, by the concession that he is conscious of a more wholesale advocacy than he perhaps intended. The truth is that Sterne was not a severe moralist; there was nothing that we are aware of, in his life or in his character, deserving of high commendation. But does he merit Mr. Thackeray's tremendous castigation? Was he a systematic hypocrite? Was he the unqualified pseudo-sentimentalist that that great master of satire supposes? True, he was weak, vain, careless, idle, fond of pleasure; but the assertion that he preferred whining over a dead donkey to relieving a living mother is—an epigram; the construction put on his

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[9] "The Life of Laurence Sterne." By Percy Fitzgerald, M.A., &c. With illustrations from drawings by the author and others. 2 vols. London: Chapman and Hall. 1864.

flirtations with Miss Fourmantelle and Mrs. Draper an inference; the ill success of his married life a misfortune. Such at least is Mr. Fitzgerald's view; and, on the whole, we strongly incline to this opinion. Sterne was fond of "Della Cruscan relations;" he liked platonic friendships, and such friendships, often dangerous, are always suspected. He ought never to have written to Mrs. D—— or spoken of Mrs. S—— as he did. If he was innocent (and there is no *proof* that he was *not* innocent), he had to thank his own folly that he was pronounced guilty; for, as Mr. Fitzgerald admirably says, "No man with a rash temerity is privileged to rush into an equivocal situation, and then, conscious of innocence, defy the ordinary presumptions by which conduct is to be tried." On the other hand, where proof is wanting, we may form our conclusion on the general merits of the case, and give the accused the benefit of a doubt. We are disposed to do this in Sterne's case. But, after all that charity can concede, it still remains that the author of "Tristram Shandy" wrote licentiously and lived Shandeanly. As a man he was deserving perhaps of little respect, as a clergyman certainly of less. Yet he was not without "redeeming gifts of generous sympathy and warmth, kind fatherly affection, a careful consideration for the pecuniary interests of those for whom it was his duty to provide, a genial humour, and a tone of natural piety." Among the passages of this "Life" which are new to us are those that expose the imposition of Sterne's room at Desseins, wherein admiring enthusiasts have meditated, slept, and been literally done for,—since, unfortunately for these hero-worshippers, it did not exist until two years after the great Tristram's death; the grim disclosure in the chapter called Yorick's Grave, that the body of this man of infinite jest was transferred from its resting-place in the new Tyburn burying-ground to the dissecting room of M. Collignon, then Professor of Anatomy at Cambridge; and the curious account of the Shandy plagiarisms near the end of the second volume. James I., it appears, anticipated Uncle Toby's famous remark about the fly. The *shorn lamb* is found in a Languedoc proverb, and "the recording angel has a parallel in a MS. by a monk, Alberic, who lived about the year 1100." In our opinion, Sterne had a perfect right to give place and permanence to the unlocalized royal comment and the fugitive foreign proverb; and as to Alberic's MS., the similarity of thought is probably only a coincidence. There are, however, instances of undoubted and wholesale plagiarism in Sterne, on which the reader may pass his own opinion. In a supplementary note, several inaccuracies into which Mr. Thackeray has been betrayed in his sketch of Sterne's life are noticed: among these blunders we find, curiously enough, one for which Mr. Froude has been lately taken to task, the confusion of *prebendary* with *prebend*.

The great master of humour, who censured so severely his greater predecessor, has himself become the subject of biographical appreciation. The "Life" of William Makepeace Thackeray has yet to be written; but the brief memoir which Mr. Theodore Taylor so modestly offers as intermediate between the newspaper or review article and the more elaborate biography, will meanwhile be acceptable

to the admiring readers of the creator of Becky Sharp and Colonel Newcome.[10] In this sketchy, anecdotical production, the author traces the career of his hero from his birth at Calcutta in 1811, to his death on Christmas Eve in 1863. It is pleasant to find that one who loved to linger, in his works, "amidst the scenes of a boy's daily life in a public grammar-school," was the descendant of a well-remembered head-master of Harrow, Dr. Thomas Thackeray; and that the historian of "Grey Friars" himself received his education at the original of that famous establishment, the Charterhouse. "The earliest of Thackeray's literary efforts are associated with Cambridge," whither he went to reside about 1828, and where, among his fellow-students at Trinity College, were Mr. John Mitchell Kemble, the great Anglo-Saxon scholar, who is specially known to readers of the "Westminster," and the first of our living poets, Mr. Tennyson. Of Thackeray's life in Germany, in Paris, and in London, we shall attempt no abstract here. Nor will we dilate on the quiet goodness of the man who, while he saw the dark side of human nature with true and penetrating eyes, had always a clear vision for its fair humanities, and an active sympathy with its sorrows. The humour with which Thackeray did his charitable and generous actions, as shown in the practical prescription for a poor woman ill of poverty, and in the gift to Mr. Robert Bell, recorded in M. Louis Blanc's graceful notice, is very characteristic. Sometimes, once at any rate, he accepted as well as conferred a favour. To M. Aretz, a tailor in the Rue Richelieu, who lent the embarrassed novelist a thousand francs, when assured by his debtor that an immediate settlement of the bill would be extremely inconvenient to him, he thus slily and laughingly dedicated his first important publication, "The Paris Sketch-book:"—

> "History or experience, sir, makes us acquainted with so few actions that can be compared to yours; a kindness like yours, from a stranger and a tailor, seems to me so astonishing, that you must pardon me for thus making your virtue public, and acquainting the English nation with your merit and your name. Let me add, sir, that you live on the first floor; that your clothes and fit are excellent, and your charges moderate and just; and, as an humble tribute of my admiration, permit me to lay these volumes at your feet.
>
> "Your obliged, faithful servant,
>
> M. A. TITMARSH."

Louis XV. had been seated more than half a century on the throne of France, when Thackeray's "delicious divine," Laurence Sterne, saw Paris for the second and last time. M. Alphonse Jobez has recently published a volume of a work entitled "La France sous Louis XV."[11] The principle on which he has proposed to himself to write the history of this reign is one which, discarding theory, seeks to restore and reanimate the past, and to let facts speak for them-

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[10] "Thackeray: the Humourist and the Man of Letters. The Story of his Life, including a Selection from his characteristic Speeches, now for the first time gathered together." By Theodore Taylor, Esq., &c. With Photograph from life by Ernest Edwards, B.A., and original illustrations. London: John Camden Hotten. 1864.

[11] "La France sous Louis XV." (1715–1774). Par M. Alphonse Jobez, Ancien Representant. Tome I. Paris: Didier et Cie. 1864.

selves. The first volume contains an introduction, describing the France of Louis Quatorze and the Regency down to the year 1717. As far as we can make out, the author's views are those of the advanced Liberal school.* He denounces the persecuting zealotry of the clergy, and gives a striking picture of the sufferings of the Protestants during the infamous dragonade period, and an equally striking one of the curious combination of "low morals and high church" which distinguished the age. *Tout le monde*, he tells us, wanted to convert these heretics to the Catholic religion. "L'entraînement était général : et soit conviction, soit bassesse, soit ces deux sentiments réunis, ce que se voit souvent, les courtisans les plus vicieux marchaient pleine d'ardeur a cette espèce de croisade." The present volume is divided into three books. The first commences with an account of the early life of Louis XIV., and ends with the accession of William of Orange to the throne of England; the second begins with the arrival of James II. at St. Germain, and ends with the death of the grand monarque; the third begins with the regency of the Duke of Orleans, and ends with the treaty of the Triple Alliance, 4th January, 1717.

France, Switzerland, and Geneva are, if we follow the geographical distribution of M. d'Aubigné, the threefold topic of the third volume of the "Histoire de la Reformation en Europe au temps de Calvin,"[12] the second instalment of a continuous history, of which the "Histoire de la Reformation au Séizième Siècle" was the first. In this second portion the attention is concentrated, we are told, on a great man and a little city. We are still, however, tracing the preliminaries of Calvin's career, and have scarcely more than glanced at Geneva in its relation to him, when we close the volume before us. We see him flying from Paris to Angoulême, after Cop's exposition of evangelical doctrine. We follow him to Nerac, to Poitiers, to Strasbourg, to Bâle; we find him teaching Greek, revising d'Etaple's translation of the New Testament, writing the Institutes, and setting out to spread the new creed in Italy in 1535. D'Aubigné's admiration for Calvin is, he says, not a blind admiration. Thus he acknowledges that the Reformer shared the error of the men of his time in fancying that the irreverence of which God is the object ought to be punished by the civil power, equally with the injury of which man is the object. Of course D'Aubigné is not, and cannot be, a satisfactory interpreter of the religious revolution of the sixteenth century. Adequately to interpret it, requires a philosophical impartiality which Protestant and Catholic alike are little able to command. His narrative, however, is instructive, animated, and circumstantial. He shows you something of the colour and movement of the age of Calvin. The insurrectionary hostility of the Catholic women, for instance, is well pourtrayed; so also the "enfants terribles" of the Reformation are duly depicted. The volume concludes with the assault on Jean Ami

[12] "Histoire de la Reformation en Europe au temps de Calvin." Par J. H. Merle D'Aubigné. Tome III. France, Suisse, Genève. Paris: Michel Lévy Frères.

Curtet, who fell sorely wounded in his cornfield while prophesying a fine harvest, and glad anticipations of Calvin's advent to Geneva.

Leaving Geneva, as we have read, with Calvin's blessing, Knox, the hero of the Scottish Reformation, returned to the land of the mountain and the flood on the 2nd of May, 1559. Six years after, Mary Stuart became the wife of Lord Darnley, and within two years of her marriage his widow. The ill-fated queen has always had her defenders and her accusers. Among the former we may now include M. L. Wiesener, who, in his efforts to exculpate his interesting client, brings a bill of indictment against Murray and the Protestant nobility of Scotland, against Elizabeth and Cecil, and against Buchanan as the author of the libels which were intended to destroy the character of the beautiful queen.[13] He asserts that Murray, previously to the royal marriage, was one of a band that formed an ambush to kill Darnley and imprison Mary in the castle of Lochleven; on the other hand, he treats the alleged conspiracy to murder Murray as a pretext. He declares that the famous casket letters are forgeries, and that Buchanan participated in their compilation. The opinion of Mignet and Teulet, who have avowed their belief in the authenticity of the letters, has no weight with him; but as M. Wiesener offers us reasons for his rejection, he is entitled to a hearing, and candour and courtesy demand that he should be heard with patient attention, all the more because he has here arrayed against him the authority not only of Mignet and Teulet, but of Hume, Hallam, Robertson, Turner, Froude, and others. In seeking to establish Mary's innocence, M. Wiesener lays some stress on Lennox's exculpatory letter, which Teulet finds wanting in explicitness and precision, and the evidential value of which would appear to be neutralized by the accusatory assertion of the countess in another letter, communicated by Mr. Froude to the *Times* during the present year. The minute and careful examination of M. Wiesener's volume, which bears marks of a studious and ample research, must be left to those who have time and space at command, and who can procure access to the appropriate documentary evidence. We ought, perhaps, to inform the reader that he will not find a complete biography of the Queen of Scots in M. Wiesener's elaborate inquiry. Her sorrowful story is told conjointly with that of Bothwell, and is here brought down only to her abdication and his captivity in Denmark.

In those days of fierce reform, Mary's was the losing cause. Has the system with which she was identified a better chance of winning now? Will Catholicism, especially will *Papal* Catholicism, triumph? The Comte de Falloux, in the preface which introduces the correspondence of Père Lacordaire and Madame Swetchine,[14] laments over the irreligious suppression of Catholic liberty, deplores the menacing "chimera of Italian unity," the favourite instrument of

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[13] "Marie Stuart et le Comte de Bothwell." Par C. Wiesener, Professeur d'Histoire au Lycée Louis-le-Grand. London: L. Hachette and Co. 1864.

[14] "Correspondance du R. P. Lacordaire et de Madame Swetchine." Publiée par le Cte de Falloux, de l'Académie Française. Paris: Didier et Cie.

the anti-Christian coalition," and shares, we presume, the opinions and hopes of the eloquent Abbé as regards the "*avenir prochain.*" In skimming through this volume of letters, we find here and there a page of some interest to our sceptical and Protestant understanding. The views of a noble-hearted man like Lacordaire are always worth noting,—his approval, for instance, though by no means unqualified, of the Revolution of 1789, and of the principle of association; his condemnation of the kings of the last three centuries—men so miraculously blind that he all but despairs of the conversion of royal personages, and has no faith in a monarchical future, not at least for France. Again, in September, 1848, we find him writing: "Notre société est composée de trois ruines, d'une résurrection, et d'une chimère. Les trois ruines sont l'Empire, la Restauration, et la Révolution de 1830; la résurrection est la République conventionelle; la chimère est le Socialisme." In December of the same year we see him looking forward to another resurrection: "Nous aurons une résurrection dont tous les éléments échappent aux regards. A cette heure, le Pape futur est nommé d'un nom que le Ciel seul a prononcé; les fautes et les crimes du monde peuples et rois, sont le trône que Dieu lui a preparé!" In another letter, written some years before, he places England among the three great Catholic powers, France and Spain making up the triad: "parce qu'il est clair qu'avant cinquante ou soixante ans, elle sera nôtre (!) In March, 1852, writing from the "beautiful, grave, noble, and lovely city of Oxford," Lacordaire gives us his impressions of the University, and touches on the prospects of the Catholic faith in England, noticing Birmingham and its bishop, its cathedral, its oratory under the direction of R. P. Newmann (*sic*), its convent and its college. In England he found abundance of liberty and misery, religion and rags, beauty and ugliness. The last letter in the book is dated Sorèze, 24th August, 1857; it is also the last which he wrote to his devout friend, Madame Swetchine. About a fortnight after this she ceased to live; Lacordaire followed her four years later, dying in his fifty-ninth year at Sorèze, the 21st November, 1861. The life and works, the letters and journal of Madame Swetchine have been already published by the editor of the present volume.

Two of the most powerful intellects of Italy, Dante and Macchiavelli, were anything but favourable to unlimited papal supremacy: the former deplores the ill results of the pretended donation of Constantine; the latter saw in the papacy the greatest obstacle to the unity and independence of Italy. The political system of these great thinkers is reviewed and explained in M. Franck's instructive and interesting work on the Reformers and Publicists of Europe.[15] The essay on Macchiavelli—whose honesty and practical wisdom, by the way, are asserted by Mr. George Long in a volume already noticed in this section—is at once an exposition of his views and a vindication of his character

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[15] "Réformateurs et Publicistes de l'Europe. Moyen Age—Renaissance." Par A. D. Franck, Membre de l'Institut, Professeur de Droit Naturel au Collège de France. Paris: Michel Lévy Frères. 1864.

—not, however, an unqualified vindication, for the author still pronounces his theory of politics immoral, and holds him responsible to posterity for all the evil done, and all the errors taught on the authority of his name. Following the disquisition on the formation of society and the legislation of the Middle Age, we have estimates of the doctrine of nine other illustrious men—St. Thomas Aquinas, Ægidius Romanus, Marsilius Patavinus, William Ockham, Pierre de Cugnières, Raoul de Presle, Savonarola, Sir Thomas More, and Jean Bodin. Of Bodin we are told by M. Franck that, "notwithstanding his faults, he is the true founder of civil right and modern politics: of that right which proceeds by reform and not by revolution, and which is equally remote from the odious régime of castes and the chimæra of absolute equality." M. Franck's conception of liberty as the principle and essence of right, to be defended against all aggressions, within and without, and his expression of the conviction that in the struggle which has been so long in progress we see the national element disengaging itself from the theocratic, and preparing us for the realization of freedom as understood in our own time, serve to show the spirit in which his inquiry has been conducted.

"The Memorials of Richard I.,"[16] edited by Rev. William Stubbs, show us something of the life of that lion-hearted king and true representative of the mediæval hero and adventurer. The first and only volume which has yet appeared contains the "Itinerarium Regis Ricardi,"—ascribed in the Cambridge MS. to Geoffrey Vinsauf, but which the editor appears inclined to attribute rather to Richard, the Canon of the Holy Trinity in Aldgate—a glossary, collation of pages, and an index. To Mr. Stubbs' own ample introductory notice two appendices are attached, one being a narrative of the siege and capture of Lisbon by the Crusaders of 1147, written in Latin by an eyewitness, and the other a melancholy statement of the conquest and calamities of Cyprus, in consequence of the favourable reception accorded by the people to the "wretched Englishman," our famous Cœur de Lion! who, when he landed on the island, was regarded as a deliverer by the disloyal Cypriotes, who deserted their emperor and all in haste went over to *him*.

The new volume of the "Calendar of State Papers of the Reign of Charles I." edited by Mr. John Bruce, includes the documents relating to less than one year, from May, 1864, to March, 1865.[17] In his interesting preface the editor points out the various notices of men more or less celebrated, scattered through the pages of this new instalment of his documentary history—Portland, Noy, Heath, Coke, Laud,

[16] "Chronicles and Memorials of the Reign of Richard I" Vol. I. Itinerarium peregrinorum et gesta Regis Ricardi: auctore, ut videtur, Ricardo, canonico Sanctæ Trinitatis Londoniensis. Edited from a MS. in the Library of Corpus Christi College, Cambridge, by William Stubbs, M.A., Vicar of Navestock, &c. &c. Published by the authority of the Lords Commissioners of Her Majesty's Treasury, &c. London: Longman, Green, Longman, Roberts, and Green. 1864.

[17] "Calendar of State Papers (Domestic Series) of the Reign of Charles I., 1634, 1635." Preserved in Her Majesty's Public Record Office. Edited by John Bruce, Esq., F.S.A., under the direction of the Master of the Rolls, &c. London: Longman, Green, Longman, Roberts, and Green. 1864.

Wentworth, Hampden, and others; he draws attention to the first ship-money writs which are comprised in it, observing that their history, "with that of their reception by the people, and their results in the preparation of a fleet, may be said to be written in this volume,"—probably one of the most important of the entire series.

The history of the last year which we have lived to see is recorded in the "Annual Register."[18] With the commencement of a new series, a fitting opportunity is afforded to all who wish to have at hand a perennial review of public events for beginning to gratify that wish by securing the first number of the improved publication. In its new form, in which the double-columned arrangement has been abandoned, the "Annual Register" contains not a mere abridgment of the Parliamentary Debates, but a continuous narrative of the History of England and Foreign Countries, a Chronicle of Remarkable Occurrences, Important Law Cases and Trials, Obituary Notices, a Collection of State Papers, Finance Accounts, and an Index. "The volume also contains a New Section, in which is given a *résumé* of the Progress of Literature, Science, and Art." The science division gives due prominence to the inquiry recently undertaken in the hope of ascertaining something of the nature of the atmosphere of the brighter fixed stars, and suggested by the researches of Kirchhoff and Bunsen,—to the new method of healing epilepsy and some other kindred diseases, proposed by Dr. John Chapman,—to the discovery of new metals, new asteroids, a new variable star, and to the correction made to the sun's parallax. This correction, by the way, had been long waited for, and all misgiving as to the scientific certainty which may be felt or affected by a certain order of minds, by this seeming admission of error, ought at once to be dispelled, not only by the general reflection that science makes no pretension to absolute, but merely proximate accuracy, but by the special circumstance that science itself anticipated the correction, and by the further "consideration that, after all, this improvement of our knowledge amounts to no more than a correction to an observed angle represented by the apparent breadth of a human hair viewed at the distance of about 125 feet." So accessible a work as Hind's descriptive treatise on the Solar System, published in 1851, will show the general reader that Professor Encke's estimate of the value of the equatorial horizontal parallax, 8″·5776, was accepted by astronomers as simply provisional.

Between astronomical data and the subject of August Mommsen's learned work on the Athenian Festivals,[19] a connection may be found in the fact that their time of celebration was determined from a remote antiquity, by the lunar appearances, that of the full moon for instance. We must content ourselves, however, on the present occasion, with

[18] "The Annual Register: a Review of Public Events at Home and Abroad. For the Year 1863." New Series. London: Rivingtons, Waterloo-place; Longman, Green, Longman, Roberts, and Green. 1864.

[19] "Heortologie." Antiquarische untersuchungen über die städtischen Feste der Athener." Von August Mommsen, Gekrönte Preisschrift der Königlichen Gesellschaft der Wissenschaften in Göttingen. Leipzig: Druck und Verlag von B. G. Teubner. 1864.

recommending to the student the curious antiquarian researches recounted in the prize essay, entitled "Heortologie," and giving its more comprehensive designation below.

Almost equally brief must be our notice of Captain Raverty's two erudite quartos. Indeed, we can offer little more than our acknowledgments for his Dictionary[20] and Grammar[21] of the Pushto and Affghan language. This language, according to its lexicographer, is totally different in construction and idiom from any of the Indu-Sanskrit dialects, but has a great affinity with the Semitic and Iranian languages. In turning over the pages of the Dictionary, we were struck with the similarity of the Pushto word *ruh* (spirit) to its Hebrew equivalent. Still more striking is the correspondence between the Pushto *zaman* or *zamānah* (time), and the later Hebrew equivalent used in Ecclesiastes, and particularly the emphatic form of the word in Chaldee, Dan. iii. 7, 8. Of the nature and value of Captain Raverty's labours some idea may be formed from the fact that he has had no predecessors in the construction of an Affghan Grammar and Dictionary, and that the types peculiar to the Pushto alphabet have been cut expressly for the learned and gallant officer's own works. His efforts to facilitate the acquirement of what is to Europeans a new Oriental dialect deserve encouragement; and his remark, that due attention should be paid by the Government officials to the language of the people over whom they are appointed as rulers and administrators seems dictated by good feeling and sound sense.

BELLES LETTRES.

OUR Commemorative Shakespeare Festival was not more successful than such things are in England, but it was marked by an incident worthy of record, if only for its novelty. On the occasion of the tercentenary celebration of our great poet's birthday, a bishop and an archbishop proceeded to Stratford and preached a sermon in his honour. That by Dr. Trench is distinguished by the good taste and poetic feeling which characterize all his compositions; we have not seen Dr. Wordsworth's sermon in print, but we have before us a contribution of his[1] to the literature upon Shakespeare,

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[20] "A Dictionary of the Puk'hto, Pus'hto, or Language of the Affghāns: with Remarks on the Originality of the Language, and its Affinity to the Semitic and other Oriental Tongues," &c. &c. By Captain H. G. Raverty, of Her Majesty's Third Regiment Bombay N.I. London: Longman and Co.; Williams and Norgate. 1860.

[21] "A Grammar of the Puk'hto, Pus'hto, or Language of the Affghāns, in which the Rules are illustrated by Examples, &c.; together with Translations, &c., and Remarks on the Language, Literature, and Descent of the Affghān Tribes. By Captain H. G. Raverty, Her Majesty's Third Regiment Bombay N.I., &c. Second Edition. London: Longman, Green, Longman and Roberts; Williams and Norgate. 1860.

[1] "On Shakespeare's Knowledge and Use of the Bible." By Charles Wordsworth, D.C.L., Bishop of St. Andrew's. London: Smith, Elder, and Co. 1864.

which inclines us to be satisfied with having seen only the discourse the Archbishop of Dublin. The Bishop of St. Andrew's dedicates his book to his children, "in the hope and with the aim that they may grow up readers and lovers of Shakespeare as the Book of Man; but still more readers and lovers of the Bible as the Word of God." With this object, he proceeds to quote certain words and phrases which occur both in the Bible and in Shakespeare, many of which, though in familiar use in the sixteenth century, are now obsolete; such, for instance, as "proper" for good-looking, "prevent" for help, and the elliptical use of the dative case of pronouns, "make *thee* an ark," "seal *me* there your single bond." Dr. Wordsworth candidly remarks that as almost all Shakespeare's plays were written before the version of the Scriptures of 1611, the translators may owe as much to him as he to them. The importance of a few coincidences of expression is not therefore great, and the author passes on to the consideration of Shakespeare's church-membership and his religious principles, and the proof afforded by his plays that these principles were drawn exclusively from the Bible. Accordingly, all such phrases as, "the first-born of Egypt," "*non nobis, Domine*," "blessed are the peacemakers on earth," are capped with their scriptural originals, and pains are taken to show that Shakespeare held correct views on the nature of angels, on the universality of redemption, on man's inherent corruption, on "special grace" (and also on grace before and after meat), and on all the duties of life, moral, political, social, domestic, and religious. When Bowdler undertook to make Shakespeare proper reading for a serious family, he would not allow anything to stand which so much as recalled a scriptural phrase or image: even the innocent words "ears more deaf than adders" were altered to "ears for ever deaf," lest the profane connexion should seem irreverent. It is therefore a sign of increasing liberality of thought when a bishop undertakes to show that an unhallowed play-actor could be a "Bible Christian." But there is a presumption in this timid apologetic tone towards lofty genius, which savours of the arrogant fatuity of the pious lady who wrote a tract to prove that St. Paul's *μὴ γένοιτο*! was not to be considered as profane swearing.

The change in our own estimate and appreciation of Shakespeare is not greater than has taken place in France, since he was described by Voltaire as "a writer of monstrous farces, called by him tragedies." Translations and criticisms testify to the study bestowed by our neighbours, and the commentators on Shakespeare threaten to be as numerous as those on Homer. The new work by M. Victor Hugo[2] comes properly under none of these denominations. He dedicates it to the English nation, and explains that he has been moved to write it partly as an introduction to his son's translation, and partly because his conscience would not allow him to lose the opportunity of saying much which appears to him to be involved in the discussion of a Shakespeare monument.

[2] "William Shakespeare." Paris: Librairie Internationale. London: Williams and Norgate. 1864.

With the thoughts of Shakespeare he associates all questions which touch upon art: "To treat of these questions is to explain the mission of art; to treat of these questions is to explain the duty of human thought towards the human being;" and to treat of these questions, as M. Victor Hugo treats of them, is to give us a thick volume of antithetical assertion, wild rhapsody, and fiery denunciation, enough to scare any of us matter-of-fact islanders from the attempt to get at the scraps of real thought tossed upon this whirlwind of vocative cases. That a poet should be eloquent in treating of the prince of poets is only what we have a right to look for, and there are passages in this amazing book worthy both of the subject and the writer. Shakespeare, like Homer, is, we are told, "*un homme cyclique.* These two geniuses close the two portals of barbarism, the ancient and the gothic. This was their mission, and they accomplished it; this was their task, and they fulfilled it. The third great human crisis is the French Revolution: this is the third vast portal of barbarism—the monarchical—which is closing at the present moment. The nineteenth century hears it creak on its hinges. Then begins the true era of poetry, of the drama, and of art, which is as independent of Shakespeare as of Homer." We are further told that the giant dynasty of mortal race numbers only fourteen names: Homer, the mighty son of the world's youth; Job, the first dramatist; the terrible Æschylus; Isaiah, whose words are a perpetual thunder-roll of righteous accusation; Ezekiel, the biblical demagogue; Lucretius, the sad questioner of dark enigmas; Juvenal, whose pen stung like a poisoned arrow, and Tacitus, whose words branded as with a hot iron; Saint John, the seer of celestial glories; and St. Paul, the herald of a new age; Dante, the creator of terrible phantoms; Rabelais, the writer of Titanic farce; Cervantes, the master of ironry; and Shakespeare, the many-sided, as sublime as Æschylus, as terrible as Dante, as farcical as Rabelais, embracing the depth and height, the length and breadth of nature andof men—the greatest representative soul of all humanity. In some such mode, carried through many pages of far-fetched epithets, startling paradox, and untranslateable illustration, we are shown Shakespeare's "place in nature." The highest faculty, like the richest soil, will always teem with things monstrous as well as things fair, the develish and also the godlike; hence every one in this cluster of great ones is *outré.* It is only in genius of the second class that we find order and regularity, nothing exaggerated, nothing *bizarre;* and as examples of this second-rate greatness, our author gives one of those lists of names, culled at random, in which he so much delights, namely: Hesiod, Æsop, Sophocles, Euripides, Plato, Thucydides, Anacreon, Theocritus, Livy, Sallust, Cicero, Terence, Virgil, Horace, Petrarch, Tasso, Ariosto, La Fontaine, Beaumarchais, Voltaire. One whole book is devoted to Æschylus, "the Shakespeare of antiquity," and if the attempted parallel fails to establish any very marked resemblance between Prometheus and Hamlet, it gives an opportunity for a display of classical acquirement, and random gleams of sparkling brilliancy which dazzle, even while they irritate the reader. A few pages are given to Shakespeare's life, and a little is said of his plays. Hamlet's assumed madness is explained as a measure of wise precaution. "In

the middle ages and the lower empire, and even in still older times, woe to him who discovered a murder, or an act of poisoning committed by a king. Ovid, as Voltaire conjectures, was exiled from Rome for having witnessed something scandalous in the house of Augustus. To know the king to be in a passion was a state crime. To have good eyes was to be a bad statesman. A man suspected of being suspicious was lost. There was but one refuge—madness—to pass for an innocent; such an one was despised, and that sufficed . . . . In King Lear the same thing recurs. The son of the Earl of Glo'ster also takes refuge in feigned insanity; here is the key to the thoughts of Shakespeare." There is a fanciful version of the character of Othello, who is called the type of night, and consequently the pillow representing sleep, was the fitting instrument of his vengeance. As a study upon Shakespeare this book is disappointing, even when all allowance is made for the eccentricities and floods of words which disfigure the greatest of M. Victor Hugo's writings. It is needless to say that there are passages of eloquent writing, and flashes of lofty sentiment, but the name of Shakespeare serves as a text to a discourse on all those weighty social and political problems which the future is to solve, and a considerable portion of the volume is filled with declamation upon the wrongs of the many and fervent appeals to the few to come to the rescue, with epigrammatic ridicule of the style of history which chronicles the life of palaces, and hopeful aspirations for the coming kingdom of peace.

An octavo volume of Letters,[3] by a writer whose name is unknown in the literary world, provokes the inquiry, "Who was Caroline Frances Cornwallis, and why should her Letters be published?" If the overtaxed general reader have time to peruse the small type of the title-page, he will find that the lady in question was the author of "Small Books on Great Subjects," &c., and at the end of the volume is a list of these books, with the opinions of the press pronounced when they came out. If his patience be not yet exhausted, and his curiosity still unsatisfied, he may further learn from a short preface why a female author, whose writings were successful in departments of literature seldom intruded on by women, should have published nothing with her name; why, now that in compliance with her own wishes the secret of her authorship is divulged, we are allowed to know so little of one whose singular ambition and rare powers gave promise of more important and interesting materials for biography than have been possessed by many literary characters whose memoirs have been given to the world. Few, we think, will read this preface without a feeling of disappointment and a wish that the editor had been at liberty to tell more. We learn, indirectly, that Miss Cornwallis was the younger of the two daughters of the rector of Wittersham, in Kent, and the last descendant of a younger branch of the Cornwallis family; that her sister married a son of Mrs. Trimmer, the authoress, and died young; that her mother was a woman of unusual acquirements for her day—a Hebrew scholar, and the author of a Commentary on the Bible; that she her-

[3] Selections from the Letters of Caroline Frances Cornwallis, author of "Pericles: a Tale of Athens." "Small Books on Great Subjects," &c. Trübner and Co. 1864.

self gave early promise of extraordinary powers and imagination; and that so great was her thirst for knowledge, that in a retired country village, with no masters, few books, and very suffering health, she had cultivated many languages, a wide acquaintance with general literature, and habits of application which fitted her in riper years "to produce treatises which won applause from competent judges in theology and in history, in science and in philosophy, in education and in law." Here is, in truth, sufficient to secure her a high place beside the remarkable women who have earned distinction in spite of the impediments of old-world prejudice, and whose noble devotion in days when female education was almost unthought of, is in danger of being forgotten by a later generation, who find the path made smooth and easy, thanks to those who braved its first ruggedness, and who look upon the attainments of an Elizabeth Smith as nothing extraordinary. In spite of the careful exclusion from these letters of much personal detail, enough remains to show that the record of Miss Cornwallis's life would have been as interesting as that of Charlotte Brontë, and that, like that sister in trial and suffering, she turned to books as a refuge from pain and heart-ache. We are given a glimpse of her at seven years old, in a sketch of her character by her mother, and a few specimens of the compositions which were the amusement of her childhood will remind many of the pieces given in Mrs. Gaskell's biography. Imagination must fill the interval of her girlhood, for the letters begin when she was four-and-twenty, and the only event we hear of during those seventeen years is an offer of marriage from Sismondi, conveyed in a very touching letter to her mother, and which is given in a note by the editor to a letter of Miss Cornwallis upon the news of his death, in 1842, when, alluding to the fact of her having declined his proffered hand, she remarks—"He was a friend more than for as long as I can remember, for I do not remember the first seeing him. He had the greatness of mind to get over what few men do, and continued the same warm friend as ever; and never to his latest hour ceased to show me every kindness in his power. Such a friend is not easily replaced, and can never be forgotten. He is one more added to the list of those whose number make me feel more a denizen of the next world than of this. My only comfort is the trying to make myself worthy of them." The few letters of Sismondi given in the Appendix abundantly prove the depth and sincerity of his friendship, as well as the high estimation in which he held his English friend. It is impossible in our narrow limits to give any idea of the letters, which extend over a period of forty-six years. They are upon a great variety of subjects, full of clever, sensible, often witty remarks, admirably written as to style, rich in original thought and amusing description. As letters, perhaps the most entertaining are those from Italy, where Miss Cornwallis spent some time in a Tuscan villa lent her by Sismondi, living on a footing of intimacy with all classes of the rural neighbourhood of Pescia (long before railroads had invaded those lovely valleys), and thus becoming acquainted with a phase of society and manners little known even now to English travellers. Here is a sketch of provincial life in Tuscany, in the year 1827:—

"Take as a sample of Tuscan *repartée* the reply of my old woman, when I asked her the other day what the lizards ate? 'chi sa?' I said I had stood looking at them for an hour the day before to find out if I could. She shouted with laughter, 'Ah, star a vedere mangiare le lucertole! ma non fu l'ora del pranzo forse: bisogna darle un invito ed allora si sappra.' I asked her if the family of a poor woman who is ill were not very poor. She was quite astonished at my question: 'Eh! poveri! no! Stanno benino, hanno dei figluoli.' This very primitive idea of riches pleased me much. . . . The contadini have kicked off shoes and stockings, and I delight to watch their light free movements. Little J. (the English maid) is much scandalized at her mistress, wonders how she can stand and look at these bare-footed men at work, and thinks she maintains the honour of English women by turning away her eyes from the indecency of five toes. . . . Unlike the cittadini, who saunter from morning till night with a large cloak hung about them, this hardy peasantry may be recognised by their free light step and yet lighter clothing, the smile that is always ready, and the good-humoured greeting as they pass, which they would always like to have returned by a few friendly words. I am Italianized enough to do this now, and nothing can be more cordial than my reception by all the contadini round if I visit them, which I do sometimes. Every twelve or fourteen acres maintains a family, so that I have plenty of neighbours of this class. The mixture in their manners of democratic freedom, and a homage to which they give at least a show of affection, of gaiety, of gallantry, and amongst the younger part, of *belles lettres*, is a compound so singular that I have not yet studied it half enough. 'Viene il sole quando viene lei' said A——, the other day, as a gleam of sun came across at the moment when I happened to be passing where he was at work; the next moment he asked me gravely how long it was since Alfieri wrote his tragedies, because he had a wager depending with un giovinotto, amico mio. He himself wagered that it was not forty years—his friend that it was more. This led to talk further of his friends, and he repeated a pretty sonnet written on the recovery from illness of a 'ragazza di Pescia,' by another friend, 'un giovinotto del calzolajo che fa scarpe della Signora.' Of this I am to have a copy. In short, the education, or rather information, of Tuscany is to be found in the class of artizans and contadini. . . . I know not if I have observed in my former letters on the singular state of society here, where servants and masters appear in a state nearly of equality, yet in which the former never for an instant presume on that familiarity to utter an impertinence. I have seen a dirty maid-servant, who was putting wood on the fire, if she was called elsewhere, tap her young master on the shoulder, put the wood-basket in his hands, and leave him to finish her work. When the Count and Countess Agostini visited their country house, we saw them with servants and contadini, all sitting on the same bench, laughing and talking together as freely as if they were old friends—such in fact they were. . . . The tradesmen here put me in mind of the people of Laputa, where the tailor made a geometrical calculation for the groundwork of the coat, and made it badly after all. The glazier the other day talked to me about Raffaelle and fresco painting, and Æneas's descent to Avernus, but did his work so badly that the worst English journeyman probably never even conceived that it was possible to put such work in a casement. . . . Have I told you that the old custom of keeping a fool or buffoon for the amusement of idle hours still exists, or rather lingers here? Not regularly dressed in a motley coat, but with all the established privileges of saying and doing what nobody else may. . . The moment there is no longer the necessity of actually tilling the ground, there is no other employment, and the gentry pass from youth to age in a sort of dreamy composure, seeming to have neither hope nor wish beyond the almost simple animal life they are leading, without studies, without pursuits of any sort, for

they have not those resorted to by idleness in England—hunting and shooting. The café, the conversazione, and the theatre fill up their time; there they retail or invent the lie of the day, which is generally as frivolous as the people who occupy themselves with it, and rise the next morning to do the same. The man who looks most like a gentleman here, and who really is of noble birth and elegant manners, spends his day at the Dogana on the frontier, solely to look at the travellers who pass, and see their trunks examined, and this serves him for talk in the evening at the conversazione."—p. 86.

In the letters of a later period we trace the growth of liberal opinion in one who had been cradled in strict orthodoxy and Toryism, and in whom the reception of broader views kindled at once the desire to teach, and finally produced the well-known series of "Small Books on Great Subjects." But these by no means exhausted her indefatigable energy. In every educational scheme and every measure of social or political reform she took the liveliest interest, and aided whenever it was possible by her pen. In the list of her works we find a Prize Essay on "Juvenile Delinquency;" and she contributed an article on "Young Criminals" to this Review (No. VII., July, 1853), which is, we observe, omitted in the above-mentioned list. This volume contains a few specimens of her poetry, among which the translations from the German are of considerable merit. When we add, that all this mental activity went on during years of constant ill-health, and frequently of months of the severest pain, we have, we think, said enough to prove that, as well as for their own intrinsic merits as for the light they throw upon the mental history of a very accomplished and gifted woman, these "Letters" well deserve to be published.

A volume, entitled "Western Woods and Waters,"[4] is the fruit of many visits to the Laurentian lakes, and describes, in a poem of fifteen cantos, a three weeks' excursion "through that magnificent region which presents the grandest combination of inland woods and waters that earth can show." The main narrative is in the metre of the "Song of Hiawatha," or, more strictly, in that of "Kalevala," the national epic of the Finnlanders (which Professor Max Müller ranks beside the "Iliad"), which Mr. Longfellow adopted in his "beautiful rehabilitation of a group of the Red Man's Legends." Lest the want of cadence should weary by its monotony, Mr. Abrahall has introduced other measures, and some characteristic legends are interwoven with the descriptions of scenery and incidents of travel. The awkward, unrythmical measure which may delight the ears of a Finnlander is easy to imitate, but is wholly unsuited for English poetry, and the frequent admixture of others only suggests comparison, and destroys whatever of harmony there may be in the chant-like recitative of the Indian verse. Mr. Abrahall is what old writers call a "painful" scholar. Every stanza is headed by a quotation; every page requires a voluminous commentary; nearly every line has a reference to some explanatory note (the explanatory notes occupy a full half of the book);

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[4] "Western Woods and Waters: Poems and Illustrative Notes." By John Hoskyns Abrahall, Jun., M.A. Longman. 1864.

and there is a whole system of signs and abbreviations to be mastered before the notes can be understood—*e.g.*:

"A right royal dish
Is the dainty white fish;[77]
This nice little creature
The pride of the mere,
Bonne bouche of good cheer,
Red Man calls water-deer.
The word's ahdig-kummig:[a]
'Tis rather a 'rum' big,
Crack-jaw title; nor clear
Is its ring, but full queer
To Yaganash [b] ear."

The figures 77 indicate a reference to the Appendix-notes, which look almost as bewildering as a page of a modern book of chemistry; the letters are to the following scientifically abbreviated foot-notes:—

"[a] *Ahdik* is =reindeer, and kummig is=waters, (see a.n. 33), g being the plural suffix (Sch. II. L. p. 265). K. (p. 329) writes the word *atikameg*, and Sch. (*ib.*) inconsistently addikkum-maig. L. writes *ahdeck*. [b] 'Yaganash' (=English) is, thinks K. (p. 371), an Ojibwa corruption of the French *Anglais*. So is also Yankee, I apprehend; though it has been said ('Godley's Letters from America') that the term 'Yankees' is to be traced back, through an imaginary form, Yengees, to the word English. The Red Man calls the 'Yankee,' Keetchi Mokoman=Big Knife. See K. p. 367."

Even this short specimen shows the industry of the author. His pages are overloaded with statistical and other information, and many of the Red Indian legends he records are curious and well worth perusing; but it is unfortunate that so close and by no means unpoetical an observer should have been tempted to chronicle his impressions in this shape. He has allowed his subject to get such complete possession of him that he has quite lost sight of the relation between useful knowledge and poetry, and has forgotten that a minute acquaintance with local statistics ought not to be needed for the comprehension and enjoyment of a work professedly poetical.

A curious little volume, by Dr. Bleek, of Capetown,[5] consists of forty-two Hottentot Fables and Legends, thirty-five of which are translations from manuscripts in the Hottentot and German languages, belonging to Sir George Grey. These manuscripts are the work of German missionaries, who took down from the mouth of natives the traditionary tales which now for the first time appear as literature. Too little is at present known to enable the inquirer to decide how far these fables are indigenous, and how far they are the result of intercourse with white men; in some of them the foreign influence is clearly apparent; in others we seem to detect the first effort of reasoning and observation, so purely absurd and foolish are they. But there is one singular fable, of which there are several versions, which seems to point to a higher spiritual sentiment than is to be traced in most of the others. It is called "The Origin of Death," and is as follows:—

"The Moon, it is said, sent once an Insect to Men, saying, 'Go thou to

[5] "Reynard the Fox in South Africa; or, Hottentot Fables and Tales." By W. H. I. Bleek, Ph. D. Trübner. 1864.

Men, and tell them, as I die, and dying live, so ye shall also die, and dying live.' The Insect started with the message, but whilst on his way was overtaken by the Hare, who asked: 'On what errand art thou bound? The Insect answered: 'I am sent by the Moon to Men, to tell them that as she dies, and dying lives, they also shall die, and dying live.' The Hare said, 'As thou art an awkward runner, let me go' (to take the message). With these words he ran off; and when he reached Men, he said, 'I am sent by the Moon to tell you, as I die, and dying perish, in the same manner ye shall also die and come wholly to an end.' Then the Hare returned to the Moon, and told her what he had said to Men. The Moon reproached him angrily, saying, 'Darest thou tell the people a thing which I have not said? With these words she took up a piece of wood and struck him on the nose. Since that day the Hare's nose is slit."

In accordance with which story, the old men of Namaquas will not touch hare's flesh to this day. Transformations and disputes between birds and beasts are the subjects of most of the fables, and there are a few specimens of very rude verse. Thus far no trace of the same kind of invention has been found among the Kafir tribes, who have nevertheless a prolific native literature. Dr. Bleek accounts for this by the difference of language, and claims for the Hottentot dialect a place among those for which Sir George Grey suggests the name of "Sex-denoting," and traces resemblances between them and the Coptic and Berber languages which point to a North African origin.

"Host and Guest"[6] is the title of a book which treats of wines and dinners in a tone of earnest seriousness, expatiates upon choice vintages as matters of the greatest moment, and offers advice—sometimes very much to the purpose—about the mysteries of the table, as if the happiness of life were at stake when side-dishes are in question. In the opening chapters on ancient, mediæval, and modern cookery, there is a great deal that is entertaining of its kind. Spain, it appears, had the honour of precedence in the publication of a cookery-book, about 1623; France followed in 1692, but England had been in advance of her, and had, as early as 1660, put forth a volume entitled the "Treasure of Hidden Scents, or Good Huswife's Closet," which was little more than a book of receipts for perfumes and essences, but was succeeded in 1662 by the "Queen's Closet Opened," which is still to be met with, and gives a marvellous picture of the gastronomical tastes of our ancestors. The following extract from Mrs. Woolley tells of the amount of civilization to which our ladies had attained a hundred and seventy-one years ago:—

"Some choice observations for a gentlewoman's behaviour at table. 'Gentlewoman, the first thing you are to observe is to keep your body straight in the chair, and do not lean your elbows on the table. Discover not by any ravenous gesture your ravenous appetite, nor fix your eyes too greedily on the meat before you as if you would devour more that way than your throat can swallow. In carving at your own table, distribute the best pieces first, and it will appear very comely and decent to use a fork, if so, touch no piece of meat without it."

Mr. Kirwan has some sensible remarks upon the prevalent rivalry

[6] "Host and Guest: a Book about Dinners, Wines, and Desserts." By A. V. Kirwan, of the Middle Temple, Esq. Bell and Daldy. 1864.

in ostentatious display which makes a quiet gentleman with three servants ape the same style of entertainment as that of a wealthy nobleman with sixteen, and his appendix contains some samples of monster bills of fare which will some day belong to history.

"The Small House at Allington"[7] appears in two handsome volumes, beautified with their eighteen illustrations, in which good drawing and scrupulous attention to the minutiæ of existing fashions in dress and furniture, are combined with that elongated statuesque sadness of expression by which Mr. Millais seeks to lend grace and dignity to hoops and shooting-jackets. In its republished form, the book is as large as "Orley Farm," and the story is told with the same elaborate minuteness. But the resemblance is far from complete, and in spite of his great powers as a storyteller, and his almost unrivalled skill in making whatever he writes entertaining, Mr. Trollope has not in this work kept up to the standard by which he has taught his readers to measure his books. Taking chapter by chapter for what it is—a chronicle of the sayings and doings of a group of very ordinary people—there is much to approve and little to complain of; the people talk their common talk with laughable verisimilitude; the events all fit in well; genial humour and kindly satire are blended with wholesome reprobation of evil-doing and the pathos of true sentiment; there is the same finish in the execution and the same fluency of style. And yet the story flags with all these merits, and the wholly unattractive character of the two men who figure as heroes renders the history of their career decidedly tedious when continued through thirty chapters. Mrs. Dale is another of those gentle, plaintively self-sacrificing mothers whom Mr. Trollope has drawn so often and so well. Of her two daughters, Bell, the elder, is constrained and common-place enough. She refuses her rich cousin, to whom she is indifferent, and accepts Dr. Crofts, the poor country doctor, whom it is implied she loves in a straightforward, severely rational manner, which somehow fails to excite admiration for the unworldy choice; but her sister Lily, the true heroine, is drawn with far more care, and the author has surpassed himself in telling the story of her disappointed love. Mr. Trollope has a special gift for pourtraying the modern English young lady that-ought-to-be, and seems to take great delight himself in the freshness, playfulness, and happy healthy-mindedness of his heroines. Lily Dale is superior to Rachel Ray, and is indued with a depth and impetuosity of feeling, united to a nature of higher force and finer temper, which invests the history of her little love-tale with something of the dignity of tragedy. Her faithless lover is well drawn, and disagreeably real in his sordid ambition and infirmity of will; the true lover, John Eames, is an average specimen of a Government clerk, the history of whose career no one, who did not look at mankind with the impartiality of a photographer, would have taken the trouble to write, nor when friends and relations conspire to make matrimony easy to him was it possible for the "wounded fawn" to accept him. It remains

[7] "The Small House at Allington." By Anthony Trollope. Smith, Elder, and Co. 1864.

to be seen whether Mr. Trollope will leave the young lady to the life of single-blessedness to which she herself inclines, or whether the story which ends so unsatisfactorily is meant to be continued. Without Lily Dale and her uncle the squire, this book might be fairly described as a repetition of the "Three Clerks" and "Framley Parsonage," with variations, but these two characters are both new, and both excellent enough to leaven a good deal of the heavy dough of vulgarity which surrounds them.

Mr. Anthony Trollope constructs an excellent story out of very humdrum materials; his brother, on the contrary, with an abundant wealth of matter, produces an interesting book, but a very inferior novel. "Beppo"[8] is a story of contadino life in those obscure but lovely valleys of Romagna which nestle between the Apennines and the Adriatic, to whose history, past and present, some of the pleasantest pages of the author's "Lenten Tour" journal were devoted. He introduces us to the family of a well-to-do peasant farmer, Paolo Vanni, who contrives to scrape together enough scudi to gratify a thrift tending to avarice, and cultivates the rich land which surrounds the straggling homestead of many generations of Vannis, with no other aid than that of his two sons. The even tenor of their obscure lives is rudely interrupted by the conscription, which claims Beppo, the eldest son—a grand specimen of the unsophisticated Romagnole peasant; and the natural rebellion of such a one against enforced military service being fostered by the family confessor, Don Evandro, the young man, like many others, takes to flight, and hides himself in the mountains, to escape from a fate which he has been carefully taught by his spiritual guide to consider as the worst that could befall a loyal son of Holy Church. The young man is eventually brought to see the profession of arms in a different light, and the complicated series of misunderstandings which has separated him from Giulia, his beloved, is broken through and set right by means which furnish some good and stirring passages. Some of the subordinate characters are cleverly sketched, especially that of la Clementina Dossi, the retired actress, who has "regularized" her position in life, and grown enormously fat, keeping hung up in her drawing-room the girdle which she wore in her "unregularized" days, and beside it, for purpose of comparison, one suited to her present circumference. The former she would make any slim girl who entered her room, try on, telling her, "That is what I was when I was your age, my dear! but t'other is the girth of me now! The Lord has been graciously pleased to increase me threefold!" The intriguing political priest using his unrighteous influence over the superstitious minds of his simple flock, and the blithe little Piedmontese corporal are both well-drawn characters, but the special charm of the book is the evidence in every page of the author's minute and intimate knowledge of the people and the country of which he writes. For one who will read it for the sake of the story, there will be many who will delight to sun themselves in the scenes of

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[8] Beppo the Conscript." By T. Adolphus Trollope. Chapman and Hall. 1864.

Italian warmth and beauty which recall what their eyes have once feasted upon, and many more whose yearnings after that land of their dreams will grow as they peruse it.

A new novel by the author of the "Ordeal of Richard Feverell"[9] is a thing looked forward to with eager expectation by what at present is a strangely restricted circle of readers. We shall be much surprised if the publication of "Emilia in England" does not greatly extend that circle. It is one of the drawbacks of a decided originality, that the general public are some time before they catch the unaccustomed note. How many years did Mr. Thackeray charm a few appreciative readers before "Vanity Fair" threw a new light upon all that had gone before it? We are not prepared to say that Emilia will prove Mr. Meredith's "Vanity Fair," but we feel the full assurance that the fates have such a turning-point in store for him in his literary career. His originality is not his only disadvantage with the great bulk of those who take up a novel in search of mere amusement, for in his pages they come across a subtlety of expression, and a delicate indication of modes of thought and feeling, which demand an amount of attention not willingly given, except to those authors who have so fully gained the public ear that inattention becomes a reproach to their readers. There is still another of Mr. Meredith's merits which, from the same causes, for a time limits the number of his admirers; we mean the essentially dramatic character of his talent, and the artistic manner in which he makes his very numerous actors grow under the reader's eye, and develope in the course of the narrative, the personal peculiarities they are intended to display. In his pages you find no ready-made type whose conduct can beforehand be predicated, whatever the circumstances in which it is placed. Like human beings, they must be considered in their past history and present temptations. This makes anything but easy reading; in return, however, those who care for real art, have living persons before them, and not nicknames, which at once suggest the whole compass of action which can be expected from their possessor. Again, the peculiar tone in which Mr. Meredith criticizes the features of modern society, is at first calculated to ingratiate him with no conceivable section of that society. He runs a violent tilt against no prevailing vice, by exaggerating its odiousness, and conciliating those who can suppose themselves free from it. The weaknesses of a highly conventional condition of life at which the chief doctrines of the present novel are levelled, are shown to be at the same time compatible with many excellences, and even in the charming ideal of natural feeling which his heroine presents, as their antithesis, the seeds of possible depravation are allowed to show themselves with a truth that requires a wholesome taste for their full appreciation. The hazards of natural passion are not withdrawn from view, that the illusions and deceptions of sentimentalism may

[9] "Emilia in England." By George Meredith, author of the "Shaving of Shagpat," "The Ordeal of Richard Feverell," &c. Chapman and Hall. 1864.

shine with an exclusive light; upright sincerity and open straightforwardness are invested with no immunity from the natural consequences of the conflicts they must endure, but are warmly advocated on their inherent merits. Though full of interest as a story, "Emilia in England" is essentially analytic in its treatment, and will be adequately relished only by those to whose capacity of thought it so strongly appeals.

Evidently the result of long reflection, it requires something of the frame of mind in its readers which has presided at its construction. The central figure of the half-Italian girl whose truth and simplicity are made the touchstone of all she comes in contact with, is one of the most charming in the whole range of modern fiction; the history of her girlish love is told with that mastery of the language of passion in which none approach Mr. Meredith, and told without shrinking on one side, or possibility of offence on the other. It is impossible here to give any sketch of the plot, the characters are too numerous, and none can be omitted in any adequate attempt to convey the total impression of the work, to those who have not read it. Indeed, the wealth of imagination and thought which is lavished upon this large company is something wonderful; each individual is a true person, and their number, though in some sort necessitated by the ground-plan of the action, must have called for an amount of patient elaboration that but few will properly recognise. The three sisters, who at first take up the friendless heroine, are masterpieces of delicate ironical handling, but the irony is of that kindly sort which admits of liking and esteem in spite of its shafts. Their brother—Emilia's half-hearted lover—is a manly fellow when he has any other adversary than his own heart, which, after all, masters him in spite of every effort of his own, though too late for his happiness. But we sin against our limits, and must break off with an earnest recommendation to all those who can appreciate the lay sermon of a novel, which treats the phenomenon of modern society with a conscientious study, to take up "Emilia in England," but to do so in no hurry. It cannot be read off and thrown aside, rather will it repay renewed acquaintance, and charm more on second perusal than on the first.

"Les Jumeaux d'Hellas"[10] is one of those combinations of grossness and folly which are happily still exotics in England. It is difficult to say which is most remarkable in this book, the absurdity of the story, the coarseness of the details, the mischievous folly of the pseudo-philosophy in which licentious vices are painted, the ineffable conceit of the writer, or the melancholy fact that that writer is a woman. Madame Dudevant in her worst days did at least put on male disguise before she proclaimed her unbelief in all that society has held most sacred, but *Clemence Auguste Royer* is above that last weakness of female modesty, and gives her name at full length, telling us in the first lines of her preface, that hers is the book of a

[10] "Les Jumeaux d'Hellas." Par Clemence Auguste Royer. Paris: Librairie Internationale. London: Williams and Norgate. 1864.

female rebel—"une rebelle qui le veut être, qui l'est plus dans sa pensée que dans ses actes, et qui paraîtra moins encore en ces pages, qu'elle ne l'est par conviction et par volonté." The most encouraging words we meet with are her confession that her personages are not portraits, and that the originals would be nearly impossible to find. According to her this is the consequence of their being all "in advance of the age," although, in her opinion, they ought to advance yet more. She does not pretend to paint realities; that has been sufficiently done; she sketches the ideal. "Il est temps de commencer un cycle nouveau, et de faire sortir de ce qui est, ce qui doit être." What the coming Millennium will be like, according to this lady's imagination, we should hesitate to attempt to conceive. Of the story, it is enough to say, that the twin heroes are illegitimate sons of the Archduchess of Austria, Queen of Naples; that her sister, with the full consent of her imperial father, simulates death for forty-eight hours, and is buried in the royal vault to rise in perfect health when her voluntary trance is over, and to marry beneath her rank, or rather join her lover, for the ceremony of marriage is one of the superstitions she has abjured. Complicated and fearful are the difficulties and dangers that the heroes have to encounter, but they are all settled at last by the rising of a huge earthquake wave which swallows up the city of Naples with its dungeons and its wrathful king for ever. Personages of all ranks and professions are brought on the stage,—among them, another Traviata, showing the example of noble sentiment, and bringing back a cardinal to a sense of virtue and generosity; and a Jesuit who sets forth in plain terms a system for the corruption of youth, which leaves the recollections of Eugène Sue and Le Maudit far behind. The cleverest part of the book is the description of the manner in which the arts of this unscrupulous man affect the very different minds of the twin brothers, his wards and pupils. The one becomes a superstitious ascetic, the other a licentious sceptic, each encouraged to follow his natural bent by the wily priest. Tired, however, of a life of profligacy and crime which has satiated but not satisfied him, the bolder of the two brothers determines to shake off his contemptible guardian, to see the world for himself, and form his own opinions on everything in heaven and earth. This latter part of his project he accomplishes mostly in the course of forty-eight hours, wandering, partly on foot and partly in a boat, from Naples to the Pontine Marshes; and his speculations and conclusions, together with much ancient history and topography are given in a hundred and fifty pages supposed to be transcribed from an album which he starts with as his only travelling-apparatus, and fills apparently while he is walking or pulling his boat. It may be asked why such a tissue of absurdity should be noticed at all? Only because some protest seems necessary when such a book, in two ostentatious volumes, is issued from a respectable publisher's, and is sent through a first-class London bookseller to circulate its poison in this country. It calls all the more for such a protest because it does not professedly advocate immorality. On the contrary, it cries out against all the more flagrant vices of society, and maintains its own licentious doctrines in a tone of injured virtue.

It is in order to show the falsehood of existing systems of morals that the most revolting scenes are minutely described; it is in the name of morality that it preaches a crusade against marriage, and will hear of none but voluntary ties to endure just so long as inclination lasts; in consideration of which perfect freedom, all the less recognised and casual connexions may justly be treated as criminal. That every other Socialist doctrine follows in the wake was to be expected. Nor are these mere hints or suggestions thrown out in the course of the story, but they are urged in a grave philosophical form, and embodied in a new constitution for a model republic. The increasing number of translations of French novels, which is one of the dreary symptoms of our literary condition, makes it worth while to set a black mark against a work like this, though perhaps our best security will be found in the difficulty of rendering it into English decent enough for the press.

"Frederick Rivers"[11] is a Protestant Nonconformist version of "Le Maudit," and tells the story of an unfortunate young minister, in whose pastoral instructions his watchful deacons discover "a something" and "a want," and who is driven out of the connexion by the cry of heresy, which robs him of bread and breaks the heart of his young wife. The writer is evidently well acquainted with the secrets of the prison-house, and writes of men, women, and articles of faith in a tone the reverse of feminine. The book has the great merit of freshness and reality; the author *had* something to say, and says it in a straightforward, unpolished, hearty manner, well suited to the subject, and quite refined enough for the people described. If the same phase of life had not been already so powerfully treated in "Salem Chapel," the experiences of the Rev. Frederick Rivers would have been revealed with more telling effect; but if wanting in the dramatic fervour of "The Chronicles of Carlingford," his story is well told, and we have a doubtless faithful picture of the bewilderment and alarm caused by recent religious agitations in the angry but powerless congregations of Dissent. Thus:—

"The Church, and especially those little scraps of Churches that are found among dissenting sects, were in a most bewildering muddle, and seemed to expect nothing less than the demolition of Christendom, as the result of the publication of one or two thin octavo volumes, containing three or four hundred pages a-piece. Anyhow it was not for the Church and congregation over which, hypothetically at least, Dr. Richardson and his sainted predecessors had presided to be either less frightened or less furious than meaner congregations. And yet nothing was being done. The trumpet of the Rev. Frederick Rivers was giving no certain sound: and how could Bung and Lush and the Sunday-school teachers prepare themselves for the battle? Not indeed that the Sunday-school teachers needed much trumpeting; for they had a capital brass band of their own, and were in excellent practice. To do them justice, they were so far from wishing to trouble their minister for his opinions and advice, that they considered his trumpet decidedly out of tune, and that their band was much better without it than with it. They had already settled, not so much by study as by a pious instinct, all those questions which were being

[11] "Frederick Rivers, Independent Parson." By Mrs. Florence Williamson. Williams and Norgate. 1864.

so hotly discussed on every side. Had they read those dangerous volumes—those 'Lectures on Sacrifice,' those 'Essays and Reviews,' those 'Criticisms of the Pentateuch,' which men supposed to prove that the Church of England at any rate was a mischievous nest of Jesuits? Read them indeed! No! You wont catch us reading such books as those as long as we've an open Bible. They unquestionably had an open Bible, and a very much more open mouth; and with that last, at any rate, was it not their plain duty to testify? And yet at St. George's Road, absolutely nothing was being done. The minister had never once availed himself of the numerous opportunities that had presented themselves for warning his hearers against those dreadful heresies, and that fearful contempt of God's Holy Word, which were sapping the foundations of Christianity. Long ago the Rev. John Veneer had delivered a most convincing course of lectures on 'Infidelity in Lawn Sleeves.' He had proved to demonstration that everybody who has the smallest doubt about the authorship of Genesis, denies the divinity of Christ, and even disbelieves in the existence of a God. . . . Nor could anybody accuse the Rev. J. Veneer of having preached this course of lectures without the most careful preparation. For as much as three calendar months he had devoted a whole hour a week to the study of the Hebrew tongue, under the invaluable guidance of a converted Jew. Moreover, had not even the minister of the Primitive Methodists given a course of week-day orations on 'Our precious Bible,' proving to the entire satisfaction of his enlightened audience, everything that they had already made up their minds to believe? And the Rev. Ebenezer Dickson, too, quietest of men, solitary and sallow, with a delivery cautious even to hesitation—had not even he risen superior to his customary timidity, and unburthened his soul; and were not his discourses, at the request of an enraptured congregation, already in the press? 'The Bible Infallible; Seven Discourses by the Rev. Ebenezer Dickson.' Infallible in science, infallible in history, infallible in grammar, infallible in poetry, infallible in prediction, infallible in theology, infallible in morals. Ah! didn't they catch it, miserable sceptics—at least, wouldn't they have caught it if they'd been there? *They* were *not* there; but Mr. Dickson's congregation was."—p. 211.

It is doubtless a pleasing task to expose the wickedness of the Church to which we do not belong or through which we have suffered, and in "Father Stirling"[12] we have a repetition of the somewhat hackneyed theme—priestly influence. The hero of the story is the victim of a fiend-like Jesuit, Father Wiley, who encourages him to go into fashionable society, where, "though his reason was still unconvinced, he became reconciled to low evening dresses," after which deadly blow to his moral sense we are hardly prepared to find him proof against the seductions of a certain Juliana, whose "head was Greek, her bust was Austrian, her shoulders Italian, her foot Asiatic, her gait Andalusian, and her complexion English." A great deal is said upon the question of enforced celibacy and its consequences—a subject hardly fitted for light reading. The story is altogether disagreeable, and the author's zeal in showing up and crying down opinions which he holds in abhorrence is more remarkable than his power of writing, or his skill in the use of his materials.

To those who remember "Late Laurels,"[13] when it first appeared

[12] "Father Stirling." A Novel. By James McGregor Allan. T. Cautley Newby. 1864.

[13] "Late Laurels." By the Author of "Wheat and Tares." Longmans. 1864.

in *Fraser's Magazine*, its publication in a complete form will give an opportunity of appreciating its merits more fully, and the favourable anticipation which "Wheat and Tares" may have raised in others, will not be disappointed. Indeed there is a decided advance both in the design and the execution of the latter work, though the canvas is small and the characters few. To paint the contrast between the simple force of a noble nature, and the artificial, factitious brilliancy of a character altogether moulded by the influences of modern society, is the object attempted in "Late Laurels," and it has been ably achieved. The style is always pure, and often brilliant, and the dialogue displays considerable mastery of that peculiar light repartee which would promise the author success in a certain species of comedy. If the people in ordinary society seldom talk with such point and wit as flow naturally from Florence Vivian and her friends, and if they never display their well-bred cynicism so ostentatiously, it must still be granted that the atmosphere of half-real, half-affected despair, moral and intellectual, which pervades modern drawing-rooms, has rarely been better indicated, or its modes of expression more accurately reproduced. The character of Erle—which is the most interesting and best developed in the book—is so because the author has set him before us by his words and actions, and not by that elaborate analysis of motives and self-conscious meditation which he employs somewhat lavishly in other cases. The manner in which this jaded man of the world gradually recovers life and tone under the influence of Margaret's simple goodness is very delicately worked out. Perhaps the general effect of the character of the weak Charles and the baby Nelly was harder yet to obtain, because it was only by the most delicate finish that it could be brought out at all. It is a pity that the author turns aside from his own peculiar beat to attempt an indifferent imitation of the style of political satire which was pardoned in "Coningsby" because it was supposed to give a real insight behind the scenes; but the episode of Slap and the Boilers is fortunately neither long nor interwoven with the texture of the story, with which it is not at all in harmony. Altogether, those who are sick of the sensational mysteries and the spurious passion which disfigure some of the most notorious of modern novels will gladly escape to the sparkling pages of "Late Laurels."

It is hard to find fault with the author of "David Elginbrod," but in his new novel[14] he has chosen a form which is of all possible ones *the* most tiresome that a story-book can assume. A benignant bachelor, Dr. John Smith, tells how he went to spend Christmas with a friend in the country, and how he found his friend's young daughter in a state of mental and physical depression; how he and some extraordinarily wise and good neighbours set about to dispel the evil spirit of melancholy by relating various tales, allegories, and parables of a hopeful, mystical, and instructive nature, which work a marvellous cure. The book is

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[14] "Adela Cathcart." By George Macdonald, M.A. Hurst and Blackett.

thus chopped into a series of little bits, and the result is broken and disappointing. The author strikes some chords with a true and delicate touch, and looks at existence with faithful, Heaven-directed eyes that can read the higher meanings of the world's dark lessons, but if an angel incarnate were to bring us messages of divinest truth in the shape of short stories like these, we fear they would have a poor chance against a well-planned sensation romance in three volumes.

"The Portent,"[15] by the same author, is a strange dreamy little tale in which, as in "David Elginbrod," certain abnormal manifestations are made to draw two beings together, between whom a mysterious spiritual union exists, and the heroine "an infinite woman," a ghostlike Lady Alice, takes midnight rambles in her sleep, and can be willed, (not whistled to,) by her lover, to come to him when he lists. A gift of second-hearing fills their lives with wonder and torment, and a sense of the uncanny weighs heavily throughout.

The author of "Twice Lost," has produced a longer and more ambitious book,[16] containing a greater variety of characters and attempting a more intricate plot. This lady writes with cleverness, strength, and epigrammatic terseness; she has studied her own sex closely, and has a fine perception of those unacknowledged but inexorably real antagonisms and repulsions to which so much of mortal suffering is due. She can measure the harmfulness of a *mal-adroit* word, and estimate the social tyranny of obtuse well-doers. She is less successful in the construction of a story, and her male characters are unreal, but there is a liveliness and originality in her treatment which separates her works from the herd of common-place novels.

"Hester Kirton,"[17] is also a book which evinces growth and progress in the writer. The leading character, though exceptional, and not altogether natural, is powerfully drawn and consistently worked out. It is that of a proud, strong, self-reliant girl, whose father hoards wealth for her, but refuses her education. After his death, she marries a man who has won her heart without giving his own, and only cares for her fortune. Of this she soon becomes aware, and the further complications of the story arise out of the errors and mistakes of the unhappy pair; Hester, in her haughty self-confidence assuming the offices of judge, jury, and executioner in her husband's case, and becoming involved in an intricate succession of false moves. The subordinate characters, though well-drawn, are common-place enough. "Hester Kirton" is above the average of its class, and has

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15 "The Portent: a Romance of the Second Sight." By George Macdonald. Smith and Elder.

16 "Linnet's Trial." By the author of "Twice Lost." Virtue Brothers and Co.

17 "Hester Kirton." By the author of "Chesterford," &c. Smith and Elder.

the far from common merit of being written in good, natural language.

Of new editions, we have to notice an illustrated one of Miss Kavanagh's well-known and deservedly popular "Women in France,"[18] and an enlarged edition of the excellent little collection of choice morsels of old English Poetry, by Miss Emily Taylor.[19]

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[18] "Women in France during the Eighteenth Century." By Julia Kavanagh. Smith and Elder.

[19] "Flowers and Fruit gathered by loving Hands from English Gardens." Arranged by Emily Taylor. Houlston and Wright. 1864.

THE

WESTMINSTER

AND

FOREIGN QUARTERLY REVIEW.

OCTOBER 1, 1864.

ART. I.—MODERN PHASES OF JURISPRUDENCE IN ENGLAND.

1. *Lectures on Jurisprudence.* By the late JOHN AUSTIN. Vols. I., II., III. London. 1863.
2. *Ancient Law.* By HENRY SUMNER MAINE. Second Edition. London. 1863.
3. *A General View of the Criminal Law of England.* By J. F. STEPHEN. London. 1863.

THERE are few departments of knowledge which exhibit so glaring a contrast between the interest they generally arouse and their intrinsic practical importance as jurisprudence. Associated, as it has truly been observed, on the one hand with the most rigid and demonstrative sciences, and on the other with the glowing fields of metaphysics, ethics, and politics, this one object of knowledge might have been expected to attract to itself the acutest and most aspiring intellects of every age, and from them to have shed a reflected light on the modes of thought and feeling of the whole community. It might at least have been anticipated that few at any time would have ventured to approach the profession of the art of law, none would have attained to celebrity in that profession but such as, having drunk deep of the wells of general jurisprudence, had learned to distinguish the question what law must be, from the ulterior questions what law at any time or place is, and what it ought to be.

That the very opposite to the fulfilment of this not unreasonable anticipation has always been the case in England is suffi-

ciently notorious. It is not our purpose to investigate the causes of this anomaly, though it were not difficult to bring them under more general causes which have operated unfavourably in the development of civilization in England. It is sufficient to record the circumstance that, up to the time of Jeremy Bentham, no single writer appeared in England professing, or, in fact, disclosing the most rudimentary acquaintance with the elements of jurisprudence. Superstition, tradition, prejudice against every system of law not home-made, and the narrowest view of self-interest on the part of practitioners, have each contributed their share of malign and blighting influence. The study of law in England—that is, of an *indigesta moles* of cases, decisions, statutes, rules of pleading and of evidence, complicated with every possible species of technicality and anomalous monstrosity—was deservedly abandoned to its mystics and devotees. The science of law, no longer identical with the idea of a liberal and ennobling study, became suggestive of all that was repulsive to a cultivated taste, of all that was insufferably dull, quibbling, and obscure.

The warmest of Bentham's admirers will be amongst the first to attribute his appearance, and the enormous weight which his principles are noiselessly bringing to bear in England, to a large number of general causes operating through a long space of time. The phenomenon is closely bound up with the history of liberalism in England and Europe. The very recoil from the principles of the French Revolution, so favourable to the aggressions of monarchy and the exaggeration of legal abuses, disposed the popular ear for the counsels of a cutting and unflinching reformer. While the foremost intellects of the time, turning no senseless eye or cold heart to the mighty questions with which continental nations were being brought face to face, were willing to accept the generalship of one who could lead on his followers in the might of a great principle—that of Utility—which alone seemed sufficient to solve, to reconcile, to reconstruct. It is the least proof of Bentham's extraordinary influence, that the more important part of his specific suggestions for law reform have one by one been adopted by the Legislature in the teeth of the most virulent and numerous opposition. Other parts are now being advocated, and no doubt will soon become law.; but it is most of all the methods, the system, the language, the inimitable sagacity for definition and separation which pre-eminently distinguished Bentham's mind, that have really and permanently influenced the progress of jurisprudence in this country. It would not be an inefficient test of the reality and value of Bentham's influence, to compare the general character of the volumes to which attention is drawn at the head of this article, with that of any law-book soever which appeared in England before the

reign of George III. Here, for the first time, we see the science of law subjected to those rigid processes of ratiocination from which alone in any science progress can be anticipated. We see prevailing terms and methods of classification unhesitatingly challenged; we see legal nomenclature laboriously ascertained and rigorously defined; we see, in a word, order emerging from chaos, light from obscurity, while around are strewn the *disjecta membra* of exploded cant and dethroned traditions.

It may be worth while to examine more carefully some of the leading theories which have been developed by the successors of Bentham, and which are likely to form the starting-points of all future investigations.

It will not be regretted by any man not ignorant of the chief pitfalls and mazes besetting every science, that Mr. Austin's lectures on the "Province of Jurisprudence" form the most complete and finished portion of all his published works. It is the result of no small mental application and thought to learn that the law of a given political community is none the less law because its ends and aims are manifestly immoral, and is none the less law because it very imperfectly carries out even such general aims as it proposes to itself. It is important to mark off by a sharp line of demarcation the province of jurisprudence from the kindred regions occupied by ethics or deontology on the one hand and legislation on the other. Jurisprudence is simply and exclusively the science of positive law, the science which is conversant with the phenomena of law, as it is found to be in a political community as such. Given a political community, there is in that community an existing body of law providing for and recognising either positively by injunction, or negatively by silence, certain rights, duties, persons, and things necessarily found in every such community. The ends contemplated by the laws may be characterized by every degree of expediency and morality; the ends contemplated by the laws may be conceived and attempted with every possible variation of exactness and felicity; but in every case such laws none the less exist, and the classification of them, as they are found to be, together with the classification of the several subjects and objects with which they are conversant, forms the appropriate province of the science of jurisprudence. Mr. Stephen discusses in one passage the relation of the jurist to the legislator, and also meets an obvious objection to the position that law can be the subject of a science, being, as it is, the mere creature of the sovereign will, and so fluctuating and variable as that will. He observes that a law might be proposed enacting that the third child in every family should be immediately hung, and that this would be as much law as any other law, which is undoubtedly true on the principle stated above. But, as Mr. Stephen inti-

mates, though the law may be arbitrary to the last degree in its origin, yet its operation is stringently limited on all sides by place, duration, and the circumstances of human nature. It is the province of the jurist to estimate the probable influence of all these causes in the operation of a law and report upon them for the information of the legislator; or the province of the jurist, as distinguished from that of the legislator, may be taken to be (1) To state and arrange existing social phenomena as subjects or objects of law; (2) To exhibit and distribute all existing laws, and describe the limits of their possible modern application; (3) To deduce and report particular consequences of new proposed laws, taking into account all current facts likely to affect their operation.

Such, then, is the province of jurisprudence, and such the field within which the labours of the jurist are appropriately confined. Closely connected with this investigation is the strict definition of the word "law," and also the historical inquiry into the origin of all law properly so named. "A law," strictly so called, is defined to be a species of command proceeding from a competent and determinate authority, and enjoining or forbidding a particular course of conduct. Where the authority whence the "law" emanates is that of a political superior, the law is called a "positive" law, and then and then only is the appropriate object of the science of jurisprudence. Thus, a positive law is not the law of God, albeit it may accidentally coincide therewith. A positive law is not a moral rule, a maxim of jurisprudence, an excerpt of the code of honour, albeit it may by accident be worded identically the same as each of these. Still less is a positive law, or any other law properly so called, to be confounded with those numerous uses of the same term which analogy or metaphor has irregularly superinduced. There is no more interesting exhibition of the flux and plasticity of language, nor any better instance *in terrorem* of the practical evils of an unscientific dialect, than the wide-spread use and abuse of the word "law."

It has been a favourite and worthy object of speculation, or perhaps more truly of conjecture, What is the historical origin of law as it is found to exist? Must we be content, with the early Roman writers, to picture to ourselves an unverifiable condition of the human race, and by a lengthened train of alternate hypothesis and deduction gradually from airy nothings elaborate a mighty fabric of law?

This might well satisfy Blackstone, inasmuch as it was not too nauseous for Locke; and even the celebrated investigations of Montesquieu, Rousseau, and Bentham on this subject are rightly affiliated to this time-honoured solution. Whether, man being in a state of nature, the variations of climate, accident, or place, determined

for each nation the customs it adopted, and these customs in every case became crystallized into law; or whether the individuals of each nation combined after some primitive fashion and determined that certain rules were more expedient than others for the common weal, and that such rules should be enforced as law by all against each,—the theory in each case is little else than a reproduction of the imaginary hypothesis so conclusively sufficing to the Roman mind. The times in which a science can be built upon a conjectural foundation have passed away, and we at last have, in the work of Mr. Maine, a *bonâ fide* attempt, on the soundest inductive principles, to investigate the actual phenomena of early law. The very methods he proposes are radiant with a fuller promise. He reminds us of three existing sources of real information on the facts in issue, sufficient mutually to supplement, correct, and substantiate each other—"accounts by contemporary observers of civilizations less advanced than our own, the records which particular races have preserved concerning their primitive history, and ancient law." By a strictly philosophical use of such data as we possess under each of those heads, Mr. Maine arrives at some very important and novel conclusions.

It will suffice, first, to indicate the general theory of primitive life which he enunciates, and then to glance at his particular account of early law under the heads of Property and Contract. (p. 15.)

The key which Mr. Maine's researches have supplied him with for the purpose of unlocking the treasure-house of primitive law is the theory of patriarchal or family life. This theory is enunciated on the authority of the unimpeachable evidence of the earliest Roman writers as to what existed among themselves, of the familiar phenomena of every Grecian community, of the early customs of Germany, Sclavonia, and Russia; and, lastly, of the modern habits prevalent among the remoter Aryan communities of the villages of the Hindoos. The theory derives further support from the very structure of many systems of archaic law preserved to these times, and has all the moral advantages in its favour of being probable and plausible as a deduction from the known qualities of human nature. It is asserted that the original unit of society was not the individual, but the family; that every family was a distinct and independent political community, of which the form of government was an absolute and irresponsible despotism; and that all more complex communities have been slowly formed by an ever-increasing aggregation of these simple and isolated elements. To this purpose of aggregation, the fiction of legal adoption, and the local necessities of combination for defence and pacific co-operation have constantly contributed. Early law bears on its surface the most marked reference to these early conditions. "It is scanty because it is supplemented by the despotic com

mands of the heads of households. It is ceremonious because the transactions to which it pays regard resemble international concerns much more than the quick play of intercourse between individuals; and, inasmuch as corporations never die, primitive law considers the entities with which it deals as perpetual and inextinguishable." It is remarkable that our own law as to the exclusion of the half-blood from inheritance bore an undoubted relation to that view of inheritance and property which involved the strictest possible entail from father to son. Even on this view, the only reasonable exclusion was that of a brother who had a different father, as was the custom in Normandy —no doubt the source of our anomalous extension of the same rule.

It is interesting to see how many chambers of mysteries long inaccessible this master-key serves to unlock. Let it be tried on the early law of property. On this theory, it is asserted that the earliest form of estate was joint proprietorship, or rather an equitable estate held by the father of a family in trust for himself and the rest of the family. This is still found to be the custom in the Hindoo village communities; and though a partition can be called for, as a matter of fact a partition rarely takes place, though of course a village community, by the process of adoption and similar fictions, has far other limits than the family of old.

It is satisfactorily shown that similar village organizations have existed in Russia from the earliest times, and similar types of ownership to that under consideration are observable at the present day in Servia, Croatia, and Sclavonia. These different examples present every variety of ingenuity in providing for the partition of the land and the distribution of the produce. But they all point uniformly to a remote antiquity when each family was an *imperium in imperio*, and the notions of individual proprietorship, still more of sale or conveyance, were entirely alien to the prevailing habits of thought. The history of real property law is that of the progress of these later conceptions. As society advances, individual prowess, merit, or accidental success and "selection," recommend the individual to the more solicitous and peculiar care of the society. New forms of property arise with the advance of arts and industry, and the proprietorship of the individual attaches securely to the new forms. The older forms of property are gradually assimilated in their legal treatment to the more recent descriptions, and step by step the great change is effected, exemplified in Roman law by the identification of *res nec mancipi* and *res mancipi*, and, in English law, by the recognition of vested estates of inheritance of every degree of complicity in personal property.

Next, as to the law of contract, the same theory will be found equally serviceable, as it seems to derive from

history a no less forcible confirmation. It is Mr. Maine's belief, and it accords with the result of all the ablest speculations on the history of morals, that the latest achievement made by a nation in the field of moral conceptions is a regard for the virtue of truth. Very primitive races are destitute of it altogether. Glimmerings of the notion become manifest in the course of their self-emancipating struggle. But perhaps no single nation has yet reached such an *acmé* of moral elevation as to exhibit among the larger portion of the community an efficient and practical reverence for that quality. The earliest forms of legal contracts make neither provision for it nor reference to it. The vigorous words of Mr. Maine can scarcly be abbreviated without loss. "That which the law arms with its sanctions is not a promise, but a promise accompanied with a solemn ceremony. Not only are the formalities of equal importance with the promise itself, but they are, if anything, of greater importance; for that delicate analysis which mature jurisprudence applies to the conditions of mind under which a particular verbal assent is given appears, in ancient law, to be transferred to the words and gestures of the accompanying performance. No pledge is enforced if a single form be omitted or misplaced; but, on the other hand, if the forms can be shown to have been accurately proceeded with, it is of no avail to plead that the promise was made under duress or deception. The patriarchal theory serves at once to illustrate, and in some measure explain, this seeming anomaly. Members of a family could not contract with each other; every primitive contract was negotiated by two heads of families on behalf of all the members of their respective families. They resembled modern treaties between independent political communities, and the labouring effort to enhance their obligation by inventing factitious ceremonials and multiplying the accompanying words and acts, only bore witness to the lurking distrust that attended them, and the confessed absence of all moral motives operating on the conscience of the obligee." The history of the law of contracts is that of the simplification of the external ceremonial, "until slowly but most distinctly the mental engagement isolates itself amid the technicalities, and gradually becomes the sole ingredient in which the interest of the jurisconsult is concentrated." This epoch will coincide with that corresponding one in the annals of real property law, in which the individual citizen has succeeded to the inheritance of all the rights and duties formerly devolving on the paterfamilias alone.

It is at once obvious that these interesting investigations do not form, or profess to form, a complete solution of the problem proposed. In truth, they do little more than state it in somewhat preciser terms, and, to employ a mathematical figure, determine

the number and situation of the unknown roots. But the ultimate and abstruser inquiry as to the actual circumstances, physical and mental, which attended the progress of law from its earliest conception as the prompting (say) of an instinctive necessity to its regulated publication as a body of formal rules, remains still, and, until history and metaphysics have advanced far beyond their present boundaries, will remain, insoluble. Mr. Maine has rendered an invaluable service to the science of jurisprudence by telling us what we know and what we know not. The general error of all previous investigations has been to parade a knowledge of what we knew not, to ignore what was in our power to know.

Such, then, being some of the cognizable steps in the development of early law, it becomes a matter of further interest to inquire what are the chief instruments and methods in most familiar use for the purpose of adapting primitive law to the changing circumstances of the society for which it was made. It is manifest that law *ex vi termini* being an unchangeable and uniform rule, and social circumstances being subject to incessant flux and variation, of which the individual members of the society are themselves unable from hour to hour to comprehend the measure and scope, there is a constantly varying amount of adaptation between the law and the society for which it exists. In a progressive society, the law will seem to be ever lagging more and more behind the spirit and the moral feelings of the age, and the conflict of the past and the present, the old and the new, resulting in occasional instances of glaring injustice or outrageous absurdity, will from time to time urge upon even the most sluggish and unthinking the cogent necessity of law reform. The method of effecting this object most familiar to our times, and most reasonable and efficient in itself, is repeal and legislation. But it would be a grave historical error to impute to ruder ages a course of thought so habitual to an exceptionally sceptical, and therefore progressive, state of society. In other times the prevailing ignorance, and the fearfulness and superstition begotten thereby, made men crouch under the safe and sheltering ægis of the Past. An adventurous imagination and its attendant ministers, reason and hope, were subordinated to the shadowy influences of memory and veneration. There was a solemn awfulness and a certain sense of beneficent security shedding a halo round the mystic past. With the earliest breath of infancy men had begun to inhale the pervading essence of antiquated institutions, and through life they, like their fathers before them, beneath the wings of those institutions had been secure, contented, and happy. The future seemed a dark and gloomy blank, and might be rife with unknown vicissitudes and untried perils. In the midst of so much that was chequered and mutable, surely the preservation of what

alone was *semper eadem* was at once an instinct and a duty.

> "To be content his natural desire,
> He asks no angel's wings, no seraph's fire."

This is the age of "legal fictions." The form, the letter, the body, is preserved intact with religious reverence. The spirit and the life have fled, and those concerned with the administration of law are engaged in a ceaseless moral conflict waged by the forces of contending necessities. The bare notion of innovating on the external integrity of the ancient law was abominable and profane. The urgent need for redressing novel injuries, and protecting the ever-growing mass of rights on some system not wholly antagonistic to obvious rules of justice and equity, was day by day more apparent. The method of *legal fictions* was suggested by these conflicting and, as it might seem, irreconcilable claims. A legal fiction is defined to be an "assumption which conceals or affects to conceal the fact that a rule of law has undergone alteration, its letter remaining unchanged, its operation being modified." It is equally obvious that the admission of this latitudinarian principle is vastly serviceable at a particular epoch of a nation's progress, and that at a later epoch it is (as Bentham held) discreditable and pernicious. The province it has usurped in the unfolding of the germs of English law is known to all practitioners and speculators in that field. It is even at the present day, when other bolder methods of reform are in familiar use, the most conspicuous source of every practical limitation on prescriptive and written provisions. The constant course of reasoning in our law-courts is that such and such a novel contingency has arisen, wholly unforeseen and unprovided for by any existing law. There is indeed an existing law which was once held by our judges to apply to a different but partially resembling contingency. That law must, by a Procrustean process of extension, limitation, analogous and metaphorical translation, be pressed into the service of the new state of things; but it will shock the public mind, and seem derogatory to the character of the national legal system, to confess this broadly and patently. We must all conspire to misrepresent the real state of the case altogether, and profess (if, like the Roman augurs, we can keep our countenances) that we are all along doing the very reverse of all this; that the law that provided for the old contingency provided, implicitly, quite as shrewdly and adequately for all the novel complications of the new one; that in applying its provisions to the new state of things, it has, after all, not been broadened or narrowed by a hair's breadth; and that the judges have only declared what, in truth, ever has been the same law. *Sedet æternumque sedebit.*

But the fictitious drama has one act more. After all this

solicitous fear of the reproach of innovation during the argument, so soon as the judicial decision is given, we all of us impudently tear off the mask, and blush not to quote the decision as the newest and very latest piece of law-making on the subject. Ludicrous as this grave buffoonery seems in the present day, yet, in the absence of a good code, it is still of great practical utility, and once was the only engine of law reform.

Equity is the invention of a more intelligent and adventurous age. A series of supplementary rules, suggested by and more or less conformable to the current moral notions of the time, become permitted by general assent openly to supersede the authority of the ancient law. They may obtain recognition either through the dignity of the magistrate who administers them, as was the case with the rules of equity in England, or by the cogent necessity of the times and their own intrinsic merit, as adapted to such necessity, as with the Prætorian law at Rome: yet, though in any case the overriding the old law is direct and avowed, inasmuch as the interference is not accomplished by the sovereign power directly, there is a distinction between rules of equity and statutes resulting from legislation.

Direct legislation is the last and most permanent machinery for effecting law reform. It begins to operate when respect for the letter of the old law is becoming weakened, and the desire for improvement becoming more irresistible. It is ever gaining a wider and wider sphere of operation, till in a time (not long distant, it is hoped, in England), when no imaginative beauty any longer invests the old law as such, and society is reconstructed in a new and permanent form, it culminates in a *code.*

No science can be accurately or conveniently pursued, nor can much hope be entertained of its ultimate completion, without a correct system of Definitions and a commodious method of Classification. Nearly every science, and not least that of jurisprudence, was long subject to the absolute tyranny of empirics and mere artificers before any attempt was made to understand or systematize its principles. Art is the predecessor of science, though they subsequently march on hand-in-hand, or rather each alternately in advance of the other. Thus, in approaching the subjects with which a new science is conversant, it is generally found that they are implicated with a large mass of names and terms of art currently employed with every varying degree of precision and consistency. It is too great a shock to the popular mind at once to abandon the whole of these loose and indefinite expressions, and the only alternative is found to be a painstaking investigation of all the meanings popularly ascribed to each term, and a rigorous exclusion of every other meaning from that term. This process is definition; or, as Mr. Mill curtly expresses it,

"The definition of a name is the sum total of all the essential propositions which can be framed with that name for their subject." It is manifest that in most sciences the fewer are such propositions for each term in use, and the less complex and general their nature, the more serviceable and precise is the term or name. Mr. Austin and Mr. Stephen have made some valuable contributions to this initiatory department of jurisprudence. It will be interesting to contrast two definitions known to the English criminal law, as to one of which great inconvenience has arisen from what, in other sciences, would have been the merit of the definition—that is, the simplicity and preciseness of the "essential proposition;" and in the other an equal amount of practical inconvenience arises from the plurality of the "essential propositions." It is proposed to contrast the definitions of "theft" and "murder." "Theft" is defined by Mr. Roscoe to be the "wrongful taking possession of the goods of another with intent to deprive the owner of his property in them." Mr. Stephen has shown how very insufficient this old common-law definition was, as crime after crime continued to evade each successive word of the definition; and Acts of Parliament followed every fresh crime, enlarging the ancient definition, and each act adding at least one more "essential proposition." In the case of the crime of murder, modern feeling is rather favourable to the restriction of the ancient definition, and the exclusion of one or more of the essential propositions. Thus the existing definition of "murder" is "wilful homicide with malice aforethought." "Malice" is said to mean "wickedness," and the following states of mind have been specifically determined to be wicked or malicious in the degree necessary to constitute murder:—

(*a*) An intent to kill, whether directed against the person killed or not, or against any specific person or not.

(*b*) An intent to commit felony.

(*c*) An intent, illegally, to do great bodily harm.

(*d*) Wanton indifference to life, in the performance of an act likely to cause death, whether lawful or not.

(*e*) A deliberate intent to fight with deadly weapons.

(*f*) An intent to resist a lawful apprehension by any person legally authorized to apprehend.—*Stephen*, p. 116.

Mr. Austin and Mr. Stephen both enter into a careful scrutiny of the word "will," and for the most part they agree on the precise signification properly attributed to it. No doubt, in the popular mind, it represents a "metaphysical entity," really occupying a distinct site in the human constitution: more strictly, the expression denominates that emotional state which is necessarily (except in the case of disease or outward impediment) followed by an appropriate muscular action. Mr. Stephen dis-

tinguishes different epochs or transitional states to be noted in this peculiar emotional condition—deliberation, resolution, intention, will (in its narrowest acceptation), and execution.

There is so much indefiniteness and perversity of interpretation attached to such expressions as "negligence," "rashness," "heedlessness," "intention," and the like, that it is a hopeful promise for English law to have the distinct and sole meaning of these words for the first time accurately expressed. "If I *intend* an act, my intention regards the present, or my intention regards the future. If my intention regards the present, I presently do an act, *expecting* and clearly *contemplating* the consequences. If my intention regards the future, I presently expect or believe that I shall act or forbear hereafter. My future conduct is what I am expecting and contemplating. If I am *negligent*, I advert not to a given act, and by reason of that inadvertence I omit the act. If I am *heedless*, I will and do an act, not adverting to its probable consequences; and by reason of that inadvertence I will and do the act. If I am *rash*, I will and do an act, adverting to its probable consequences; but by reason of a missupposition, which I examine *inadvertently*, I think that those probable consequences will not ensue. And, by reason of my insufficient advertence to the ground of the missupposition, I will and do the act."

It is difficult to exaggerate the importance in any science of a correct and commodious system of Classification. Not only may a perverse distribution of the subjects with which the science is conversant engender hopeless confusion and arrest its advance for centuries, but it thereby assumes so unsymmetrical and repulsive an aspect as to confine its cultivation to the dusky cells of the bookworm and the recluse. In no point has Mr. Austin shown himself a more obedient or more worthy follower of his great predecessor than in laboriously arranging and digesting the material subject-matter of his science. The subject-matter with which positive law deals are rights and obligations existing in members of a political community, for this purpose denominated legal *persons*. Now, the possibility and convenience of classification depends on the circumstance that, though these rights and obligations are almost infinitely numerous and varied, yet a closer inspection detects in a certain bundle of them certain properties or qualities appertaining to each individual of the bundle, and in certain other bundles certain other properties or qualities similarly found in every individual. Thus, by contemplating first each bundle by itself as an independent atom, any proposition affirmed of the property or quality so generically distinguishing that bundle is at once affirmed as applicable to the case of each individual going to constitute that bundle. This process is again repeated

for each of those larger primary bundles, and a number of smaller classes results, each with its generic attribute common to all the individuals. The last subdivision will leave a number of individual subjects with no apparent property common to any two amongst them. If this method be veraciously and discreetly pursued, the saving of time, repetition, and complexity is at once apparent. But to do this effectually is the Rubicon of a science which only genius and erudition of the highest order can cross. It demands knowledge the most comprehensive to ascertain all the properties found in each and all the individual subjects with which the science is conversant. It demands consummate sagacity to select out of several competitors that common property which can most conveniently and naturally be taken as generic. It demands equal discretion and boldness not to interfere too rashly with current systems of distribution, and not to flinch at times from superseding and discarding them without remorse. All this Mr. Austin has done for the science of jurisprudence. And if his work in its details is unfinished and abruptly closed, yet the grand attempt at a novel system of classification, conceived not without reference to the methods known to Roman and English law and to the permanent principles of general jurisprudence, is left behind as a noble and immortal legacy.

It will suffice here to illustrate the above exposition of what classification means and should be, by a general description of that of Mr. Austin. He proposes two distinct methods of classification. Law may be considered with reference to its *sources* and with reference to the *modes* in which it begins and ends: or law may be considered with reference to its *purposes* and with reference to the *subjects* about which it is conversant. Under the former system, two bundles, severally comprising large numbers of individuals, each having one property at least in common with every other, at once become manifest. In the one bundle the property in common is the circumstance of the law being written or promulged, or otherwise made by direct legislation; in the other the circumstance of the law being unwritten or unpromulged or made judicially. Under the latter system the first distribution is founded on the phenomenon, historical and accidental rather than essential and eternal, that whereas the only subject-matter of all law are rights and obligations existing in persons, yet in every known community there is found a certain accumulation of rights and obligations attaching to certain determinate persons and constituting what is called *status*. Of these latter many general propositions can be affirmed; and while these are influenced and affected by all other rights and obligations, they do not in turn materially influence and affect them, and they have generally been, and with admitted convenience are susceptible of being, considered apart. On this

ground Mr. Austin's primary division of law on this system is into the so-called law of Things and the law of Persons. For the same reason he considers (on the principle that the general should precede the special) that the law of things has natural precedence of the law of persons. Of the law of things an obvious distinction suggests itself, on the ground that the rights and obligations forming the subject-matter of it may arise either from acts, forbearances, and omissions which are violations of rights or obligations, or from events not such violations of rights and obligations. Mr. Austin calls the rights and obligations arising in this latter mode "primary," and those arising in the former "sanctioning."

The subdivision of "primary" rights proceeds on a very obvious and intelligible ground, and has been recognised from early times both in Roman and English law. There are some rights existing in certain persons and imposing obligations on all other persons whatsoever. There are other rights existing in certain persons and imposing obligations on particular and determinate persons alone. The former have received the technical name of "jura in rem," the latter that of "jura in personam." Instances of the former occur in the case of all rights of property other than a mere easement or "servitus." Instances of the latter are supplied by every right of action at law on a contract, or a so-called "tort." The rights belonging to the former class, "jura in rem," readily range themselves under a number of natural heads, according as the nature of the user is determinate or indeterminate, or the period of inception and duration immediate or future, limited or unlimited. The rights belonging to the other class of "jura in personam," are either such as arise *ex contractu* or *quasi ex contractu* (as in the case of the right to receive back money paid under mistake) or *ex delicto*. The latter head—that is, those rights accruing *ex delicto*—is considered under the larger branch of rights denominated "sanctioning," and previously opposed to the class of "primary rights" at present under consideration.

"Sanctioning" rights are, first, such as accrue to persons enjoying them either through the breach on the part of some other "obliged" person or persons of a prior civil obligation, as the non-payment of a bond or debt, or the commission by such person or persons of an injury or nuisance prejudicial to the person invested with the right. Secondly, "sanctioning" rights are such as accrue to the sovereign through the infraction, on the part of subject-members of the community, of a certain class of obligations not generally correlative with any rights whatever, and hence called "absolute," and which infraction is denominated a "crime." It is therefore under one of the leading divisions of sanctioning rights that criminal jurisprudence, general or special, finds its natural place.

In connexion with this important department it will serve as

an interesting illustration of historical methods of classification, to notice that celebrated division of crimes which has so extensively affected the development of English law and, possibly, English civilization, itself. Though very far from scientific, either in fact or in purport, this distribution is not without some conveniences, and will probably long maintain its ground. It was doubtless suggested at the first not by any thought of symmetry or expediency, but rather by moral instincts and accidental necessities. The distinction in question, so far as it is founded on or justified by any regard to reason, rests on the following substantial considerations. Of all the obligations imposed by the sovereign universally on every subject-member of the community, and not correlating with any other rights in the sovereign than the alternative ones of compulsion and punishment, and imposed generally with a sole view to public order and the security of life and property, there are two main classes distinguished by a sufficiently palpable and familiar difference in the character of the obligations imposed. There are some which seem to be recommended by the current principles of morality at the given time and place, which are suggested by constantly recurring necessities, and are in themselves susceptible of exact definition and circumscription. There are others which, though within the scope and acknowledged spirit, are by no means within the letter, of any confessed moral code, which never, till their breach, were recognised as binding at all, and the breach of which seldom recurs in forms identically the same. Add to this, that though manifestly proper subjects for judicial comprehension, yet they do not admit of being contained in exact technical terms and periods. It will be found that the former class coincides very nearly with the ancient English family of *treasons* and *felonies*—the latter with that of *misdemeanors*. Mr. Stephen has shown how modern legislation has confused the ground of this antiquated distinction, and how the line, as drawn in the present day, is arbitrary and unsymmetrical in the highest degree. The ancient incidents of felonies—that is, forfeiture, and a distinct method of procedure—are liable to unforeseen inconvenience in their practical operation; while the manifold new forms of cheating and robbery often succeed in evading the heavy penalty assigned to the antiquated felony of picking the pocket. Mr. Stephen notices that the form of trial peculiar to misdemeanors, by which a criminal process is assimilated to a civil suit between the sovereign and the subject, is a testimony to the original nature of this class of offences. It was of old a procedure resorted to in all alleged transgressions of some supposed right existing in the sovereign not as yet very precisely ascertained. It was a convenient subterfuge for the purpose of giving jurisdiction to the judges in the case of conduct tending to disorder, riot, or indecent intrigue, not

contemplated by any existing law: and although capable of abuse, each judgment being in the nature of an *ex post facto* legislative act, the practice was often attended with much advantage, and the same ultimate jurisdiction may, under careful restrictions, yet do good service in time to come.

The above is merely a skeleton of the classificatory system which Mr. Austin so carefully enunciates, even as Mr. Austin's own work is but a skeleton of the real living body of jurisprudence which, had life and health endured, he would himself have created. It is for his successors taking up, "quasi cursores vitai lampada," to elaborate the detailed mechanism, the capillary network, the distributed nerves and muscles, in order to clothe the shapeless structure in a form divine. It is difficult to overestimate the momentousness and the difficulties of the mighty work. Every single man who lays a stone on the rising edifice must approach with the patience, laboriousness, and singleness of purpose, and (if it may be) with the sagacity and erudition in the strength of which Jeremy Bentham and John Austin laid the indestructible foundations. Like the Jews in the face of their Samaritan rivals, every man must work with his tools by day, and handle his arms by night. The hosts of prejudice, superstition, and narrow interests must be over and over again assaulted and laid low. Every workman must devote contentedly a lifetime to elaborate his special arch or secret niche. The gods see everywhere. Even momentary fame must be sacrificed, and that ultimate approval alone valued which a few wise men will gratefully accord in each succeeding generation to the lonely architects of the most enduring and glorious of England's works.

Art. II.—Mountaineering.

The Alpine Guide. By John Ball. 2 Vols. Part I.—Western Alps, 1863. Part II.—Central Alps, 1864. London. Longman and Co.

THERE are few people now-a-days who have ever left England at all that have not seen something of the Alps, and still fewer of these who have not felt something of the mountain fever in their veins. As a natural result, we have been bored to death with every form of Alpine narrative—serious, comic, scientific, poetical, semi-pseudo-scientifico-poetico-personal. Men (to

say nothing of women) have come back from the mountains as gushing over with their adventures as children from a fair, and have prosed about their hairbreadth escapes or the contents of their carpet-bags with odious earnestness. All this is very silly; but a far sillier affectation is that of the very refined people who have come to the conclusion that the Alps—the pathless, infinite Alps—are as good as *hacknied.* No doubt the frisky impertinences of a few braggart scramblers are hard to bear; and the boisterous glee with which they recount their deeds of daring recalls the dreary fun of the prize-ring. But all this is no excuse for the rank profanity of those who make light of the noble art of mountaineering in itself. We believe that so far from too much having been said about it, its real title to honour has never been recognised—*caret quia vate sacro.* The Alps will be worn out only when the ocean and the firmament are stale, flat, and unprofitable: and Alpine climbing may be reckoned the folly of boys, only when the sap is withering up in men, and the fibres of their natures are growing coarse. It is rather our belief that of all the modes in which men may refresh themselves from work, this is the worthiest, most reasonable, most adapted to our times. Love for the mountains is yet but in its egg; and mountain walking has yet to take rank as the noblest, the happiest, and the most popular of all our national pursuits.

Let us be just. There are many things good, even though but one thing is best. Dull of spirit, but weak of stomach, is he who does not know the thrill which stirs all English blood upon the sea—who does not love it in its every mood, its gayest and its wildest—who is blind to the curves of prow and sail—who is deaf to the thundering charge of waters, or the ripple round the trenchant keel—who does not rejoice in all sea sights and sounds, the answered cheer, the quaint, quiet speech of the old salt—who has not glowed with the true fellowship of the deep. All manners and ways in which men move upon the waters are good and not to be despised: the very thud of the drenched fisherman's bow—the fierce pulsation of contending oars—the plunge into the still pool—the wreathed circles of the skate—all are good to fill the mind and nerve again the heart.

Yet though he were a very degenerate Briton who could gainsay the glories of the ocean, in the Alps men may find these and more. In them earth, air, and water all join to give fresh mystery and beauty. The Alpine solitudes are more lonely and terrible even than those of the sea, the shapes and forms of all things stupendous beyond all comparison, the loveliness more bewitching and multiform, the awfulness even yet more deep. Billows of ice yet wilder than those of any tempest-driven sea dash themselves to fragments on Alpine peaks loftier tenfold than those

of any coast; and from an Alpine summit may be watched skies yet more golden, vaulting a far more various horizon.

May it also be long before the pride of our horse-taming race is forgotten, and Englishmen cease to love every pace of the noble brute; the throb of the gallop, the bounding leap, the stately tread, and all the proud, delicate ways, the fire, the grace, the trust and patience of the first of the animals. Nay, but all rational delight in the horse that comes of honourable using of his gifts, is a right and gallant thing, very cheering to the healthy spirit, and very bracing to the well-grained muscle. *Sunt quos curriculo*—and he must be a pedant that grudged men their delight in the horse and in every sort of skill which he can call out. Be it however remembered, that the practice of climbing mountains breeds a still keener use of hand and eye; pursuit still fiercer, resolves yet readier, and the higher concert of man with man. Can any man seriously compare the chase of a poor vermin-fox with the zest of the attack on some untrodden pass, or the rapture of the race with that of conquering a new mountain-top? No gallop warms the blood like the whirl down a slope of snow; and no turf gives out a ring so merrily as the crunching of crisp glacier ice. But, were all these things equal, in all the higher elements, in all the moral features of a pastime, Alpine climbing as far surpasses horsemanship in all its forms as the mystery of the Alpine solitudes does our English downs, as much as trust in a tried comrade is better than our finest sympathy with the brute.

There comes then many an old English sport not to be despised by any one who values a light heart and a sound body: but no serious man could place these mere exercises of muscle beside the mounting into the supermundane world of ice, the inexhaustible visions and meditations amidst those unearthly solitudes.

We speak lastly of the most ancient and, in the vulgar sense, the most honourable of our national games—the slaughter of wild (or tame) animals. This pursuit, though followed doubtless by the herd chiefly out of fashion, prejudice, or pride—the half-savage heirloom of our Norman conquerors—has yet been found with many to supply a very health-giving occupation, and to minister some not unuseful relaxation to the mind. Nay, men not otherwise irrational have been known to take a keen relish in the mere snaring of the lithe salmon, in the bagging of the toothsome grouse, in the stalking of the wary buck; nay, even in the very worrying of an otter or a hare. Such is the force of habit and inveterate sanction of opinion! Far be it from any man—be he Rufus or Jaques—to gainsay the fragrant glow of life which the heather sheds, or the zest of a sportsman's hard day, or the

charm of the angler's haunt. Yet it seems to us all these were better if unpolluted with the torture of poor brutes; if blood and quivering plumes did not stain the purple moor; and if eyes which delight in glen and moor did not kindle yet more brightly over the dying shudder of the deer; if the spell of some haunted pool were not snapped by the writhing of the torn trout. A true lover of Nature methinks might seek her better than through the agonies of the beautiful creatures which she nurtures. Let him who loves these things take his fill of them to his heart's lust—but let him not dare to compare his joys with the unbloody raptures of the Alpine climber, whose only quarry is the visible glory of this earth, whose ardour needs not to be whetted by the scream of any tortured thing, whose love of nature is not debased by the animal instincts of destruction.

Indeed, if wounding and killing be the height of manliness, let us not forget some time-honoured pastimes, relics mostly of the same hunters' or fighters' instinct—where at any rate the sportsman or player hazards as much as he aims for, and hits at least a game that can hit him—fencing, sword-play, cudgel-playing, tilting or wrestling, and why not boxing and fisticuffs?—nay, if the worrying brutes to death be so fascinating an amusement, let us say at once dog-fighting, rat-hunting, cock-fighting, badger-drawing, and the other accomplishments of your lordly blackguard—indeed a whole crowd of the lower field or turf sports, innocent or vicious, simply mirthful or simply cruel, but all not by the rational man to be spoken of in the same breath with the finer exercises of sense, the truly intellectual joys of the flesh.

That some such sport, pastime, or relief is very necessary in our present civilization—some such unloosing of the brain-fibre and tension of the muscle-fibre—is plain to any man yet possessing muscle or brain to be acted on. Our mode of life is all too feverish and unwholesome to be sustained without due intervals for the oxygenation of the blood and the phosphorization of the brain. We must rise now and then, like the whales, to a purer medium. After the ignoble modern fashion, we have got to look on mere bodily training as a luxury or a vanity, and the old religious culture of the manly powers by the Greeks is turned into a jest or a bye-word. Half the poetic value of life is lost amidst this sordid unrest of the mind. In those ages when education meant something wider than the mastication of tough grammars and the "damnable iteration" of figures, the cultivation of the bodily capacities was brought into unison with the lessons of all civic virtues and manly duty. This welding of courage, strength, and thought, was held to be the training most worthy of the freeman and the citizen; and through such exercises men grew up to no small force and worth of character, and to a fine balance of

the whole vital powers. The time is yet far distant when to keep the due force and equilibrium of the body will be held as one of the religious duties; but even we—we in our hectic state of mental restlessness—even we need some pauses from intellectual agitation, some brief bursts of physical exertion.

But as if, after all, any of the higher forms of bodily exercise were simply so much mere gratification of the senses or simple animal impulses. As if there were such things in this sense as mere physical enjoyments. Why, they spring equally from some of the finest and purest parts of our nature. They kindle in us some of the healthiest yearnings of the heart, and the subtlest of our intellectual musings. Nay, a mere autumn walk along a wooded hill-side nourishes brain, spirit, and body at once; and opens to us from all sources together new well-springs of life. Half the best thoughts of our modern poets, of our artists, our musicians, our teachers, have been lit up by this—the simplest, truest source of inspiration.

Not, of course, that mere tension of muscle or sudorification of the skin has in it such virtue. Mere exercise at crank-work would hardly avail. The mind must be unbent whilst the sinews are being tightened. A new sphere must be sought, a new atmosphere must be breathed. And of all these grounds the Alps offer us the most new and strange, the most exhilarating, the most instructive, the most ennobling. It is not bodily rest alone which is needed by the jaded son of letters, law, or science. He requires most his spirit to be refreshed—bathed in new life—not simply relaxed. He needs to lay aside memory, forethought, contrivance, and method—to shake his shoulders free from the yoke of habit—to step down from the treadmill of convention on to the fresh sod of his mother earth. The dull mechanic round of life grates so hardly on the free spirit, that to live it must escape sometimes from its cage, and soar up exulting to the gates of heaven. We live for the most part in a very iron mask of forms. Our daily ways are at bottom so joyless, so trite, so compulsory, that we must be free and simple sometimes, or we break. Our present world is a world of remarkable civilization, and of very superior virtue, but it is not very natural and not very happy. We need yet some snatches of the life of youth—to be for a season only simply happy and simply healthy. We need to draw sometimes great drafts of simplicity and beauty. We need sometimes that poetry should be not droned into our ears, but flashed into our senses. And man, with all his knowledge and his pride, needs sometimes to know nothing and to feel nothing, but that he is a marvellous atom in a marvellous world.

But there are yet various reasons which make keen physical exertions not merely necessary for our muscular and animal system,

but essential also to our moral nature. Our high material civili zation is always tending towards the point where it might annihilate those mundane conditions which make the human powers what they are. Our intellects—nay, our very virtues, would very soon rot or run to seed, were the necessity for effort—and all effort is ultimately concentrated in muscular effort—were all effort banished from the world. The human race will be drawing towards a bad end when no one ever runs any risks or fatigues, no one ever feels too hot or too weary, and never sees a fellow-being in want of a strong arm and resolute self-sacrifice. Nothing can be more false than the silly old quibble, that an increase of cultivation takes the manhood and heart out of the advancing generations. But there would soon be truth in this venerable lie, if it were to turn out that increased cultivation made the sterner qualities of manhood superfluous and obsolete. So long as this planet remains what it is, there will always come times in a man's life when he needs for himself and for others that reasonable disregard of pain and of life, that insensibility to physical privation, that lightning readiness of hand and eye, that dogged temper of endurance which men have called manliness ever since the days of the Trojan war. Now these things cannot be learned without some practice, and cannot always be practised at a given moment or place. They need much habitual use, at times the most unexpected, and in ways the most perplexing. To seek after these occasions, to hazard something for them within the judgment of a considerate mind, is a very desirable and indeed essential purpose in these times, and very worthy of the rational man. Hence it is that our time-honoured field-sports and manly games, even if risking something occasionally to life and limb (within the limits of cool sense), are not excusable only, but actively meritorious—not pleasant merely, but positively virtuous; for by them the sap of man is kept up fresh and pure, and the fibre of our nerves as tough as ever was that of our forefathers.

But, in truth, to decry Alpine climbing as foolhardiness is both very ignorant and very perverse. Its supposed dangers are mere visions of the benighted lowlander. Its real risks are indeed small to the skilful and prudent man. The foolhardy blunderer will find dangers in a street-crossing. The accidents in the Alps are nothing to those of the hunting-field, and even of the moor. Far more men die of gun-shot wounds in a month than fall into crevasses in a season. No doubt the Alpine accidents, when they do happen, are of a very frightful kind. But a man may as well be killed beneath a precipice one thousand feet high as at the bottom of a fenced ditch. Of course, if careless or unpractised persons attempt what skilful climbers can do with ease, they will probably come to a bad end. On this point only

serious warning is needed. Once let it be universally understood that to climb glaciers requires special habit, like fençing or skating, and accidents will scarcely be heard of. No one but a fool sets up to ride a steeplechase if he has never taken a gate, or goes out to a battue if he has never handled a gun; but many a man who has never seen ice, except on a pond, jauntily thinks that what A, B, and C can do he can do much better, and goes like a fool to risk his own and his companion's neck on a difficult *arrête*. Such men must be told that ice-climbing requires some special training of hand, foot, eye, and nerve. With these, and reasonable forethought, a healthy man may go anywhere and do anything. Without them all the courage and strength in the world are of no use, and may only bring a man to a painful and unhonoured end. But the man who, diligently training himself for what he has to do, takes all the measures which a man of sense would, may fairly give full rein to his energies and his fancies in the Alps, and know that he is following some of the best emotions of our nature, and testing some of the most useful qualities we have, without committing any folly of which a wise man need be ashamed, or incurring any risk but that inseparable from every keen exercise, whether of nerve or limb.

Less dangerous than many, more exhilarating than most, and nobler than any other form of physical training, Alpine climbing may surely be *proved to demonstration* to be the best of the modes by which we may refresh, as we must, our jaded animal and sensuous systems. Fighting with mankind in all its modes, real or mimic, has long been set down as a brutalizing outlet for our animal energies. The destruction of animals, or all forms of the chase, will soon, we believe, be discredited on somewhat similar grounds. There remains the better fight, the true scope for our combative capacities, the battle with the earth, the old struggle with the elements and the seasons. To know this strange and beautiful earth as it is, to bask from time to time in its loveliness, to feel the mere free play of life and happiness in the great world of sense, to wrestle with it from time to time in its might, is not the most ignoble occupation of its rational denizens.

Doubtless this opens a wide field, and includes the exercise of nearly every human faculty. The knights errant and Crusaders of our day—men how far superior to the ancient—are the voyagers, the discoverers, the pioneers; some deathless Cook or Kane, or Livingstone or Brooke, who, daring and enduring to the utmost force of human nature, girdles the yet untamed earth, and brings man face to face with his unknown brother. Between such men and one who traverses only some neighbouring moor, if he so much as knows and loves its native

flowers and animals, there is a regular link. And of the more ready modes in which a busy man can feed this passion for earth, the best is Alpine climbing—the best, not only for the special beauty and variety of scene, but as being that form of nature which fills the spirit most deeply with emotion, and awes it into simplicity and seriousness. Oh, unforgotten hours, for how many causes is your memory dear! What can a man say who struggles to recall you?—how tell, how remember with method or completeness the full measure of exhilaration—

> "Trasumaner significar per verba non si poria."—PARADISO.

the tramp in silence under the morning stars; the hush which precedes the dawn, and the glowing circles of sunlight round the distant peaks; the ring of the crisp ice in the early morn; the study of the path, and the halt merry with shouts and jests; the snatched meal, preposterous but delicious; the grappling with some mad ice-torrent, and the cunning path wound upwards through a chaos of *séracs;* the wild and fairy loveliness of cavern and chasm; then the upward strain across some blinding wall of snow; the crash of the ice-axe and the whirr of the riven blocks; the clutch at the hewn step; the balanced tread along the jagged ridge; the spring at the last crag, and then the keen cheer from the summit? And what a summit! and what a reward for work!—the world as it were, and all that it holds, the plains and hills, the lakes, rivers, towns, villages, meadows and vineyards, myriads of peaks snow-tinted, and valleys infinite, opening before the amazed eyesight in circle beyond circle, and all around and beneath broad wastes of snow and unimaginable gulfs. And then comes home to the dullest a sense of awe at standing thus looking out over the earth amidst force so portentous and expanse so vast—a creature oneself how slight, how ignorant, and yet how strong and sovereign! Then, filled through and through with awe and joy, the last look taken, one turns again to work, to the mad whirl of the glissade, the still more treacherous descent, the dripping glacier-bridge at noon, the effaced footprints, the cheery tramp through slush and snow, happy and bespattered, stumbling and laughing, drenched and merry—the tread at last on the springing turf as on that of a long unseen home; the first mosses, the highest pines, and the first huts, one after another; the first few and ever-increasing signs of man and cultivated earth and civilized existence, the blessed signs of human life and social aid, the nestling village huts and barns, the long files of gentle herds, the half-golden patch of corn, the quaintly poised bridge, the lowly roof and flashing cross of the village church, the kindly "good night" of the peasant, the simple welcome and the homely glow of the hospitable hearth. . . .

In speaking of the peculiar merits of mountaineering, a man knows hardly where to begin, much less where to stop. To take the human fellowship it gives one by itself, there is surely no form of exercise or sport which brings a man so closely into contact with so high a class of companions. In the hard work of life men are never thrown into society with their labouring fellow men except under the rigid circumstances of our artificial life, which make a true sense of brotherhood, much more mutual friendship, practically impossible. Men of education and of wealth meet their toiling brothers only as employers, as rulers, as teachers,—never, by the nature of things, as friends.

Here and there a nature peculiarly tender or peculiarly genial can take and press the rough hand with genuine sympathy. But for the most part the routine of social life is too strong for us, and we get all drilled into a stolid notion that we form but the grades of an army, not a family of brothers. The essential manhood is lost to us under the distinctions of uniform. It becomes something frightful, demoralizing, and cruel, that in no moment of our lives do we stand beside our poor and ignorant neighbours, and feel that each rests solely on the native qualities of man. There can be no better thing for a man than now and then to have the great facts thrust upon him, to be able even for an instant to come down to the subsoil of simple manhood, to feel a genuine friendship for men utterly unlike him, and in every point of cultivation utterly inferior.

Nowhere does one do this so fully as when thrown with the higher class of Alpine guides. No doubt it is the pride and charm of all forms of seafaring, that it breeds a very real communion between all who share the ship's work. Sportsmen, especially in the Highlands, speak with enthusiasm of their huntsmen, gillies, and keepers. No doubt our brutalizing field-sports have this gentler side. But none of these men can for one moment compare in qualities and character with the best sort of Alpine guide, and no intercourse can compare with that of the mountaineer and his attendants.

It is very easy to laugh at the many vagabonds Switzerland, like any other tourist-swarmed country, must breed. But the men who head glacier parties are almost without exception men of character, intelligence, and ambition. They are, in fact, the choicest flower of the mountain peasantry. No man gets high rank amongst them except he possesses a combination of sterling qualities. He must be full of patience, ingenuity, observation, nerve, and zeal. All who know these men well can say what sterling cultivation of mind, what consummate fortitude and perfect self-control they have attained, and, above all, what tenderness and often poetry of nature they unconsciously put forth.

Many of them, with all their faults, have a fine simplicity of spirit, and in one or two there is the truly heroic mould. Let it be said again here that one is speaking only now of the first-rank men, such as mountaineers alone meet. There are few who have ever spent a fortnight with one of these men but have felt themselves warmed by the contact with a temper of true worth, and no occupation ever promotes intercourse so frank and complete as that of Alpine climbing. In the long and important expeditions one is often for a week, ten days, or even a month, almost alone with one's guides upon the mountains. Day and night they march, rest, eat, and sleep side by side, share one flask and one rug, and drag each other alternately across a crevasse. For, be it remembered, the trust and help is continuous and mutual. Men tied together by a rope on the side of an ice precipice soon come to understand each other's natural tempers and gifts, and care singularly little for the artificial accidents. Conventional reserve, however thickly coated, shrivels off from men who owe each other their lives several times a day. And it is strange how naturally it comes to shake the horniest and the grimiest of hands which are strong enough to drag one out of a nasty crevasse. A week or two spent with men like these, listening to their songs, tales, and jokes, seeing their habits of observation, interested in their skill, giving full rein to the sense of trust, sympathy, and fellow-feeling, is to go down to the root of the matter in human nature. Day by day one wonders afresh at their doglike instinct of place, their more than doglike faithfulness, their readiness in contrivance and fertility of resource, their quickness and zeal in meeting the wants of the moment, and one lives over again some of the earliest of our fancies, and remembers the stories of poetry and fiction, the old trapper of Cooper, the old highlanders of Scott, the old voyagers and discoverers, and the inimitable Crusoe of our childhood.

The great feature of the higher Alpine levels is that they are utterly unlike everything to which we are accustomed elsewhere. Those who make the ordinary tours in Switzerland survey panoramas of mountain tops from the Faulhorn, Pilatus, or Ægischorn. They get their ideas of glaciers from a visit to the Jardin or a stroll over the Aletsch, and come home without the dimmest conception of the sensation of passing two or three days successively in the higher altitudes of the Alps. It is a world in which all the conditions of life are changed, and which has a peculiar character almost impossible to realize. It is not of course a question of comparative beauty. The entire Alpine range from the crests of Mont Blanc or Orteler Spitz down to the most distant spur which bathes in the waves of Geneva or Como is exquisitely beautiful, and he is no true lover of mountain scenery who is not alter-

nately delighted by its ever-varying forms, and who is blind to the sacred calm of the lowland plains or the legendary watch-towers of Freiburg or Lucerne. Perhaps as a simple question of perfection of landscape, no Swiss view really equals those of the middle elevation above the Lake of Lucerne. There are scenes which affect us by their beauty, and which delight every sense at once. But in the upper snow-world (if not as truly beautiful) there is a mystery and force which has an overpowering effect upon human nature. It does what Aristotle tells us is the function of tragedy to do, to purify the soul by sympathy and terror. The strangeness and vastness of everything strike on one like a natural portent, as a whirlwind or an earthquake might rouse us and shake off from us everything but the first simple facts of human life. The absolute stillness and absence of all life, animal or vegetable, the sense of solitude lasting all day and day after day, the sense of the infinite which trampling on continual snow produces, the dazzling effect of perpetual snow-fields, the need of constant effort to keep up animal life, the weird extravagance and the vast scale of the ice-shapes, the unnatural freshness of the air, and, above all, the sense of being out of and above the earth, and of looking down over many kingdoms and tracts that make segments in the map of Europe—these things completely lift a man out of ordinary life, and affect him as solitude in an eastern desert, or in the midst of the Atlantic, on the prairie, or Arctic region, does. We have all often heard and often tried to realize the effect on the imagination and the heart which these scenes are said by all great travellers to produce; how, with a force beyond words, the majesty and mystery of earth then strikes into the beholder; how, with a force beyond words, he feels the native and kingly energy of human nature. This and all that belongs to it—a sensation as fresh as Adam's when he woke and for the first time looked out upon the world and asked himself what it was and what he was—such a sensation comes to us in its full force in the upper Alps, and may be felt by one who but a few hours before was in Paris or London. No one perhaps can say how completely this shock can be felt until one has enjoyed a very common incident in mountaineering—the bivouac at some of the greater heights. It falls to ordinary men rarely to taste the marvellous on this earth so deeply as when camped at night in the midst of one of the loftier snow-fields far above the region of life or vegetation. 'As one watches the colours of the sunset fade, and peak after peak grow cold and bare, but for some weird lights over the distant ridges, the full mystery of the solitude is borne in upon the mind, and the stillness grows almost intolerable. The total absence of sound, motion, change, or life of any kind, the gradual stiffening of the glacier and the freezing of its streams,

the hushing even of the avalanches or the tumbling rock, the bare expanse unstreaked by a cloud, the strange lustre of the stars, the immensity around one staring mutely and unchangeably, and which cannot be shut out, seem quite to possess one with the sense of having ventured into some region of nature which is held spellbound in an unbroken night.

A few weeks of life such as this thrown into the midst of a laborious or anxious employment, is certainly the most powerful stimulant and reviving influence which it is possible to apply. There is perhaps no single mode of making holiday in which a busy man can enjoy it in anything like the perfection, with anything like the readiness, one can when in the Alps. Quite apart from the effect of air, exercise, and enjoyment, physical and mental, this powerful renovation of the natural forces is perhaps the most valuable thing to a hard-worked man. Men whose whole lives are passed in brain-work for a short season find themselves realizing the condition of the millions who labour for their daily bread, and whose lives depend on their manual activity. Men whose existence is so utterly artificial that social forms acquire to them the force of laws of nature are suddenly placed in positions where these social forms are as preposterous as they would be in a battle or a shipwreck.

Of the vast numbers of tourists who visit Switzerland every year, there are few who do not go up to or even upon some of the more famous glaciers; and it is indeed strange, that of all these scarcely one in a thousand brings away the slightest notion of what the glaciers of the higher level are like. The true névé, such as that which forms the basin of the Aletch or the Findalen or the Lysjoch, is as much superior in strangeness and vastness to the ordinary ice-falls as the billows of the Atlantic surpass the chopping seas of the Channel. It is only in the grander forms of the névé that the glory of the snow-world is revealed. There, indeed, in some huge amphitheatre of mountain ranges not less than 20 or 30 miles in circuit, buttressed by peaks each rising to 13,000 or 14,000 feet, the sweeps of the ice-sea roll on unbroken, yawning in places into chasms that stretch for miles, each broad and deep enough to engulf a navy. There only the dazzling purity of the true snow-region can be felt, freed from the débris, the moraines, the incrustations of the lower glaciers; it is absolutely spotless, and, as far as the eye can reach, without a vestige of any coarser substance than the driven snow. Fanciful as are the contortions of the lower ice-falls, they can give scarcely an idea of the marvels of the true region of the névé. There the whole body of the glacier for miles appears as if, by the craft of some superhuman race, it had been moulded and reared into stupendous castles, palaces, cathedrals, and cities of

pure ice—half ruined, half unfinished—gorgeous Palmyras, as it were, or Colosseums of crystal; with column piled on column, and arch above arch; buttressed towers, pinnacles, and minarets, porches, corridors, cloisters, and halls, in vista beyond vista lengthening out; transparent lakes of clear water deeply imprisoned amidst towering icebergs; all, from base to crest, blazing with frosted filagree and fretwork; dropping down with frozen festoons, tracery, and shafted stalactites of ice. It is a region in which, by some magic, all that is beautiful and impressive in form seems piled with profuse abundance, and transfigured into every hue of azure and every tone of living light. Not to be looked upon, but to be felt, are these gigantic and dazzling masses as one is engulfed in them, or threads the snow-bridge delicately poised over a chasm, or follows the unerring instinct of the guide through endless labyrinths and icy ruins.

There is perhaps no ground on which the wonderful instinct which long physical training produces can be so perfectly watched—not even in the Deal pilot steering his boat through a gale—as in the superior Alpine guide winding his course across an ice-torrent, following with unerring sagacity the only possible line of track, foreseeing everything, watchful of everything, and fertile in everything. His boldness can be matched only by his patience, and his unwearied providence only by his lightning quickness of eye and hand. There is about the climbing of the higher glaciers such inexhaustible variety of incident and condition. There is a charm in each, but the greatest charm is in their continually changing combinations. Eye, ear, and brain are constantly called into play. There is the perpetual demand for new plans and expedients; ever fresh surprises in the path, the atmosphere, and the scene; successions of strange sights and sounds; the roar of the subglacial river, the ripple of the surface rills, and the plunge of the glacier wells, the boom of the avalanches, and the peal of the glacier rents all day long; the whistling of the hewn fragments down an ice incline; the snow whirlwinds eddying round a windy crest; the white, treacherous storm-cloud, whisked up suddenly from the valley, and again as suddenly torn open, and revealing the whole gleaming panorama as if the curtain of heaven's gate were being drawn back; the cry occasionally of an eagle, or the distant glimmer of a chamois, and every sight and sound, from the most majestic to the most familiar, from the tempest reverberating round the chain of peaks down to the weird blaze of azure light which shoots up from beneath each print of the foot or of the axe.

So great an abundance of material for study and thought is there in the Alps, in the geological, vegetable, and animal worlds, that it would well occupy a life of observation and reading. On

the glaciers alone a whole literature, a whole branch of science has been bestowed. As ever-moving and changing agents of vast geologic movements, they possess an interest which perhaps no other natural force but volcanoes affords. And whereas volcanoes are singularly capricious and bear hardly any personal examination, glaciers are, of all the mundane forces, among the most constant and the most accessible. There is something about the ambiguous character of glaciers—half solid, half fluid—that is very fascinating. There is something so difficult to grasp in the scan of huge tracts of earth, as broad and lofty perhaps as one of our English mountain ranges, yet heaving and working with all the ceaseless life of an ocean. To the experienced observer the glacier seems to have its waves, its tides, and its currents, like a sea, both on its surface and down to its basin. In no other mode can be watched the heaving of the earth's crest visibly, and the machinery of geologic change in actual operation. And it is this union of vast extent with movement—of force and vitality—which makes the study of the glacier so ever fresh and so impressive to the merest scrambler as to the man of science.

Glaciers, as is well known, form but one branch of the Alpine studies. The animal branch is naturally the least abundant in material, but in that it possesses the mark of speciality as retaining yet in the midst of Europe some traces of long bygone animal eras. But the vegetation at once affords the matter for first-rate investigation. If other spots in the world offer more extraordinary types, there are perhaps no regions in Europe where in so small an area such a varying series of climates and consequently of plants can be seen. But quite apart from the richness or beauty of its flora or its fauna, an Alp offers a peculiar character to all observation. The conditions under which both exist are for the most part so special that both fill the least observant with new interest and the student with new suggestions. There is a poetry and a pathos in an Alpine rose or gentian, as we see it the sole organic thing amidst vast inorganic masses, the sole link of life between us and the most gigantic forms of matter. At home, the brightest of birds or insects scarcely awakens a thought in a summer's walk, but a stout man's heart and even eye may be softened by the sight but of a poor stranded bee, blown forth and shipwrecked amidst those pitiless solitudes.

In all the aerostatic phenomena, the Alps, as is well known, take the first rank as the observatories of science. It is as difficult for the student to fail of new ideas in their midst as for the most heedless tourist to fail to learn something. The great physical forces form there the very conditions of existence. The veriest scrambler gets to record something of atmospheric facts and changes. And here it is but fair to say that Alpine climbers

in general, and the Alpine Club in particular, have given a very useful impulse to popular science, and even in some cases to science proper. It is simply ridiculous to suggest that most of them climb with any scientific purpose, any more than men hunt to improve the breed of horses. But it is the special value of Alpine climbing that it combines a great variety of objects. And whereas some men pursue it for health, for exercise, for mere adventure or enjoyment, for the wonderful exhilaration it affords, for the poetry, for the solemnity and the purity of the emotions it awakens, some find there the richest field for their serious labours, and nearly all find much that gives matter for profitable thought. Indeed, a ground which, if to many it is but one of recreation and rest, has been the scene of the studies of the Saussures, the Agassizs, the Beaumonts, the Forbeses, the Tyndals, the Huxleys, the Tschudis, the Studers, the Berlepschs, must be one which has equal promise for every mind and every character.

But it is not, after all, as being rich in science, nor simply as being lovely in scenery, that the Alps are chiefly marked. It is more that they form as it were an epitome of earth, and place before us in the range of a summer day's walk every form of natural object and production in the most striking and immediate contrast. Within a few hours after leaving the most terrible forms of ruin, desolation, and solitude, where no life is found and man can remain but for a few hours, the traveller is in the midst of all the luxuriant loveliness of Italian valleys and lakes, basking in an almost tropical heat, surrounded by the most delicate flowers, ferns, and shrubs, and charmed into mere rest by ever-varied landscapes, softer and more fairy-like than Turner ever drew. Indeed, after some weeks of rough work amidst the glaciers, it is impossible to resist the emotion of grateful delight with which one recognises the overflowing richness of this earth amidst the sights, the sounds, the perfumes, and the myriad sensations of pleasure with which life on the Italian lakes is full. No one can taste these wholly who has not borne the heat and burden of the day, the toil and cold of the Alpine regions. Then only is one able to see the glory and profusion of Nature as a whole, and to conceive in one act of thought, and feel but as one manifold sensation, all that she has most strange and most beautiful, from the Arctic zone to the Tropics.

ART. III.—THE LIFE OF JESUS BY STRAUSS.

Das Leben Jesu für das Deutsche Volk bearbeitet. Von DAVID FRIEDRICH STRAUSS. Leipzig: F. A. Brockhaus. 1864.

WITH its twenty-ninth anniversary the famous "Leben Jesu" of Dr. D. F. Strauss enters on the popular phase of its existence. It is no mere re-cast of the earlier work, however, with which the learned and philosophical author presents his German countrymen, but a substantially new book. Primarily designed for the people, it is not meant to supersede its more scholarly predecessor; and though it does in point of fact correct and complete it, Strauss contemplates the eventual republication of the older work on the basis of the first edition, with certain amendments supplied by the fourth.

Possessing less of erudite detail, this new "Life of Jesus" is distinguished by a directness and thoroughness of purpose which is more than an equivalent for such omission, and Strauss is right in intimating that what it loses in learning it gains in frank intelligibility—that while the meaning of other writers may be disputed, his is never obscured by reservation. The mere antiquarian, or historical interest which some theologians affect is rightly subordinated by our author to the moral interest. Christianity being a living force, and the question of its origin involving such momentous practical consequences, to make literary considerations the primary ones argues an intellectual simplicity in which it is difficult to believe. In this spirit our fearless author undertakes to re-write his "Leben Jesu," and admirably does he accomplish his task. Incorporating the latest results of the advanced theological criticism of Germany, so far as he accepts them; acknowledging the splendid services of the great leader of the Tübingen school, Dr. F. C Baur; recognising the depth and patient industry of Zeller; accepting a suggestion from Hilgenfeld; modifying, combining, illustrating, Strauss has produced a book which, while it contains the most complete and satisfactory solution of the great religious problem with which it grapples, attests the candour, courage, and purity of his moral nature, the penetrative force of his critical genius, his marvellous acuteness, his discrimination, sagacity, and happy ingenuity. That this ingenuity is never at fault, or that it is never misplaced, is more than we will venture to affirm. It may be that while sometimes the author's copious

exemplification and punctual workmanlike power of applying the mythical hypothesis with which his name is immortally connected convince us of the general correctness of that hypothesis, at other times the explanation seems tedious, far-fetched, and almost self-defeating, from its laborious circumstantiality and the remoteness of the mythical accessories. Yet perhaps in the most dubious cases we should hesitate to say that he was wrong, and even admitting that the hypothesis in question is not a "universal solvent," it is at least a very general solvent.

To suppose that Strauss ever advocated an exclusively mythical view of the Life of Jesus would be a mistake. At the commencement of his great work he distinctly states that legend and history, as well as mythus, are to be met with in the Gospel record. His error, for error there was, lay in the too systematic application of the mythical hypothesis. He, in general, accounted for the supernatural circumstance in a narrative by resolving the whole story into the unconscious expression of an idea. In this resolution he was often right; and even where he was wrong, his relation to orthodoxy was far less offensive than that of Baur, whose *tendency* theory, though essentially sound, imputing purpose and bias, equally reduced the evangelical narrative to a species of historical romance. There was a chivalry in the misconception of Strauss which has proved to be as superfluous as the critical procedure which it dictated in certain cases has proved to be unscientific; or to describe his position in his own language—"True, I have been refuted, but only as one who thinks he owes a thousand pounds is refuted when it is shown he owes only a hundred." In other words, where he had seen only unconscious misrepresentation, he afterwards discovered deliberate invention.

Some modification of the mythical interpretation thus became inevitable. Influenced mainly by Baur's critical researches, Strauss, in the new form which the "Leben Jesu" has taken, admits the presence of a far larger proportion of conscious and intentional fiction in the evangelical biography. To these deliberately fabricated narratives he still assigns the name of myths. The objection that mythus being the conjoint product of the general mind, and that a certain class of Gospel narratives emanating from an individual source and written with a conscious purpose, cannot be properly called myths, he meets by the allegation, that when such compositions have once been accepted as constituent parts of the legendary faith of a community, they may with perfect propriety be so designated. Every unhistorical narrative, he continues, whatever be its origin, in which a religious community recognises an integral portion of the faith which is its support, is a mythus, because it expresses without qualification

its real sentiments and convictions; and if Greek mythology has an interest in distinguishing between the present wider and another and narrower conception of mythus, which excludes conscious invention,—critical theology, as opposed to the so-called orthodox theology, has an interest in comprehending all those evangelical narratives which possess only an ideal significance under the general conception of mythus.

To the critical analysis with which Strauss accompanied the exposition of his mythical theory, no effective reply could be returned. The Diatessaron of Discordances which that analysis constitutes refutes the doctrine of plenary inspiration. Nor had this analysis, as Baur contends, a merely negative result. Far from designing to undermine the authority of the Synoptists by the counter-attestation of the Fourth Gospel, and that of the Fourth Gospel by the contradictory evidence of the Synoptists, Strauss maintains that he established the historical superiority of Matthew and exposed the untrustworthiness of John, pointing out the ideal character of some of his narratives—the conversation with the woman of Samaria—the interview of Nicodemus, and the resurrection of Lazarus. The hesitation and incompleteness, however, which mark Strauss's critical operation, considered historically, are obviously undeniable, and to Baur must be allotted the imperishable glory of terminating, through the force of a great and original idea, the critical enterprise which Strauss initiated. Aided by the researches of the leader of the Tübingen school and his coadjutors into the growth, structure, and character of the four Gospels, Strauss now offers an adequate and satisfactory appreciation of the age, origin, and material of these accepted sources of information for a Life of Jesus. Before we proceed to elucidate his theory, we will briefly indicate the conclusions at which he has arrived in reference to each of the four Gospels; conclusions which fully justify him in re-asserting his old position, that between the occurrence of the incidents in the life of Christ and their registration in our Gospels, a sufficient interval had elapsed to allow of the growth of legendary and unhistorical matter, and even of philosophical speculation and deliberate invention.

Admitting with Baur that the Gospels exhibit purpose and betray the tendencies of the age in which they were composed, though objecting that that acute critic sometimes fancies design where there is only inaccuracy, caprice, accident, or literary taste, Strauss expresses his entire accord with him on the question of the relative originality and credibility of Matthew, in opposition to those critics who advocate the superior claims of either Mark or Luke, or both. While he sees abundance of mythical matter in the first Gospel, he finds there a simplicity of recital wanting

in the second and third Evangelists, some of whose narratives are seemingly amplified or altered from those of Matthew. Matthew's Gospel bears on it, as a mark of its early origin, the stamp of a Jewish nationality, which the progress of time and the freer development of Christianity gradually effaced. To its composer Jerusalem is still the "holy city," the Temple the "holy place;" whereas in Mark and Luke we find merely the name itself or some ordinary indication. By him the relation in which Jesus stood to the Mosaic law is most accurately noted, and he always assumes as known what Mark thinks it necessary to explain.* With Matthew the life of Jesus is regarded from beginning to end as the fulfilment of Old Testament prophecy, and this fulfilment is in his eyes a convincing proof that the Christians were right in seeing in Jesus the promised Messiah. The Jesus of Matthew indeed is intimately connected with Judaism. By no other evangelist is he so repeatedly distinguished as David's son; with no other does his descent from the shepherd king and the father of the faithful take such conspicuous precedence; in no other does he explain so assiduously that he is not come for the abrogation but for the completion of the Law. Yet with all these marks of relative priority Matthew is still but a secondary author, manifestly deriving his material from older sources; as is shown by his adoption of duplicate narratives of the same event,† and passages which are sometimes in contradiction to each other, as that which forbids the evangelization of the Gentiles, and that which predicts and enjoins it; a contradiction, as Strauss thinks, that indicates not a progress in the sentiments of Jesus, but two different periods in the development of Christianity—one when the admission of the heathen to the privileges of the Messianic community was still a subject of debate, and a second and later period, when the universalism of Paul had become popular, and the call of the Gentiles was represented as predetermined by Jesus himself.

In this way we ascertain the secret of the formation of the oldest evangelical records. Out of shorter and less complete memorials more comprehensive gospels were compiled, not as perfect and final biographies of Jesus, but as narratives "to be continued," additions and interpolations being readily admitted, as an idea or a tendency which seemed an inevitable consequence of the Christian principle showed itself in the primitive community, till at length the reform of the Evangelical history ter-

* See Mark vii. 3-4, where Strauss seems willing to admit that if the archæological explanation stood alone, it might be accounted for on the supposition of the foreign origin of the Gospel.

† Compare ix. 32-34; xii. 22-24 and 38-40; xvi. 1-4; xiv. 15-21; xv. 32-38.

minated in the exclusive recognition of our Synoptical Gospels, and the triumph of the catholic or orthodox party. Of these additions and alterations Matthew's Gospel to a tolerably late period was selected as the appropriate repository, because it was the record which was most generally known to the Church. Compiled, it would appear, from the traditions of the Galilean circle, there is no proof that the Apostle whose name it bears was the author of the work which forms its basis, otherwise there would be no difficulty in accounting for its title. It may be that as Matthew passed for one of the Gospel emissaries among the Jews, and as his previous office as a collector of customs implied the possession of a certain literary qualification, his name became finally attached to it, although he was not in reality its composer.

In Luke (the second Gospel in order of time), the exhibition of purpose and tendency is more noticeable than in Matthew. With Matthew the visit to Nazareth follows the sojourn and the miracles in Capernaum, and is placed about the middle of the Gospel, as about the middle of the Galilean mission of Jesus: with Luke it occupies the fore-front of his narrative, the retirement to Capernaum and the supernatural cures occur later, while the supposed demand, " Whatsoever we have heard done in Capernaum, do also here in thy country" (Luke iv. 23), is so abrupt and irrelevant that it affords a presumption that Luke had access to some other record than that of Matthew. Of the advancing universalism which was characteristic of the age when this Gospel was written, the appointment of the seventy disciples is a remarkable indication; these additional emissaries having a symbolical reference to the seventy nations of the earth, as the twelve apostles had to the twelve tribes of Israel. Other marks of a Pauline tendency are found in the peculiar correspondence of the sacramental formula, Luke xxii. 19, and 1 Cor. xi. 24, and in the more friendly relations of Jesus to the Samaritans. Universality, conciliation, and compromise are further observable in the various modifications or omissions which we find in Luke. The old Jewish Christianity is not rejected but mitigated. The genealogical table which unites Ethnic with Jewish interests, by carrying the descent of Christ through Abraham to Adam and God, the suppression of the panegyric on Peter, and of the story of the woman of Canaan, in which Jesus harshly compares the heathen with dogs, are instances of the influence of a more liberal and catholic age. The old element however still remains. The Ebionitish passages, such as the Beatitude on literal poverty, and the corresponding sentiment in the parable of the Rich Man, suggest that Luke was in possession of documents supplied from a Jewish centre; while the preliminary narrative seems prefixed to show, by the importance with which it invests Jewish ritual observance, that the mild

and temperate representative of Pauline tradition by no means intended to disparage that of the older type of Christianity. A proof of the later origin of this Gospel as compared with that of St. Matthew, is found in the separation of the two eschatological concomitants of the first Gospel—the destruction of the Temple at Jerusalem, and the return of Christ at the end of the world. The author, who had long outlived the ruin of the holy city, knew what his predecessor did not know, that the overthrow of the Temple and the coming of Christ were not contemporaneous events. For a similar reason the interval between the desolation of the Temple and the Messianic advent, which Matthew described as of brief duration, is not distinctly characterized by his successor, who, living at a later period, was compelled to omit the words, *immediately after the tribulation of those days*, leaving the time of the advent less exactly determined. As, however, none of the circumstances that attended the Jewish insurrection under Hadrian colour the representation of Luke's narrative, its composition must be placed prior to the year A.D. 135. The ascription of authorship to Luke is easily explained. In the Acts of the Apostles, which is the intended sequel of the Gospel, the narrator identifies himself with a companion of St. Paul, and as in the letters attributed to that Apostle during an imprisonment at Rome, Luke appears as his coadjutor, it was assumed that Luke was that companion, and that the companion was the composer of both works.

The third synoptical Gospel in order of time is that of Mark. As the canonical Mark differs in character from the Mark known to Papias, the testimony of that writer cannot be cited in support of its genuineness or originality, any more than in support of the genuineness or originality of the canonical Matthew. With the exception of about twenty-seven verses, the whole of the existing Gospel of Mark may be found in Matthew and Luke. A comparative analysis of the three Gospels shows that they are in some way inter-related, and various considerations justify us in applying the rule, "that when of two evidently correlated narratives, a longer and a shorter one, the latter appears destitute of meaning and connexion without referring to the longer, the longer must be supposed to be the original, the shorter the derivative epitome."* A sort of crucial instance of the derivation of Mark from both Matthew and Luke is pointed out by Strauss. In Matthew (xiv.) Herod, when he hears of the fame of Jesus, affirms, "*This is John the Baptist,*" but makes no reference to popular report. In Luke (ix.) the assertion identifying Jesus with the resuscitated Baptist does not emanate from Herod, but from the people; and instead of Herod's solution of a difficulty, we

* Mackay's "Tübingen School," p. 316.

have Herod's perplexity as the result of a multifarious rumour. Now it is a striking fact that Mark combines both accounts (vi.), the spontaneous explanation of Herod in Matthew, with the public talk which in Luke excites the king's interest, and prompts the question, "*Who is this of whom I hear such things?*" Instead, however, of this question, we find in Mark a return to the assertion with which both himself and Matthew introduce the subject, Herod, with an insipid iteration, repeating, "It is John whom I beheaded." The inference of Strauss seems inevitable, that Mark would not have so begun if he had not had Matthew before him, nor so continued if he had not had Luke before him, nor so concluded* if he had not reverted to Matthew. The conciliating tendency of Mark is no less visible than that of Luke. While he evidently aims at abridgment, and thus omits the longer addresses of Jesus, he equally aims at propitiating both of the two great parties in the Church. He accordingly avoids all extremes, and keeps clear of all the controversial questions which agitated the Church towards the middle of the second century. Thus he abandons the genealogy, which however valuable in the eyes of the old Jew-Christian, had no interest for his Gentile co-religionist. From analogous motives he omits the anti-Samaritan prohibition; the assurance which Jesus gives of the perpetuity of the Law; the promise of the twelve thrones to the twelve Apostles; the encomium on Peter; the harsh expression that God could evoke from the stones a posterity to Abraham; the menace that the kingdom should be taken from the Jews and given to a worthier nation;—always compensating for the sacrifice of a Judaistic trait by the sacrifice of a universalist trait, and thus endeavouring to conciliate the prepossessions of the rival parties. The relative recency of this Gospel is shown by special accommodations no less than by this general spirit of compromise. For instance, the declaration in Matthew that there were persons then living who should not taste of death till they saw the Son of Man coming in his kingdom, is softened by Mark, till they have seen the kingdom of God come with power,—an alteration necessitated, Strauss argues, by the experience of the writer, who could not but see that in the interval between Matthew and himself the generation contemporary with Christ* had become extinct, while the expectation of a personal reign of Jesus had not been realized, and who had no alternative but to understand the prediction of the expansion and consolidation of the Christian Church. The attribution of a

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* See, however, Mark xiii. 30, where the expression "this generation" appears opposed to this view; but notice also the accommodation (37), where again, the words "What I say unto you I say unto all, Watch," seem suggested by the Evangelist's consciousness that, as the Apostles were dead, the warning could have no meaning if referred to them only.

Gospel thus late in its appearance to Mark, is explained by Strauss in conformity with these general indications. As Paul found a mediative expositor in Luke, so Peter had a suitable representative in Mark. Church tradition regarded Mark as the interpreter of Peter; in the first epistle which bears his name, Mark receives an affectionate recognition. In the Acts, the same chapter which records Peter's visit to Mark's mother, gives the son as the coadjutor to Barnabas and Paul. Thus the composer of this neutral Gospel appears as the common friend of the great Gentile and the great Jew Apostle.

Of the Gospel which stands fourth in order of arrangement, and which is generally conceived to be the composition of John the beloved disciple, we shall say little, hoping on some future occasion to discuss the question of its origin and purpose more adequately than we can now do. It is sufficient to state here that Strauss regards it as a literary production unknown till about the middle of the second century, and in no sense genuine or authentic. As a history of ideas, not a record of facts, it reflects the catholic tendencies of Asiatic theology, and may be considered as the consummation of second-century universalism, consecrated by the supposed authority of the supreme ecclesiastical president of Oriental Christendom.

The result of this investigation is, that of our four Evangelists John is the least, and Matthew the most trustworthy. While the Jesus of the Fourth Gospel is scarcely more than a poetical creation, the Jesus of the First Gospel, though glorified with a halo of myth, approximates to the original Jesus that taught his countrymen a holier ideal than that of the Pharisees, among the fields and by the Lake of Galilee. Earlier in date than even the Gospel of Matthew must be placed the genuine Epistles of Paul; but as Paul had no personal acquaintance with Jesus during his earthly career, as he evinces his historical indifference by his avoidance of the older Apostles, the obvious sources of information on the subject of Jesus' life, and as moreover *his* Christ was not an historical but an ideal Christ, he offers no fresh or independent material for a biography, but simply repeats the ordinary traditional outline of the crucifixion and resurrection. Following the Pauline letters, but still prior to the Gospel of Matthew, the Apocalypse, which Strauss thinks is probably the production of the Apostle John, serves as a proof that the survey of the primitive church was not a retrospective but a prospective one. Absorbed in the expectation of the second advent, the believer was incurious as to the circumstances of the first. Prophetic fancy superseded historical inquiry, and the sober narrator was replaced by the inspired poet. Only in proportion as the hope of the immediate return of the departed Christ lost something of

its glowing energy, the eye turned slowly and wistfully to the past, seeking in the reflection of vanished splendour a security for its predicted revival. Thus about the time when the literary activity of the Christian community was diverted both from an *Epistolary* treatment of the present and an *Apocalyptic* portrayal of the future, to the contemplation of the life of Jesus in the past and its reproduction in *Evangelical* narrative, it fortunately happened that in the scenes of his former labours, a valuable, and in the main authentic, collection of his discourses and sayings was in circulation. Very different was it with the events of his life. Of them only the merest outline survived in the memory, and when the impulse to the composition of Gospel narrative awoke, there was no resource but to fill-in the picture of the historical Jesus with the traits and colours with which devout imagination had already invested the ideal Jesus, and throw back on the suffering man the fancied glory of the ascended God. Hence the multitude of miraculous stories, fading ashes from the Apocalyptic crater! Hence those magnificent scenes, the Baptism, the Transfiguration, the Resurrection, crises in which glimpses of the coming glory of the expected visitant from heaven were seen, as it were, through the obscurity of his earthly life. (p. 138.)

Postponing the application of the mythical theory (which these critical researches have shown to be quite admissible, since they have shown that there was ample time for the growth of mythical material), Strauss, in an early part of his book, attempts to discriminate between the historical and unhistorical elements in the evangelical records, with a view to the reconstruction of a proximately true life of the Jesus of whom they give us so imperfect a report. Let us follow him into this new region.

Divested of his supernatural attributes, Jesus may be regarded as that happy personal agency which in religion, as in art, science, or politics, is required to evoke the prepared thought, the growing life of humanity, and to give it its true form and genuine place in the world. The movement which he inaugurated was no abrupt or portentous phenomenon, but a natural and orderly extension of the continuous education of mankind. This extension was in itself the result of three principal interacting forces—Jewish theocracy, Greek culture, and Roman rule. Among the varieties of religious life and thought which Judaism developed, was comprised that pious, ecstatic, and contemplative Essenism which had so unmistakable an affinity with the old Ebionitish type of Christianity. Another of the characteristic beliefs which it generated was the theocratic expectation of a Messiah. With the prophetic order this belief manifested itself in dreams of a national restoration under a privileged descendant of the royal David, while the sacerdotal order seems to find in Moses the

great lawgiver its favourite type of the desired deliverer. After the Exile, a third representation connected the hopes of future prosperity with the miraculously translated Elijah. Later still, the supernatural son of man of Daniel's prophecy (even if primarily intended as a symbol of the Jewish nation) probably tended to ultimate identification with the Messianic king. Meanwhile Hellenic culture issued in a philosophical monotheism, in the noble Socratic mission and aspiration, in a doctrine of ideas inviting assimilation with the Jewish doctrine of angels, and in a general moral and intellectual unity. The third combining force, the Roman rule, had two opposing aspects. On the one hand it made man known to man; it taught him to look on the different branches of the human race as included in one family, incorporated in one polity, interested in one commerce; and on the other, by its rigorous suppression of national and individual independence, by its iron despotism, and the sorrowful experiences which attended its progress, especially during the Civil War, it so embittered the present that, despairing of natural remedies, men turned to a future in which they dreamed of extraordinary resources, such as the Jewish hope suggested, and Christian idealism in some sense enabled them to realize.

Approaching nearer to the personal organ of the impending change, we encounter the figure of John the Baptist, the so-called precursor of that organ. As the living embodiment of all that was best and purest in Judaism, as the probable representative of the Essenes, with whom the pious Hebrews, fallen on evil times, found a welcome refuge—John the Baptist, and through him Essenism, seem necessarily to have offered the common element for the evolution of Christianity out of Judaism. Inculcating moral amendment, accompanied with purifying ablution, perhaps as the condition of a political restoration through Jehovistic intervention, John appears before us with all the marks of a genuine Essene. The religious aspirations of Jesus would naturally draw him to the side of the Desert-Preacher, and so his submission to the water ceremonial of the Baptist may be accepted as a fact. That John shared in the general Messianic expectations can scarcely be denied, but that he identified Jesus with the Messiah is highly improbable. On the contrary, if we think of Jesus as appropriating all that was fair and good in the Essene life and doctrine, and letting all that was narrow and exclusive fall away, John would be disposed to see in him rather the degenerate scholar than the mightier master. Whether at this early period Jesus considered himself to be the Messiah, is a question to which we will presently return.

According to Strauss, the only correct data for forming an estimate of the spiritual nature of Jesus must be sought in the

great central discourses preserved in the Synoptic Gospels—preeminently in the Sermon on the Mount. At the commencement of this sermon, the words of Jesus which announce the coming of a new life and thought into the world, fall like "a fertilizing rain in spring." Equally opposed to the traditional views of Judaism and the Ethnic world, the Christian Paradoxes or Beatitudes form the introduction to a totally different philosophy of life. No longer the rich and joyous, but the poor and sorrowful, are selected as representatives of genuine happiness. Internal peace is substituted for outward satisfaction, and the resources of the soul are preferred to the pleasures of sense, with a promise of future and heavenly acquisition rather than of present and earthly possession. This substitution of spiritual for material happiness leads to the exaltation of motive and disposition as the true springs of action, in contrast to the external and mechanical morality of the Pharisees. In insisting on purity of thought, simplicity of language, patience and forgiveness, Jesus appears as the opposing counterpart of the primitive lawgiver with his savage statute of retaliation. His anti-Jewish and original conception of the paternal disinterestedness of God, who lets the rain fall and the sun shine on the evil no less than on the good, leads Jesus to apply to him one of the highest and most endearing terms that denote human relationship, and to proclaim him to be the father of mankind. Regarding God as essentially love, because, as Goethe says, love was the essence of his own fair inward being, Jesus was intimately conscious of his harmony with this Divine Father. From the belief in an all-embracing love he derived his doctrine of human brotherhood and equality. Hence too he drew the golden rule, rightly regarded as the distinctive formula of Christian morals, the axiom which contains the cardinal principle of the Christian religion, the subordination of all individual life to the common idea of Humanity which lives in all, and is recognised and reverenced in all. United to his Father through the influence of this universal love and its consequent activity, Jesus attained to an inward blessedness and serenity, compared with which all external joys and sorrows lost their significance. Hence the cheerful carelessness which confides in the Providence that feeds the sparrows and clothes the lilies; hence the sustained contentment with a wandering, homeless life; hence the preference for children, as affectionate, innocent, and unpretending; hence the indifference to external honour or dishonour, in the consciousness of a divine vocation. Closely associated with this conception of a godlike life is seen the prophetic ideal of a New Covenant, that of the law written on the heart, bringing with it the glad sense of freedom and relief before which the feeling of servile obligation passed away. This joyful activity,

which we may call the Hellenic attribute in Jesus, was the crowning result in an harmonious religious development—a development which, if not effected without a struggle, was at least effected without those violent internal crises known to Paul, Augustine, and Luther; so that, in a very true though perfectly natural sense, Jesus may be said to have been without sin, because without the sense of guilty conflict, defeat, and recovery.

This pure and lovely spirit of religion determined the peculiar relation of Jesus to the Mosaic law. The conduct of Jesus, as described in the evangelical history, is contradictory and unintelligible. It is impossible that in his Sermon on the Mount he can have declared every tittle of it eternally binding, and yet have held the language attributed to him on other occasions, as well as have formally repealed more than one enactment of Moses on the same occasion. Strauss accordingly rejects "the jot and tittle" passage in the fifth chapter of Matthew as an anti-Pauline interpolation, thereby restoring, as it would seem, the beautiful connexion which it destroyed. If we accept this explanation, the conduct and language of Jesus are no longer incomprehensible. Far from proclaiming the indefeasibility of the Mosaic code, Jesus knew it to be imperfect. Hence his modification of the marriage law; hence his marked freedom of expression on Sabbatical observance, his speculations on fasting, and his aversion, as Strauss thinks, in common with the Essenes and Ebionites, to the coarse materialism of animal sacrifice, so strikingly shown in his expulsion of the traffickers whose title to admission into the appropriate Temple-precinct was indisputable. As Strauss rejects the anti-Pauline assertion of the perfectibility of the Mosaic law in Matt. v., so he rejects, as an Ebionitish sentiment, the anti-Samaritan and anti-Gentile order in Matt. x.; basing his rejection partly on the opposing representations in Luke, and partly on the assumption that the superior spirituality of individual heathens in Galilee must have produced in the mind of Jesus so favourable an impression as to determine him, without a deliberate plan of universalism, to include the Gentiles in his religious reform. And this brings us back to the question of his Messianic claims.

The opinion of Schleiermacher on the mode in which Jesus attained to the conviction that he was himself the Messiah, is adopted with little or no qualification by Strauss. It was not an *à priori* identification of himself with the predicted deliverer that created the religious consciousness of Jesus, but it was his religious consciousness that induced the persuasion that he and none but he could be the predicted deliverer. Thus the Messianic hope, as entertained by the majority of his countrymen, became modified by the tender, human, unworldly piety of Jesus. Far from arrogating to himself the proud distinction of the Son of David,

a favourite popular appellation of the Messiah, Jesus habitually assumes as his distinctive name the humble title of the Son of Man, implying, indeed, a divine mission, but connecting it with associations of weakness, self-denial, and lowly service.

In the Galilean insurrection which broke out in the boyhood of Jesus, the political fanatics who opposed the Roman authority on the ground that Jehovah alone was the national king, made an unsuccessful resistance under Judas "the Gaulonite," influenced, it would seem, by the ordinary Messianic expectation. With no sympathy for the secular aspect of the theocratic idea, as interpreted by these desperate champions of Jewish nationality, Jesus sought rather to develop its spiritual aspect, wishing to effect the moral and religious elevation of his countrymen, and so securing their consequent happiness and prosperity, but not proposing their direct temporal triumph as the conquering and imperial people. With this general conception of Jewish fortune, the conception which Jesus formed of the character and destiny of the promised deliverer ran in perfect harmony. In the later period of Judaism there grew up side by side with the idea of a victorious and kingly Messiah the very opposite idea of a teaching and suffering servant of Jehovah—a description that really applied to the Jewish nation, the collective Son of God, which, though chastened, exiled, and dispersed, was, even in this obscure and destitute condition, the agent appointed to diffuse the light of religious knowledge among the benighted Gentile races. This idea of a suffering and missionary Messiah, Jesus seems to have appropriated; and this appropriation forms an additional reason for the belief that he extended his evangelizing views beyond the purely Jewish circle of Ebionitish theory. Gradually the opposition of his countrymen, and in particular the hostility of the ruling classes, forced on him the unwelcome conviction that in his efforts to regenerate the nation by a system of patient, long-continued instruction, he was prosecuting a hopeless task. More and more impressed with a sense of the actual appropriateness of his conception of the Messianic office as one of laborious and sorrowful self-renunciation, he at length realized with a vivid and exclusive distinctness the idea of a suffering Messiah, and identifying himself still more closely with his ideal, predicted his own personal oppression, condemnation, and execution. With a further refinement of thought he saw, as Jewish belief inclined him to see, in the surrender of life a kind of reconciling sacrifice; and perhaps in the ultimate triumph of his cause, or the glad anticipation of heavenly reward and glory, he beheld the only resurrection which he ever foretold. Soon after the recognition by Peter, and his own avowal of his Messiahship, Jesus set out on that journey to Jerusalem which terminated in the fulfilment of

these sad forebodings. The triumphal procession of his countrymen who proposed to attend at the Passover Feast, was not that of a political adventurer, but of a religious reformer; the object of Jesus being to induce the people to break with a merely ceremonial religion, outward purification and animal sacrifice, and to withdraw their confidence from their existing leaders and accept the guidance of men of genuine inward piety. His previous success in Galilee gave him the requisite courage to attempt this moral revolution; his escort, consisting of his own countrymen and followers, supplied a material support; the attendance at Jerusalem of a new and larger circle of hearers in the Jews from the provinces who flocked to the great annual feast, offered a favourable occasion for the announcement and discussion of his views. The experiment, if only tolerably successful, would be repeated during future visits to the Holy City, till the opinions of the new reformer became popularized, and the saintly prophet's vision of a pious and happy people, of a divine kingdom on earth, was transformed into a bright and glorious reality. It was in this spirit that Jesus effected the purification of the Temple and denounced Pharisaic externalism and dissimulation. To escape the machinations of the sacerdotal order, which was bent on removing so dangerous an opponent, Jesus, protected during the day by the popular favour, retired at nightfall to some sheltering spot beyond the city, constantly changing his place of rest, and so baffling the vigilance of his enemies. The interposition of a treacherous intimate thus became as indispensable as it was welcome. The treason was followed by arrest, the arrest by crucifixion, and the crucifixion by death: for of the two alternatives open to free inquiry, that if Jesus died he never reappeared, or if he reappeared he never died, Strauss considers the former not only the preferable, but the only tenable one; for he cannot persuade himself that a feeble sufferer, who at first had scarcely strength to leave the tomb, and in the end succumbed to death, could have contrived to inspire his followers with the conviction that he was the Prince of life—the Conqueror of the grave. Strauss thus admits that faith in the supernatural revival of the buried Nazarene was undoubtedly the profession of the Christian church—the unconditional antecedent without which Christianity could have had no existence. If, then, we refuse to assume the Resurrection to be an historical fact, we have to explain the origin of the Church's belief in it. The solution which satisfies Strauss, and which seems to us also an adequate interpretation of the problem, is dependent on the two following positions:—1. The appearance of Jesus was literally an appearance, an hallucination, a psychological phenomenon. 2. It was also a sort of practical fallacy of

confusion, a case of mistaken identity. Thus, with reference to the first position, Paul, who never saw Jesus till many years after the reputed Resurrection, places his visionary Christophany in the same category with that of apostles who are understood to have seen him frequently during the forty days which elapsed between that event and the equally imaginary Ascension. So, again, with reference to the second position—As the disciples, on two occasions, were unable to recognise Jesus when they saw him (Luke xxiv. 16; John xxi. 4), *conversely* they may have mistaken any stranger whom they encountered under enigmatical circumstances, and who made an impression on them, for Jesus himself. With these two determining elements, the second of which has only a subordinate rank, a Messianic logic combined to superinduce a state of mind which created history out of prophecy, and converting inferences into facts, raised that mythical superstructure of Evangelical narrative which has for its sole residuum of reality the *ideal* Resurrection and Ascension of Jesus—his subjective exaltation in the glorifying hearts and dreaming intellects of the men and women on whom his personal ascendancy had exerted so profound an influence.

But it will be said that this natural solution of the problem implies a foregone conclusion,—the rejection of the orthodox or supernatural solution. Of course it does; and accordingly Strauss has been accused of dogmatical and unphilosophical assumption. But the rejection of the theological solution is not the result of ignorant prejudice, but of enlightened investigation. Anti-supernaturalism is the final irreversible sentence of scientific philosophy, and the real dogmatist and hypothesis-maker is the theologian. That the world is governed by uniform laws is the first article in the creed of science, and to disbelieve whatever is at variance with those uniform laws, whatever contradicts a complete induction, is an imperative intellectual duty. A particular miracle is credible to him alone who already believes in supernatural agency. Its credibility rests on an assumption,—the existence of such agency. But our most comprehensive scientific experience has detected no such agency. There is no miracle in nature: there is no evidence of any miracle-working energy in nature: there is no fact in nature to justify the expectation of miracle. Rightly has it been said by an English *savant* and divine, that testimony is a second-hand assurance, a blind guide that can avail nothing against reason; and that to have any evidence of a Deity working miracles we must go out of nature and beyond reason.

Strauss's prepossession therefore is justifiable. It is the prepossession of the rational theist, who does not believe in a God that changes his mind and improves with practice,—the prentice

Maker of the world; it is the prepossession of the pantheist, in whose theory of the perfect government of an immanent God, miracle is an extravagance and absurdity: it is the prepossession of the philosophical naturalist, whose experience of the operations of nature recognises no extra-mundane interventionalism. It is only *not* the prepossession of the imaginative theologian who, like Paley, insists on the existence of a hypothetical poison in order to recommend a hypothetical antidote, and whose faint-hearted acceptance of the law of universal order, neutralized by the exceptional treatment, in which, to escape the consequences of inconvenient admission, he displays all the artificial resources of a fanciful invention,—*Preformation, Higher and Lower Nature, Natural Acceleration,* and the like,—is one continued illustration of the homage that intellectual vice pays to intellectual virtue.

The elimination of the supernatural element from nature suggests a corresponding canon of critical inquiry. If no miraculous event takes place, no miraculous narrative is true. It is either legend (distorted fact), or myth (fact created by idea, with or without conscious intention), or a combination or continuous accretion of legend and myth. Among the legendary narratives in the New Testament may be included some of those which celebrate the seemingly miraculous cures effected by Jesus, and in particular the restoration of demoniacs to physical and mental health. Where thousands touched the garments of Jesus, it would have been strange if no enthusiastic sufferer experienced temporary, perhaps even permanent relief; and in every such instance, what was really the consequence of an excited imagination would be ascribed to some mysterious curative power in the person or even in the garment touched. As the anticipation of a dreaded disease has been the cause of the evil apprehended, so the action of a lively fancy and a powerful faith may in some cases of nervous malady have been accompanied by a real improvement in the health of the patient. One species of disease, at that time the fashionable epidemic in Judæa, demoniacal possession, as being in some degree the offspring of imagination, was admirably adapted to this sort of homœopathic treatment. Exorcism, in fact, was believed to be successfully practised by the Jews; and if Jesus shared in the superstitious belief of his countrymen, he could hardly fail to see, in the departure of the indwelling spirit of evil before his authoritative voice, an appropriate sign of the approach of the heavenly kingdom. That on such a substratum of fact should be raised a dazzling superstructure of miraculous legend can surprise no one who is acquainted with the history of human credulity, or the "otio credentium" which distinguished the age and the country of Jesus.

"To do a miracle," says Semisch, "was then thought nothing extraordinary; the presumption was universal, that the ordinary power of man could make use of the invisible higher spiritual world, and accomplish extraordinary things by the help of good or evil demons. Theurgy was an esteemed and widely spread art; magic was a lucrative profession; Goetæ swarmed in all directions; asleep or awake men's minds were familiar with miracles. Even the educated and intelligent caught the infection of the age. Suetonius and Tacitus relate that Vespasian, during his residence at Alexandria, cured a blind man with his spittle, and a lame man by touching him with his foot, and neither of these writers intimates the slightest suspicion of the correctness of these accounts. Spartianus tells us that two blind men obtained their sight merely by Hadrian's touch, and avows his firm belief, though he was aware that doubts were entertained on the subject."*

Incorporated with the narratives that report and embellish these miracles of imaginative faith will be found that class of narratives which we have called myths, or ideal representations of facts,—the origin of which is explained in a very different manner.

A myth has been described by Mr. Grote as the special product of the imagination and feelings. Under the influence of a dominant emotion the mind has a tendency to explode, as it were, into a dramatic expression of that emotion. It clothes it in circumstances; it literally gets up a scene and crowds it with interlocutors; it invents motives, explains difficulties, accounts for appearances, soliloquizes, philosophizes, acts. A mythical story may be the *secretion* of an individual mind or the emanation of the general social mind; for when society is swayed by some violent or profound agitation, the various members composing it become almost all alike credulous and fanciful. The passionate tendency which bends them like a storm in one direction is epidemic. Conjecture instigates conjecture, and the multitudinous procession of thought which hurries in search of a mental outlet is headed now by one now by another, till a myth embodying a theory or opinion, and satisfying the common craving for explanation, at once everybody's property and nobody's property, is the final result. Besides this capacity for adequate interpretation and harmony with pre-existing feeling, a myth requires, as the condition of successful acceptance, indifference on the part of society to positive evidence, and the absence of the requisite agencies for its exposure and frustration.

It would contribute greatly to the diffusion and effect of any mythical fabrication, if there were some previous background of history to serve for its support, or if any felicitous coincidence

* "Justin Martyr." By Semisch. Translated by J. E. Ryland. Vol. ii. p. 102.

lent it additional and unexpected corroboration. Hence, speaking of certain Hellenic legends, Mr. Grote says—

"Such legends springing up usually in times of suffering and danger, and finding few men bold enough openly to contradict them, ran in complete harmony with the general mythical faith, and tended to strengthen it in all its various significations; the renewed activity of the god or hero both brought to mind and accredited the pre-existing myths connected with his name. When Boreas, during the invasion of Greece by Xerxes, and in compliance with the fervent prayers of the Athenians, had sent forth a providential storm to the irreparable damage of the Persian Armada, the sceptical minority alluded to by Plato, who doubted the myth of Boreas and Orithyia, and his close connexion thus acquired with Erectheus and the Erectheids generally, must for a time have been reduced to absolute silence."*

If it be objected that these observations apply only to an unhistorical age, we answer with Strauss, that the historic age does not dawn upon all people at the same time; that the civilization which characterized Rome and Greece was very far from characterizng Judæa or Galilee. Besides, no age or country has been adequately scientific and historical, least of all that age and country wherein Christianity first appeared. During the period in which the Gospel narrative settled into its present shape flourished the philosophizing Justin, who was born in Samaria and resided in Alexandria, Corinth, Rome. Neither his travels nor his studies seem to have cured him of his predilection for prodigy. Not only did he believe in the story of the Sybil whose remains were still preserved in a brazen chest at Cumæ; not only did he believe in the story and *see* the ruins of the seventy cells in which the Septuagint translators were separately confined when they made the miraculous versions which agree word for word and letter for letter, but he believed in an absurd myth of his own making, which transforms the Sabine god Semo Sancus into the reputed heretic Simon Magus, and makes the Roman Senate dedicate a statue to this redoubtable magician. The love of the marvellous, says his biographer, by which Justin, like all his contemporaries, was governed, led him to receive the most improbable legends as true history if they fell in with his prepossessions as a Christian.

In the Middle Ages the myth-making instinct was in full force. It has been reserved for a distinguished now-living Catholic theologian to exhibit the genetic elements of the extraordinary fable of a female pope which Catholic theologians had fabricated. In the present historical and scientific age, the Byron myth, with

* See Grote's "History of Greece," vol. i. See also an admirable essay called *The Myth*, in Chambers' "Papers for the People," to which we acknowledge our obligations.

its dark intrigue and double murder, acquired a literary form under the recording hand of the cultivated and sceptical Goethe. Mr. Carlyle, in his "French Revolution," unsuspiciously chronicled an impudent fiction of Barrère's, the story of the "Sinking Vengeur;" while Mr. Massey tells us, in his "History of England," that the dialogue between Nelson and Captain Berry, reported in Southey's biography of our great naval hero, never took place at all!

From this explanation of the nature and origin of mythus in general, let us revert to that variety of it which Strauss entitles the Evangelical mythus.

The Evangelical mythus is a narrative relating directly to Jesus. It is not the expression of a fact, but the product of an idea, being sometimes the substance, sometimes the adjunct of the narrative. In its original form, the evangelical, like the classical mythus, is the offspring of the fanciful speculation of a people or religious circle, not the deliberate invention of an individual mind. An individual mind, however, is required for its formal expression; but only as the organ of a common faith and feeling does the narrator obtain credit with the community whom he addresses. It is an essential characteristic of the myth proper that it have a purely historical form. It must not be regarded as the drapery of an idea, designed by some ingenious person for the edification of the ignorant multitude. The idea in its abstract purity never occurs to the composer. He sees it only as fact, and is unable to conceive it as existing separately and independently of the narrative. With him the idea is the narrative, and the narrative the idea. Thus explained, the Evangelical mythus has two sources which often enter simultaneously into its formation—the pre-existing Messianic expectations in the Jewish mind, and the impression left by the character, actions, and fate of Jesus in the minds of the early Christians, the tendency of which was to modify the Messianic idea.

In the age of Jesus it would seem that various types of the mysterious ideal personage called the Messiah enjoyed a kind of parallel popularity with the Jewish public, accordingly as they were derived from Daniel or from one of the older prophets, or suggested by the Mosaic pattern of character and office (Acts iii. 22; 1 Mac. xiv. 41). Hence the popular portraiture of the Messiah was wavering, indeterminate, and composite, uniting the lineaments of the three types—the cloud-borne Son of Man of Daniel, the triumphant offspring of David, and the legislative prophet, Moses. As additional sources of Messianic expectation and suggestion, we have the præter-human career of the Old Testament heroes, Elijah and Elisha—the unquestionable models to which the national imagination appealed. Rabbinical writings of ancient date show that the Jews themselves entertained the

opinion that the biography of their ancient worthies was a sort of prophetic mirror in which the life of the Messiah was to be traced; and though these writings were none of them in existence before the Christian era, Strauss thinks it more probable that the Jews anticipated than borrowed the method of their implacable antagonists. In one place it is said—"That which has been is that which shall be. As the first Saviour, so is the last." "As Moses took his wife and his sons and placed them on an ass, so shall the last Saviour be poor and sitting on an ass." In another —"What the holy God will do in the days to come he has already done in these days. . . . He will raise the dead, as he did through Elijah, Elisha, &c. He will open the eyes of the blind, as he did through Elisha."

When the conviction that Jesus was the Messiah had once gained possession of the minds of his faithful followers, it became a necessity of their position to show that Jesus *did* what it had been foretold that the Messiah should do, and that Jesus *was* all that it had been foretold that the Messiah should be. Before Jesus was born the outlines of his life had been drawn up. While the incredulous Jews objected that Jesus *could not be* the Messiah because he wanted the Messianic mark of descent from David or nativity at Bethlehem, the believing Christian would argue that because Jesus *was* the Messiah he *must* have been born at Bethlehem, and must have been descended from David; and when there was already a foregone conclusion and a predisposition to look on any document as authentic that made out his case, we may be quite sure that the document-maker would appear in time, and that although Jesus was a citizen of Nazareth he would be represented as a citizen of Bethlehem, and that his tribe, whatever it might really be, would be shown to be the tribe of Judah, and himself the offspring of David. Accordingly, two accounts of his infancy appeared—that of Matthew and that of Luke—each excluding the other, each making out in a different way that Jesus was born at Bethlehem, and each showing his descent from David through a different line—for all at least who, believing him born in the natural way, were content to find his father in Joseph the carpenter. That "a preparatory prediction thus served as an historical foundation" for many of the Evangelical narratives, may be directly inferred from the formula put into the mouth of Jesus after his imaginary resurrection—"O fools, and slow of heart to believe all that the prophets have spoken: *ought* not Christ to have suffered these things, and to enter into his glory?" and from the exegetical and logical method adopted by St. Paul, who affirms that Christ died for our sins, *according to the Scriptures*, and that he was buried and rose again the third day, *according to the Scriptures*. Origen, who confesses that in his time miracles

were the subject of suspicion as myths, made the correspondence of the miracle with the prediction the proof of the divine mission of Jesus; and Lactantius and Justin Martyr held a similar opinion. But now, considering the inherent incredibility of a miracle, is it not more likely that miracles were ascribed to Jesus which prophecy indicated as characteristic of the Messiah, than that miracles were performed by Jesus which tallied with the miracles predicted? "Justin," says Semisch, "considers the Old Testament as a continued prophecy of Christ and the Christian dispensation; in every letter he perceives a reference to the history and doctrine of Jesus, to the church and its development; there is no aspect of Christianity of which he does not find an indication by the finger of prophecy." With this determination not only to see Jesus in prophecy but to see prophecy in Jesus, the tendency to invent circumstances in the history of Jesus to correspond to the circumstances in the foretold history of the Messiah must have been irresistible. A curious illustration of this tendency to fabricate history out of prophecy is the anticipated incident in the posthumous history of Jesus of a second advent, on which occasion the crucified deliverer is to appear in the pre-eminently Messianic character of the cloud-borne Son of Man, a description contained in a supposititious book of a predicted event, which after nearly two thousand years has never taken place. That the mythical future of Jesus was to find a precedent in his own mythical past is openly avowed in the New Testament itself. "This same Jesus, which is taken from you into heaven, shall so come in like manner as ye have seen him go into heaven." (Acts i. 11.) That the Evangelical narrative, which was gradually formed by successive layers, as doctrinal development or apologetic purpose dictated, should have accommodated the history of the founder of Christianity to the precedents of Messianic conduct, seems not only natural but inevitable. The reasonableness of the mythical theory is, even directly with circumscription, or indirectly without circumscription, admitted by the actual or virtual opponents of its author. Thus, Baur expressly recognises its validity, though he confines its application to a limited area. Ewald, while characterizing Strauss's view of the derivation of the New Testament narratives from the Old Testament types as an unfounded hypothesis, immediately adds—"Certainly the facts were expected to occur according to the old types, and the narrative shaped itself readily into a suitable form."* In a somewhat similar way, Hengstenberg, while contending for the historical reality of the miraculous calm on the Galilean lake, associates this particular transaction with the

* Mackay's "Tübingen School," p. 351.

107th Psalm and its symbolism, and in general concedes that the symbolical actions of the Lord in the New Testament usually rest on images derived from the Old.

The power of preconception in producing unconscious misrepresentation is as common as it is by ordinary minds unsuspected. The logic by which men convince themselves that what approves itself to their feeling or their judgment is absolutely right, that what ought to have been must have been, is too often the logic not only of the unreasoning million but of the philosophizing few. If, according to Mr. Carlyle's dictum, the eye can only see the realities which the mind behind it has faculty for seeing, it can also see the illusions which the over-stimulated brain creates. A mistaken inference is reported as fact; authors have been made to say what their readers think it becomes them to say; and Nature herself has been subpœnaed by the confident theorist to give testimony in support of a fiction. "Without any intention," says Herschel, "of falsifying our record, we may do so unperceived by ourselves, owing to a mixture of the language and views of an erroneous theory with that of simple fact. Thus Faujas de St. Fond, in his work on the volcanoes of Central France, describes, with every appearance of minute precision, craters existing nowhere but in his own imagination." Sometimes the overwrought mind gives a seeming reality to airy nothings, as was recently the case, if we may believe the papers, with a portion of the excited and feverish population of Warsaw, which persuaded itself that it had seen a fiery cross in the air.* Sometimes it indulges in a kind of unconscious literary fabrication, as when the Christian advocate "sets out with doing violence to the original text in order to form a prophecy, and then contradicts the express testimony 'of history' in order to

* "A curious instance of Polish popular superstition, and of Russian military abruptness in checking it, is mentioned by one of the correspondents of the *Czas*. A portion of the over-excited and feverish population of Warsaw having persuaded itself that it had seen a fiery cross in the air, the news spread through the city that the sign of victory, so discouraging to the Constantine of Warsaw, had shown itself, and an immense crowd collected itself at a spot thought to be advantageously situated for viewing the phenomenon. It may be interesting to some future writer on miracles to know that an official personage—the Commissary of the fifth and sixth police quarters of Warsaw—made a formal report on the subject of the supposed aërial cross, saying that it was to be seen 'just over a pear-tree in front of the house No. 2487,' and that it had caused a crowd to assemble, whereby the public peace was likely to be disturbed. The Russians, finding that some intimate connexion existed in the popular mind between the pear-tree and the miraculous symbol, ordered the former to be destroyed, and the tree, which is said to have been in full bloom, was cut down. This appears really to have had the effect of dispelling the apparition; at least, no more was heard of it, and the crowd broke up, lamenting only the fall of the pear-tree."—See the *Times* of May 23, 1863.

show that it has been accomplished;"* or when a learned writer relates Nebuchadnezzar's conquest of Tyre and Egypt "in an historical tone," citing as an authority a prediction in Ezekiel.† To meet a particular difficulty, Ewald assumes that between the fifth and sixth chapters of John, a passage has dropped out which contained an account of the cure of a dæmoniac, arguing that it *must* have been there in the first instance, because in his view it *ought* to have been there. A well-known geometrician goes still further:—

"Euclid," says Robert Simson, "gave, without doubt, a definition of compound ratio at the beginning of the fifth book," and accordingly he there inserts not merely a definition, but he assures us the very one which Euclid gave. Not a single manuscript supports him; how, then, did he know? He saw that there ought to have been such a definition, and he concluded that therefore there *had been* one.‡

This theorizing preconception has shown itself in a variety of phases among Christian Apologists. In the present day it enables semi-scientific theologians to find that modern "fulness of knowledge" in the Bible which their artificial exegesis has first put into it; in the second century it led Justin Martyr to accept, if he did not invent, interpolations in the Old Testament Scriptures made in honour of Christ; in the same century it inspired a theosophic Christian with his view of Jesus, and suggested the ideal narratives of the Fourth Gospel; somewhat earlier it originated the mythical biography of the Synoptical Jesus, and presided over the creation of those tales of wonder recorded in the Gospels of Matthew and Luke.

The double narrative of the birth and infancy of Jesus left us by these two Evangelists, is a splendid repository of mythical and unhistorical elements. The statements of Luke contradict the statements of Matthew; and when we clearly see this, the doctrine of plenary inspiration receives a severe shock. We cannot admit two irreconcilable genealogies; we cannot believe with Matthew that the regular home of Joseph and Mary was at Bethlehem, and with Luke that it was at Nazareth; we cannot accept the story of the presentation in the Temple as recorded by the Pauline Evangelist, and that of the Magi and the flight into

* Dr. Heberden, quoted by Archbishop Newcome, on Haggai ii. 7, where the *desire* of nations, instead of the *choice* (or the *choice things*) of nations is erroneously interpreted of Christ.

† "A most treacherous mode of corrupting truth is unsuspiciously used by many honest men—that of making history out of prophecy. This is quietly done, for example, by a recent very learned writer (article *Nebuchadnezzar*, Kitto's 'Biblical Cyclopædia,' p. 406)," &c.—See Newman's "Hebrew Monarchy," 326.

‡ Smith's "Classical Dictionary," article *Eucleides*.

Egypt as related by his more Jewish predecessor; for, as we cannot, without coming into collision with the text, place the visit of the Magi either before or after the presentation, so neither can we place the presentation before or after the visit, before the flight into Egypt, nor after the return. But leaving the consideration of the mutual destructiveness of the narratives, let us look at the indications of the artificial and mythical character of the story of the birth and infancy as told by Matthew. The story is prefaced by a factitious pedigree, broken into three arbitrary chronological divisions, in each of which, whatever be the period of time it includes, we find exactly the same number of generations (fourteen), and in one of which the Old Testament enumeration of eighteen generations is cut down to fourteen, while in another thirteen are augmented to fourteen; three curious blunders, it has been suggested, combining to preserve the symmetry.* Passing over this, we come to the miraculous conception, in the reality of which Joseph believed on the authority of a dream—evidence which would hardly satisfy an orthodox theologian in these days if offered to prove identity, say in the case of a natural birth. This dream is followed by four others, all of them of course miraculous—a tale of a portentous star (which favours astrological superstition); an unattested and unnecessary massacre of children; an improbable flight into Egypt; and a suspicious residence at Nazareth after the return from Egypt. The whole story, it must be confessed, has an extremely mythical air. It looks like a chapter out of a religious romance, some life of an ancient god or demigod. But the enigma carries with it its own solution. These events took place not as the consequents of known and appreciable antecedents, but as the appropriate verifications of predictions, which, *if* Jesus were the Messiah, *must* have been fulfilled. Does a virgin conceive, and bear a son, in Matthew? it is because it was announced in Isaiah, or rather was *thought* to be announced, that a virgin should do so. Does a star herald the birth of Jesus in the Evangelist? it was because Balaam the soothsayer had foretold there shall come a star out of Jacob, and a sceptre shall arise out of Israel. Do wise men, in Matthew, come from the East to Jerusalem, with gifts of gold, and frankincense, and myrrh for the young child? it is because in Isaiah it had been proclaimed the "Gentiles shall come to thy light and kings to the brightness of thy rising;" "all they from Sheba shall come: they shall bring gold and incense," "and ye shall be comforted in Jerusalem" (lx. 3, 6; lxvi. 13). Again, if we ask why did Herod seek the young child's life? why did he

* Namely, that Ochozias has been confounded with Ozias, Jehoiakim with Jehoiachim, and Jechonias counted twice over. See LXX.

perpetrate that senseless massacre?—the answer is to be found in dramatic propriety and Messianic necessity. The same tendency that produced the Rabbinical tradition which parallels the infant Abraham and Nimrod with the infant Moses and Pharaoh, and which made the star rise on Terah's magi, and Nimrod order the massacre which the child Abraham escaped, produced the Christian myth which parallels the infant Jesus and Herod with the infant Moses and Pharaoh, created the wondrous birth-star of the young king which led the wise men to his cradle, caused the massacre at Bethlehem, and planned the escape of the child Jesus. The Old Testament determines the motives and supplies the types.

If Jesus was assumed to be the prophet like unto Moses, to assimilate his destinies to those of Moses was a consequence of the assumption. The first deliverer had brought the rescued people out of Egypt; the deliverer must come out of Egypt too. But to come out of Egypt he must first go into Egypt; and if he was like Moses in the general, he must resemble Moses in the particular circumstances of his life. As Moses had his infanticide Pharaoh, Jesus had his infanticide Herod; as Moses had his escape, Jesus must have had his escape; the flight *out of* Egypt was necessarily a flight *into* Egypt, but this inevitable deviation was compensated by the return of the second Moses, in fulfilment of an ancient prophecy, "Out of Egypt have I called my Son." If the first Moses had been commanded, "Go, return into Egypt, for all the men are dead which sought thy life," it was necessary that the father of the second Moses should be addressed, "Go unto the land of Israel, for they are dead which sought the young child's life." The Church legend even borrows the ass on which Moses rode to complete the fiction of the flight of the Holy Family, unconsciously betraying a latent consciousness of the source from which the entire myth was derived.

Now, when in addition to the other improbabilities, we consider the improbability involved in the irrelevancy of the assigned predictions, we feel it impossible to regard this story of the birth and infancy of Jesus as anything but a mythus. The prophecy of the Maiden's son in Isaiah relates to a child in whose nonage the land of the two kings, whose alliance was so dreaded by Ahaz, was to be deserted or left desolate; and the futility of the interpretation is set in a striking light by the circumstance that the Hebrew word Almah,* which means a marriageable girl, is erroneously rendered in the Septuagint παρθένος, or virgin. The prophecy in Micah, which is understood to determine the birth-

* In Hebrew "*The* young woman," perhaps Isaiah's wife, but certainly some young woman known to him and Ahaz. The LXX preserves the article, as does the writer of Matthew's Gospel; not so the E.V.

place of Jesus, really relates to an expected prince of the Davidic dynasty, who was to deliver the Jews from the Assyrian (v. 6). The prophecy from Hosea (xi. 1) applies to Israel, the collective son of God, and is not a prediction but an historical retrospection. The prophecy in Jeremiah (xxxi. 15) refers to the transportation of the Jews to Babylon, whose return to their own border is announced in the same paragraph. The prophecy that Jesus should be called a Nazarene is not found in any of the Old Testament writings, and whether we suppose it to be a phraseological condensation of biblical passages implying the disesteem in which the Messiah should be held, and to have its point in the popular notion that no good thing could come out of Nazareth, or consider it as a transformation of *Nasir*, meaning that Jesus was a Nazarite like Samson, or was crowned like Joseph (Gen. xlix. 26), or as an allusion to the *Netzer* of Isaiah (xi. 1), there is in every case "the same violence done to the word by attaching to a mere appellation of the Messiah, an entirely fictitious relation to the name of the city of Nazareth." We have here, then, a narrative in which there are five preposterous accommodations of so-called prophecy; five miraculous dreams; an arbitrary genealogy, with an artificial construction and an impotent conclusion; an anomalous star, connecting the birth of Jesus, like that of other great men, with an astral phenomenon; a supernatural event, with a mistranslation for its natural antecedent, and a stupid massacre which has more than one legendary parallel, which is not attested by Josephus, and presents every appearance of having been made to order! We submit that such a narrative has in it every mark of a mythical origin, and we most entirely coincide in Strauss's view, that the writer unconsciously created history out of prophecy, as Mr. Newman tells us many honest men have done.

The next mythical passage to which we shall refer occurs in Matt. xxvii. 9, 10. We may call it the myth of the Potter's Field. The first peculiarity of this narrative is the inaccuracy of citation. The Evangelist professes to quote Jeremiah, but actually quotes Zachariah, by a confusion of memory which Strauss very happily explains; for the former prophet (xviii. 1, 6) has an account of a symbolical transaction in which we read not only of a potter but of a potter's house. This error of identification is followed by a forced application of the original words to the treacherous surrender by Judas of his Master.

"The primary and historical sense," says Dr. Davidson, "is different, referring to the prophet himself parting with the pitiful hire which his countrymen gave him, and throwing it into the Temple treasury as God's property" (*corban = deodand*). The chief priests, however, refused to make the thirty pieces of silver *corban*,

because they were the price of blood; and a verbal ambiguity in the Hebrew (the word translated "potter" really meaning "treasury") suggested the notion of purchasing the potter's field. The imagery of the sixty-ninth psalm, which had already supplied the Evangelist with some of the accessories of the Crucifixion scene, at a somewhat later period supplied the author of the Acts with materials for a myth of Judas which cannot be reconciled with the account given by Matthew. In Matthew the *priests* buy the potter's field to bury strangers in, and henceforth it is known as the Field of Blood, because the purchase-money was the sum received for the blood of *Jesus;* in the Acts, *Judas* buys a χωρίον, or bit of ground, with the very same sum already expended by the priests; and whereas Matthew makes Judas hang himself in the agonies of a remorseful repentance, Luke, or whoever was the author of the Acts, represents him as dashed to pieces by a fall, and declares that the field was called the Field of Blood because it was sprinkled with the blood, not of Jesus, but of *Judas.* It had been predicted in the Psalms, Luke (?) argues, that his habitation should be desolate; but if the traitor's habitation was to be desolate, he must first be provided with a habitation. Here, then, with "Luke" the field of Judas was a mythical field. It was necessary that he should have a habitation, because unless he had, the Scripture could not be fulfilled. The field in the Acts comes out of the sixty-ninth psalm; perhaps by Matthew it was connected with the potter's house in Jeremiah. Strauss, however, thinks that there was probably a spot (very likely a cemetery) in Jerusalem which bore the ominous name of Aceldama, and which the Christians in process of time associated with the memory of the traitor; so that while the author of the Acts saw in it the desolated habitation of Judas, the composer of the first Gospel regarded it as the identical field which had been purchased of the potter with the accursed blood-money of Jesus. Bearing all these circumstances in mind, and recollecting further the free treatment of Matthew of the passage in Zachariah, how is it possible not to regard the thirty pieces of silver as a mythical coinage, the Potter's Field as an imaginary field, and the etymological explanation of Aceldama, if there was such a place, as a topographical fiction?

In an earlier part of this paper we quoted the opinion of Strauss, that the splendour with which the excited imagination of the Christians invested the glorified person of the Messiah whose coming advent was so eagerly expected, was reflected back on the earthly career of Jesus when the hope of his immediate coming had parted with its first fiery energy. The most striking of these attempts at Messianic elevation—if we pass over the story of the Baptism, with its open heaven, its descending dove, its double

attestation to the magnificence of his character and office—is the history of the miraculous Transfiguration, in which the principal trait is the sunlike splendour of the countenance of Jesus. From whence did this splendour come? It came from the same source as that which suggested the massacre of the innocents and the consequent flight into Egypt. It came from the assumption that the prophet like unto Moses must resemble Moses. Paul had already argued that if the ministration of death was glorious, so that the children of Israel could not steadfastly behold the face of Moses, the ministration of the Spirit must be still more glorious, and in adding that we, with open face beholding as in a glass the glory of the Lord, are changed (transfigured) into the same image, had used language which shows how easily the comparison between the Lawgiver of the Old and the Lawgiver of the New Dispensation might be instituted. From a general subjective transfiguration, such as is here described, the transition to a particular objective transfiguration was not difficult. St. Paul at least shows us how familiar this imagery of comparison must have become, and assists us in conceiving how the myths of the Transfiguration arose. A passage from a Rabbinical writer, who arguing against Christianity, takes no notice of this Evangelical narrative, admirably introduces the explanation :—

"Our master Moses of happy memory (though he was a mere man) when God had been talking with him face to face, came down from the Mount with his face shining. How much more ought this to hold of a divine person? How much more ought the face of Jesus to shed light and glory from one end of the earth to the other? Yet he was not endowed with any splendour, but was quite like the rest of mortals. Therefore it is clear that we ought not to believe in him."*

Such objections were doubtless heard by the early Christians from the Jews. To prove that Jesus was the Christ, by demonstrating that his career coincided with that of the Messiah predicted in the Old Testament writings, was the self-imposed task of the Apostles. With the lapse of time a particular challenge necessitated a particular answer. For instance: a Jew (p. 154), contesting the reality of the Resurrection, might say to his Christian opponent, "No wonder the grave was empty, when you had stolen the body!" "Stolen the body!" the Christian might retort; "how could we have stolen the body? You watched the grave carefully enough, didn't you?" And so point by point the narrative of the Resurrection would be worked out just as we have it in our Gospels; any fancied similarity, any seeming probability, any

* We have borrowed this translation from an ingenious little book entitled "German Anti-Supernaturalism—Six Lectures on Strauss's Life of Jesus." By Philip Harwood. London. 1841.

appropriate inference, any coincidence of name or suggestion of circumstance, gradually elaborating the marvellous conception, till "some one, more forward and more felicitous than the rest," embodied the floating material in a permanent narrative form. So again, if the unbelieving Jew insisted that Jesus could not be the prophet like unto Moses *unless* his face shone like that of Moses, and if the representation harmonized with the presentment of his believing countryman, it was inevitable that if he were to remain a Christian, he would soon bring himself to believe that the face of Jesus *did, somehow or other,* shine like that of Moses. The indefinite faith that it did so shine, though neither occasion nor circumstance could be particularized, would soon become determinate and receive an appropriate historical investiture of fact. "That the illumination of the countenance of Moses served as a type for the transfiguration of Jesus, is besides proved by a series of particular features."* In both instances the scene of this glorifying incident is a mountain—in both instances three persons are selected as the companions of the type and antitype: Aaron, Nadab, and Abihu accompanying Moses; Peter, James, and John, the prophet like unto him. As the cloud covered the Mount on which the heavenly glory rested for six days, and on the seventh day Jehovah called Moses out of the midst of the cloud, so after six days Jesus ascended the high mountain apart, and the bright cloud overshadowed him, and a voice out of the cloud proclaimed him to be the Son of God, while the command, "Hear ye him!" seemed to identify him with the promised Prophet of whom it had been said "Unto him shall ye hearken." Moses himself is present at this glorious event, as if to show that he recognised in Jesus his own prophetic antitype, and to sanction, as it were, the divine legislation which did not destroy but complete that of Sinai. With the founder was naturally associated the reformer of the Theocracy, Elijah, as the second expected forerunner of the Messiah. In the Apocalypse these two heroes of the old Hebrew world supply characteristics for the two witnesses, who are also precursors, not of the suffering but of the triumphant Messiah, showing how the Christian mind was charged with the electric fluid of Old Testament imagery, awaiting only some happy contingency to elicit and make it flash round the Jesus of the New Testament,—as in the physical world we are told that "when the tension is very great the force of the electricity becomes irresistible, and an interchange takes place between the clouds and the earth."† These two majestic figures, who, in Luke's version of the story, predict the approaching death of Jesus, will help us to discover the source of the narrative of

* See the English translation of the "Leben Jesu," 1846, p. 18.

† Mrs. Somerville.

the Ascension. As Elijah had been borne on his chariot of fire into the opening heaven; as Moses, according to Josephus, never died, but, as he was conversing with Eleazer and Joshua, disappeared in a certain valley near the Mount called Abarim, while a cloud stood over him on a sudden,—so must their divine associate have *his* corporeal ascension; and thus Jesus, whose retirement from earth, in the earliest extant narrative, that of Matthew, is not described but only suggested, who in Luke's Gospel is simply carried up into heaven on the very day on which he is said to have arisen from the dead, in a later period is made the subject of a splendid myth, with all the appropriate imagery, in which, forty days after the Resurrection (to allow time for the accumulation of the infallible proofs that increasing incredulity demanded) he is borne visibly and bodily into the heavens on the cloudy chariot-throne of the expected Messiah; thus giving an objective form to the *spiritual* ascension of primitive belief, and so completing the cycle of Christian Mythus.

We have now sufficiently illustrated the manner in which Strauss applies, with more or less success, the mythical theory to the solution of the problem which is presented by the supernatural narrative of the life of Jesus. As we remove the drapery with which mistaken zeal or fancy-led emotion covered and concealed the simple reality, we see how, as the author puts it, the true form has been disguised and injured; we see how, what we took for branches, for leaves, for colours, for shape, was but the artificial envelope of parasitical creepers. In fact, few great historical characters are so little known to us as the Prophet of Nazareth. While Socrates, his purest representative in the Pagan world, is seen standing in the clear air and bright light of Athenian culture, in the pictures drawn of him by Xenophon and Plato, Jesus is veiled in the thick gloomy cloud of Jewish superstition and Alexandrian enthusiasm. Of the events of his life we know but little. The Christian Church is no true criterion of the man, for it reflects, not the pure personality of Jesus, but the coloured light of a hundred foreign agencies. A few of the "granite sayings" of Jesus, words for all time, alone remain of the eloquence that charmed to silence countless multitudes.

But if we lose the mythical ornament we do not, Strauss contends, lose with it all historical reality. The divine wisdom, he continues, which is in the world, and is eminently visible in man, was pre-eminently visible in Jesus. The idea of human perfection exists independently of Jesus, it is true, but it varies in different nations and in different individuals. The Roman ideal of character varied from the Greek; the Hebrew ideal from that of both the classical peoples of antiquity; and even the Greek ideal before Socrates varied from the nobler Greek ideal after Socrates.

Among those who have aided in the development of humanity, Strauss assigns a foremost place to Jesus. He has elevated our ideal by introducing into it characteristics which were at best but partially unfolded before him; he has limited others which obstructed its general efficiency; he has, by the religious spirit in which he has conceived it, given it a higher consecration, and by its beautiful personal realization in his own life, thrown over it the glow and bloom of the highest vitality. If for the active employments, the business relations of men; if for household duties and family obligations; if for the guidance of the statesman, the artist, the man of science; if for all that belongs to the noble enjoyment of life, the teaching of Jesus supplies no instructive data, his example no illustrations; yet in the lessons which he taught and practically exhibited, of patience, gentleness, purity of heart and life, and human and divine love, will be found a completeness of wisdom which men may turn to perennial account. It is a mistake, then, shared by philosophers as well as by their accusers, to suppose that if the historical Jesus had never existed, the ideal Christ, the eternal Son of God, the type of Humanity, would ever have lived in the minds of men to inspire them to action through the love of its own divine beauty.

Such is the conception which Strauss has formed of the character and influence of Jesus; and with this general estimate we are disposed to agree. If, in the previous reconstruction of the "Life of Jesus," we sometimes hesitate to accept his conclusions, we do not therefore pronounce them incorrect: for while our intellect is inclined to doubt, our heart would willingly believe that the portrait of the Holy One, thus beautifully drawn, has been delineated with a fidelity of form and a truth of colour proportioned to the piety and gentleness of the touch. Yet, while generally agreeing with Strauss, we do not wish to be considered responsible for agreement in details. As a rule, we have allowed him to speak for himself, preferring to exhibit rather than to discuss the opinions of one whose latest record of them must be of supreme interest both to friends and opponents. In our report of these opinions we have not disguised our admiration for a work which, in giving us the results of a positive as well as negative criticism, conducted with rare diligence, learning, and talent, for a period of more than thirty years, establishes its title to a permanent place in our libraries. The shout of triumph which has been raised over the decline and fall of German theological literature is surely premature. The "Tübingen School" has not lost, nor is it likely to lose, its well-founded reputation; and if the "Leben Jesu" has of late years been less read than formerly, it is, as its author himself observes, because its spirit is more widely diffused. With four German editions of the old work, with an

English and French translation, with a second edition of the new work within six months of its appearance, Strauss, it must be allowed, has had an ample share of literary success. Literary success, however, is but a poor compensation for that exclusion from the paths of useful labour, that breaking-up of old associations, and that social disesteem which elsewhere he so feelingly deplores. The only compensation for men like him is that which consoled Milton for the loss of sight—the consciousness that all these losses have been incurred "in liberty's defence." If truth be the highest end we can live for, Strauss has a noble solace in the reflection that he has lived for life's highest end. Some books are intellectual feats: his is an heroic deed—a religious service. As such, we offer it not critical commendation only, but grateful, sincere, admiring respect.

Art. IV.—The Patent Laws.

1. *Report of the Royal Commissioners appointed to inquire into the Working of the Law relating to Patents for Invention.*
2. *The Patent Question: a Solution of Difficulties by abolishing or shortening the Inventors' Monopoly, and instituting National Recompences.* By Robert Andrew Macfie, President of the Liverpool Chamber of Commerce. London: W. J. Johnson.

SHOULD the present system of granting Letters Patent for inventions be continued, amended, or abolished? This is a question which has been frequently discussed of late, but has not yet been finally determined. Notwithstanding the superiority of the existing law to that which it superseded in 1852, the law is far from being in so satisfactory a state as to merit sincere respect or command disinterested support. That it is faulty cannot be disputed, yet this is no adequate reason for demanding, as some do with great earnestness and pertinacity, that the practice of granting letters patent for inventions should be instantly and for ever abandoned. It is both more manly and more sensible to strive to remove acknowledged defects than, having discovered them, to bemoan our helplessness to remedy them. Those who are so urgent in calling for the repeal of the Patent Laws profess to be actuated by the most praiseworthy and philanthropic motives, and to desire, above all things, that rank abuses should be eradicated, and that inventors should be placed in positions more favourable than those they now occupy for

receiving, as a due reward for the productions of their genius, a large pecuniary recompence. What these admitted abuses and promised boons really are, we shall unfold after having set forth and commented on the recommendations of the Royal Commission which, during the last two years, has been investigating the working of the Patent Laws.

Composed of men thoroughly experienced in the practical working of those laws, presided over by Lord Stanley, whose acquired knowledge on this subject is as sound and comprehensive as that of any practical lawyer, and who, at various times, has published several valuable suggestions for the improvement of those laws, that Commission seemed pre-eminently qualified to discharge the duties entrusted to it. Unhappily, the result falls short of the most reasonable anticipations. The individual opinion of any member of the Commission would have been more valuable than the Report which it has issued, and on which will probably be based whatever measure the Government may introduce into Parliament. Possibly, an irreconcilable conflict of opinion has led to the framing of a report which may not represent the views of any one section of the Commission, and which cannot be satisfactory to the public. The following is the substance of the recommendations with which the Report terminates:—*First.* That the present system of obtaining and paying for letters patent ought to be maintained, but that "patent fees should not be made to contribute to the general expenditure of the State until every reasonable requirement of the Patent Office has been satisfied." *Second.* That no patent be granted if it be found after examination that "there has been any previous documentary publication of the invention;" but that no investigation be entered into concerning its merits. *Third.* That one of the judges should sit for the trial of patent cases exclusively; that he should be assisted by scientific assessors; should sit without a jury unless the parties to the suit or action desire a jury; and, when sitting without a jury, that he should "decide questions of fact as well as of law." *Fourth.* "That the granting of licences to use patented inventions ought not to be made compulsory." *Fifth.* "That patents ought not to be granted to importers of foreign inventions." *Sixth.* That no patent should be extended beyond the original term of fourteen years. *Seventh.* That the Crown should be empowered to use patented inventions without having obtained the consent of the patentee, and should pay him, for such use, a sum to be fixed by the Treasury.

Taking these recommendations in order, let us examine them critically. *Firstly.* Is the present amount and mode of payment moderate and satisfactory? The fees are 175*l.*; the other expenses range from 20*l.* to 50*l.*, so that a patent for fourteen

years costs at least 200*l.* The fees are payable by instalments: 25*l.* on or before completion, 50*l.* before the expiry of three years, and 100*l.* before the expiry of seven years. If the fees are not paid before the expiry of three or seven years, the patent lapses at either of those periods. The result of this arrangement is that the larger proportion of patents lapse at the end of three years.

We find it stated in the Report for 1863 of the Commissioners of Patents, that the first four thousand patents under the present law were issued between the 1st of October, 1852, and the 17th of June, 1854. The additional progressive stamp-duty of 50*l.* was paid, at the end of the third year, on 1,186 of that number, and 2,814 became void. The additional progressive stamp-duty of 100*l.* was paid at the end of the seventh year on 690 of the 1,183 patents remaining in force at the end of the third year, and 796 became void. Consequently, nearly 70 per cent. of the 4,000 patents became void at the end of the third year, and nearly 90 per cent. became void at the end of the seventh year. The proportionate number of patents becoming void, by reason of non-payment, continues nearly the same to the present time.

The foregoing figures show that three years is the term of the majority of patents. Now that term is far too short to introduce an invention into the market and thoroughly test its merits. The obvious conclusion is, that those patentees who allowed their rights to cease at the end of three years did so because they were either unable or unwilling to pay the heavy fee of 50*l.* That they should not have been called upon to make such a payment is proved by this, that the Patent Office had a large surplus after paying its expenses. It is stated in the Report of the Royal Commission that, after allowing for all the expenses connected with the office, "at the present date it appears that the accumulation of surplus-fees, . . . since the year 1852, amounts to more than 200,000*l.*, and that for future years the annual surplus upon the present footing may be estimated at 40,000*l.*" Surely, with these facts before them, the Commissioners were hardly justified in stating they "do not find that the present cost of obtaining letters patent is excessive, or the mode of payment inconvenient!"

Secondly. The Commissioners advise that a careful inquiry be instituted, under the direction of the law-officers of the Crown, as to whether or not there has been any previous documentary publication of the invention, and in the event of this having occurred, that the grant be refused. At page 3 of their Report, the Commissioners state, what is perfectly true, that the duties of those officers, as defined by the Act of 1852, go "no further than to decide whether or not the nature of the invention is sufficiently

described by the provisional [or, they might have added, the complete] specification." On the same page we read, "Cases have sometimes occurred in which the law-officer has refused his fiat, on the general ground of want of novelty. This, however, has only been where it has been brought to his knowledge that the invention claimed was clearly not new." Now it is startling to find those statements in the same page of this report. If, as is undeniable, the law-officer has no option when the invention is clearly described and unopposed, how is it that the Commissioners put on record, without a word of comment or censure, the fact that "sometimes" he has overstepped his province? It is true the sixteenth clause of the Act provides that the Queen, in a warrant given under her royal sign-manual, may direct her law-officer to refuse a grant of letters patent or insert any "restrictions, conditions, or provisoes which her Majesty may think fit, in addition to or in substitution for any restrictions, conditions, or provisoes which would otherwise be inserted under this Act." This clause is obviously intended to save the Royal prerogative, and can be meant to apply to exceptional cases only. Indeed, if the right of refusing a patent "on the general ground of want of novelty" be already possessed and exercised by the law-officers, why should the Royal Commissioners recommend that this right ought to be conferred on them? We disapprove of any examination into the utility of an invention. Experiment and experience can alone determine the question of utility. No Board of Examiners is competent to grapple with it. However, we unhesitatingly and cordially concur with the recommendation of the Commissioners that, prior to granting a patent, a preliminary inquiry should take place as to the existence of documentary evidence impeaching the novelty of an invention; but even were the novelty clearly disproved, we should leave an option with the Board of Examiners to sanction the issue of a patent, should the inventor persist in demanding it.

Thirdly. It is proposed to establish a tribunal for the trial of patent causes. About the need of such a tribunal there can be no question. The best mode of constituting it is less clear and certain. That one of the present judges should sit in rotation to try patent matters, is what the Royal Commissioners recommend. This, we believe, would not fulfil the object in view. The judges now complain of being overworked; legal business is yearly increasing; how, then, can one be spared to preside over a Patent Court? A special Court, presided over by a special judge, is, in our opinion, indispensable. Such a Court would have plenty of work to do were, not patent matters only, but also everything relating to the law of copyright, to be brought before it.

Fourthly. The Commissioners are adverse to the granting of licences to work inventions being made compulsory on patentees.

It would be logical to say that licences should not be granted at all; and that if patentees are to be empowered to grant licences, they ought to be compelled to grant them to whomsoever shall pay a fair per-centage in return. It might be urged that were it in every one's power to work a patent on payment of a certain sum, there would be less incentive to infringement, and consequently less necessity for harassing litigation, than exist under the present system.

To this a patentee might reply that the right of property in his invention having been accorded to him by the State, he should be left as untrammelled as an author who obtains copyright in his book; that, possessing the power of disposing of his patent rights to whomsoever he please, he ought to be left equally free to dispose of a share in those rights at his own time and on his own terms; that, if licences are to be made compulsory, the working of his patent within a given time might for like reasons be made compulsory also; that the imposition of such conditions would not only interfere unduly with his freedom of action, but would prove detrimental to his interests.

Fifthly. It is recommended that patents ought not to be granted to importers of foreign inventions. This is based on the fact that it is not unusual for men to secure an English patent for a foreign invention before the foreign patentee has been able to do so on his own behalf. But the recommendation is too sweeping. There are cases when foreigners have neither any desire nor motive in patenting their inventions here. Imported inventions are frequently as valuable as those of home growth. It would be fair and beneficial to all parties were it enacted that no one should obtain a patent for an imported invention without having previously obtained the consent in writing of the foreign inventor or patentee. Were it not that English patents are so costly, a foreigner would usually apply for a patent in his own and in this country simultaneously. Hence, the reduction of the fees now charged would be the simplest and surest way to remedy the abuses now complained of.

Sixthly. The Commissioners are of opinion that a patent should not, under any circumstances, be extended beyond the original term of fourteen years. It is open to question whether twenty-one would not be a fairer term than fourteen years. We think twenty-one years would be preferable. Yet whatever term be chosen, it should not be extended on any pretext.

Seventhly. The recommendation that the Crown should hereafter be empowered to use any invention without the previous consent of the patentee, subject to a payment for such use, is so far reasonable that such use cannot greatly injure the patentee, and may vastly benefit the nation at large. We cannot under-

stand, however, why the Lords of the Treasury should be empowered to fix the patentee's remuneration. Their decision would probably be unfair towards him, and from it he would have no appeal. When a buyer fixes the price, a seller will get no profit. A better plan would be for the sum payable to the patentee to be agreed upon by arbitrators; the one half of them being nominated by the Lords of the Treasury, and the other half by the patentee.

Mr. Macfie is a prominent member of the small party which regards patents for inventions with abhorrence. It would naturally be supposed that the enemies of the Patent Laws would be equally inimical to the Law of Copyright; but, strange to say, the reverse is the fact. The two are said to be wholly distinct. Mr. Macfie states that—

"Literary and artistic copyright has for its province visible, tangible works, intended only for the eye, or the ear, or inner man through the eye—objects to be looked upon, listened to, thought of; not things to be worked with or employed, nor things consumable, nor mere modes of doing a thing, like the subjects of patent right. It has no regard to processes, operations, implements. Therefore, unlike patent right, it interferes not with manufacturers, artisans, miners, farmers, shipping. Its sphere is in finished productions, works of art in their completed state—objects that are permanent and unmistakeable. Infringements, therefore, are manifestly and of set purpose, whereas infringements of patent rights are often doubtful, even when the subjects or results can be exhibited, and when the facts of the case are assented to by all parties; and if it is a question of processes, its infringements are often undetectable after the fleeting moment during which they are alleged to have taken place."—pp. 15-17.

It being impossible to establish a clear distinction between identical propositions, Mr. Macfie's arguments are nearly as unintelligible as they are pointless. If the foregoing passage mean anything, it means that when an author obtains copyright in his book, there can be no mistake about the thing which is the subject of the copyright; but that, as a patent for a mode of effecting an object may include various ways for accomplishing that object, it is hard to ascertain what particular mode is secured by the patentee. This proves nothing more than the difficulty of interpreting a patent. It is wholly beside the question as to the propriety of according copyright and the mischief of granting patent right. That Mr. Macfie's notions respecting copyright are both strange and original is exemplified by the following passage:—

"Copyright privilege is conceded in the absolute certainty that the grantee is their true and only originator or first producer or creator. No second person can come forward, after the copyright privilege is secured to an author or artist, and allege that the poem or picture he

composed also . . . To constitute infringement it is not sufficient that the second person's book has the same subject, and the same purpose in view, and is written in the same spirit as the first; the 'matter' must be the same and in the same form . . . Patent right, on the contrary, may be infringed where there is no such exactness, and no copying whatever, but complete originality. Disregarding form, it forbids the embodiment and use of *ideas*, even of ideas entirely one's own.

"We have thus the inconsistency, or paradox, that the exclusive privileges which have for their province only material objects—which engage only our bodily frame and those senses merely that have their exercise or matter apart from mind (and this is all that patentable inventions do)—carry prohibition into the region of ideas; while those other exclusive privileges, in whose province matter serves only as a vehicle or excitant of things immaterial—conceptions, memories, tastes, emotions—and as an instrument to set the mind a-working and affect the higher senses and faculties—make no such incursions, keeping entirely clear of interference with any man's practical use of ideas."—p. 15.

It would seem, then, that whoever invents anything works with "ideas" that are common to all, but that whoever writes a book expresses ideas peculiar to himself. Hence, copyright is unobjectionable because "keeping entirely clear of interference with any man's practical use of ideas." One man writes a book, another invents a process, or constructs an entirely novel machine, the author embodying his ideas in the book, the inventor in the process or machine. How is it possible to justify granting an exclusive privilege to him who vends ideas expressed in a book, and denying the same privilege to him who vends his ideas in the form of a machine or a process? Should the melancholy fact that any one, after stealing an author's ideas and dressing them up in different words, can acquire copyright in this ill-gotten gain, and the fact that it is more difficult to do the same thing in the case of a patented process or machine, operate as a defence of copyright and a condemnation of patent right? Ought we not rather lament the ease with which the author may be plundered, and rejoice that the inventor need not become so easy a prey to greedy and unscrupulous men? Neither Mr. Macfie, nor any one who thinks with him, has demonstrated that a distinction exists between the cases of authors and inventors, or that both are not equally entitled to reap some benefit from the exercise of their brains. Nor is it possible, without employing quibbles almost too transparent to mislead the unthinking, even to make out a plausible case for refusing to the ingenious inventor what is accorded to the accomplished author or despicable plagiary.

Mr. Macfie tells us that there are no "natural rights" of property in inventions, that an inventor has but two natural rights;

the right "*to use his own invention,*" and the right "*to conceal his own invention;*" and that while the State is bound to protect "the inventor in the free exercise of his right of use, it should, on the other hand, maintain the natural right of all its citizens to do whatever they please, provided it wrongs nobody, and particularly to carry on their trades with their own machines and in their own ways." Why can there be no natural right of property in an invention? Because it is not "a material thing." Intruders may be kept out of a farm, burglars may be kept out of houses, highwaymen may be hindered from carrying off purses.

"Mark the contrast when we have to deal with things immaterial, inventions. That sort of property is not visible, localized, defined, individual. It is not confined to particular places. It cannot be hedged about, or put under the charge of watchmen. Its owner should be ubiquitous and omniscient to take due care of it. In managing it he must not confine his attention to his own business, but superintend, ay, and interfere with, the businesses of innumerable other people. And he cannot, after all his espionage, by his own act secure his property. He must invoke external, State aid. He requires to prosecute."

Certainly, Mr. Macfie stands in need of the advice given by Lord Mansfield to Sir Basil Keith, on being appointed Governor of Jamaica. Prior to his appointment he had spent his life in the Navy. His training there did not qualify him for discharging the judicial functions which, as Governor, it fell to him to discharge. Lord Mansfield being appealed to, made this answer—"Basil, you have excellent common sense; always decide according to that, and nine times in ten you will be right. But mind, never give a *reason* for your decision; that will infallibly be wrong." Mr. Macfie's opinions may be valuable or the reverse, but his reasons are worse than worthless; they are absurd. If the arguments whereby he contests an inventor's right of property in his invention prove anything, they prove that whoever cannot keep burglars out of his house, or resist the attacks of highwaymen, ceases to have the right of property in the contents of his house or pocket, because being unable by his own act to "secure his property." To talk of the "natural rights" of an inventor is to talk nonsense. In 1791, the French National Assembly resolved, that "not to regard a discovery in industry as the property of the discoverer, would be to attack the rights of man in their essence." Now, we should as soon think of appealing to this resolution to prove the reality of those "natural rights," as of accepting Mr. Macfie's statements to prove their non-existence. Lord Coke has said, "The House of Commons can do everything but make a man a woman, or a woman a man." Whatever view we may take as to the policy of an Act, we cannot question the omnipotence of Par-

liament. It is enough for us, as it should be for every one to know that Parliament has bestowed on inventors the right of property in the inventions for which they obtain letters patent. Knowing this, it would be superfluous to undertake to refute arguments which are directed against the existence of any other "natural rights" in addition to those of using and concealing an invention.

Inventors are generally regarded as a hardly-used class of men, as a class that renders valuable service to the State, receiving in return neither thanks nor adequate pecuniary advantage. According to Mr. Macfie, inventors constitute a privileged aristocracy. A radical fault of the present system is said to be, "that it empowers inventors to *compel* the State to become purchaser or pupil, and with the extraordinary, the cruel condition, that the nation must resign for fourteen years the beneficial use of what is acquired. Or, to put the matter somewhat differently, it favours this class by allowing them to grant licences, and charge their own price, which is *de facto* surrendering to them authority to *tax* without rule, limit, or control, all who use their inventions—a power surpassing Royal prerogative or any pretensions of Parliament." The cruelty here complained of, and the usurpation of authority denounced, are what an author may indulge in with impunity and without fear of reproach.

Our most eminent men have regarded inventors as public benefactors. Coke remarks, in his Third Institute, concerning rewards by patent privileges—"The reason wherefore such a privilege is good in law is because the inventor bringeth to and for the Commonwealth a new manufacture by his invention, costs, and charges, and therefore it is reason that he should have a privilege for his reward (and the encouragement of others in the like) for a convenient time." Mr. Macfie, on the contrary, would not only strip from the inventor right of property in his invention, but also denies that he merits either commendation or recompence. "Admitting that the first introducer of an invention renders a service, he can hardly be regarded as a benefactor, since he merely seeks his own interest." If none but the purely disinterested are to be lauded as benefactors, the roll of the world's worthies will have to be marvellously curtailed. The truth is, it matters not whether an inventor be as selfish as Dives or as disinterested as Garibaldi, if he render a service, he deserves a reward. In rewarding him by the grant of letters patent, the State acts most selfishly, yet most rationally. The State cares not to recompense a particular inventor so much as to stimulate the faculties of others. A State, like a statesman, is grateful for future favours only.

It might be thought that Mr. Macfie finds nothing to admire

in a patent system, seeing that he so sweepingly condemns the principles on which it is founded. On the contrary, he has written as strongly in its support as the most enthusiastic admirer of patents could write. In fact, the following passage is a practical refutation of the other portions of his pamphlet:—

"It must surely be a great advantage to have new discoveries and plans, as soon as they are made, carefully described by the parties who alone can communicate them. This benefit a patent system confers, besides assuring to manufacturers exemption from the secret inquisitorial espionage to which all would be exposed if there were no patent system, and to which not a few might be tempted to degrade themselves by resorting. A right system, therefore, is worth not a little as a means of preserving the honour and mutual confidence of manufacturers."

After having endeavoured to show that, in giving rights of property in inventions, the Legislature has "gone out of its course to frame a law which makes men wrong-doers for doing that which they have a natural right to do;" after having asserted that because an inventor "merely seeks his own interest," he cannot be a public benefactor, it is strange Mr. Macfie should avow that "a right system" must be found whereby to reward and encourage inventors. Before disclosing the nature of his system, let us name some of the other objections urged by him against the present one. To obtain a patent "is no honour. It makes no distinction. It involves labours, anxieties, delays, disappointments." Even those patents which yield large returns may not be profitable, "for there is a debit side of the account which shows heavy *per contras* of commissions, travelling, litigation, and other expenses, besides neglect of the patentee's more legitimate affairs." It is a curious objection to make that a patent which returns large sums occupies the patentee's attention so exclusively as to cause him to neglect his "more legitimate affairs." Are not his "legitimate affairs" attending to the working of his patent? In order to redress the alleged injustice which the Legislature has sanctioned, to make a better return to inventors than they deserve for the benefits which, in their own interest, they have bestowed on society, and to hinder unhappy patentees from making money by their inventions to the detriment of their "more legitimate affairs," it is proposed by Mr. Macfie that in place of giving patent rights, the State should present inventors with "*grants of money.*"

Were a new reform bill introduced into the House of Commons, having for object the restoration of the state of things which existed prior to 1832, would it not be reasonably objected that the old state of things having been fairly tried had been found wanting? Would it not be strongly urged that if change be attempted it should take the direction of improving what is in existence instead of revivify-

ing what is dead? Now, to substitute for letters patent a system of State grants of money is equivalent to reforming the representation of the people by restoring the privilege of returning members to Parliament to the proprietors of Gatton and Old Sarum. For the State to confer rewards on meritorious inventors is an exploded delusion. While that scheme was in operation it was as mischievous as were the rotten boroughs. A few examples of its working will convince every candid reader of the correctness of our assertions. The examples we shall give are taken from the appendix to the Report of a Select Committee of the House of Commons which investigated the Patent Law in 1829. In 1718 Sir Thomas Lombe imported three Italian machines, the first being employed in winding raw silk, the second in spinning, and the third in twisting organzine silk. These machines were neither new nor secret, seeing that they had been described and illustrated with engravings in an Italian book published in 1656. He obtained a patent for them; but, failing to make anything by his patent, he applied to Parliament, and received a grant of 14,000*l.* In 1740 Johanna Stephens obtained 5000*l.* from Parliament for discovering the nature of her remedy for the stone. The Report referred to above states that her valuable discovery had become lost to the world. Having discovered a copy of her receipt in the ninth volume of the "Gentleman's Magazine," we quote it here in order that our readers may be able to benefit by that for which the country has paid so dearly:—

"My medicines are a powder, and decoction, and pills. The powder consists of egg-shells and snails, both calcined. The decoction is made by boiling some herbs (together with a ball, which consists of soap, swines-cresses burnt to a blackness, and honey) in water. The pills consist of snails calcined, wild-carrot-seeds, burdock-seeds, ashen-keys, hips and hawes, all burnt to a blackness, soap and honey." —p. 298.

The remaining examples we shall give in a tabular form, merely premising that the grants were sometimes made in addition to letters patent, and at dates ranging from the middle of the last to the tenth year of the present century.

To Dr. Irvine, for a method of making sea-water fresh and wholesome	£5000
„ D. Hartley to enable him to test his invention for rendering buildings fire-proof	2500
„ Various persons, for discovering dyes useful in manufactures	5500
„ C. Dingley, for erecting a public windmill for sawing timber	2000
„ J. Blake, to assist him in carrying out his scheme for transporting fish to London by land-carriage	2500

To Mr. Elkinston, for his mode of draining land . .	£1000
„ J. Davis, for his method of cleaning smutty wheat	1000
„ T. Foden, to enable him to prosecute a discovery made by him of a paste as a substitute for wheat-flour	500
„ Captain Manby, for effecting a communication with stranded ships	3250
„ Mr. Greathead, for a life-boat	1850
„ Dr. Smith, for his discovery of nitric fumigation to prevent the communication of contagion .	5258

The only possible justification of the above and other rewards to inventors is, that the amount so distributed did not much exceed 70,000*l.* spread over half a century. Mr. Macfie's proposal is, that 200,000*l.* should be annually placed at the disposal of Commissioners for distribution among inventors, which would be equivalent to paying ten millions during the same period. Is it likely that the nation would receive an adequate return for the money so expended? There are exceptional cases when Parliament acts wisely in voting grants of money to discoverers. It was right to reward Jenner for the inestimable services he had rendered to humanity: it was also right to vote grants of money to Cartwright and Crompton; but it was wrong to offer to both the paltry sums that were voted. Five thousand pounds did not reimburse Crompton for the amount he had expended in putting his Mule into operation. Cartwright received ten thousand pounds as a national recognition of the services he had rendered in inventing his loom; but, as that invention had cost him his fortune, he could only thank Parliament for having returned to him eight-and-sixpence in the pound. Radcliffe, whose ingenious additions to Cartwright's invention rendered it complete, applied to Parliament for a grant; but his request was unheeded, and he died a beggar. On the whole we concur with John Stuart Mill, in considering an exclusive privilege of temporary duration as preferable to a grant of money, "because it leaves nothing to any one's discretion; because the reward conferred by it depends upon the inventions being found useful, and the greater the usefulness the greater the reward; and because it is paid by the very persons to whom the service is rendered, the consumers of the commodity. So decisive, indeed, are these considerations, that if the system of patents were abandoned for that of rewards by the State, the best shape which these could assume would be that of a small temporary tax, imposed for the inventor's benefit, on all persons making use of the invention."*

That Mr. Macfie either knows or cares nothing about the laws

* "Political Economy," third edition, vol. ii. pp. 517, 518.

of political economy is evinced by his stating, in support of his proposal that, "if it were not for the obstacles that Patent Laws interpose, workmen would have their wages advanced by masters naturally unwilling to lose these depositaries of their secrets; and higher wages would be offered by the applicants for the services of men who would indeed to them be 'treasures.'" No stronger reason against abolishing the present system could be adduced than that were it swept away the price of skilled labour would be artificially, and therefore improperly raised. But it is not in the interest of working men that either Mr. Macfie or the other opponents of the Patent Laws are agitating. Some of the large manufacturers and their friends are inimical to patents because they prevent them instituting that monopoly of any one manufacture which they naturally desire and strive to obtain. Indeed, Mr. Macfie candidly avows this. He says, in the name of the manufacturers "I cry, 'Decorate inventors with ribbon and medals—confer the halo of honourable mentions—distinguish them by titles—recompense with money votes. All this to any extent that taste, gratitude, and interest permit and impel. Only leave us free. Do not tie our hands and hamper us with weights in the keen race and hard struggle of modern commerce. Do not, under the guise of helping us, continue fetters obviously hurtful and unfair.'" We make no apology for slightly altering the wording of this "cry." It means this, Let us make free use of whatever discoveries may be made; let us fill our pockets at the expense of those who have plenty of brains but no capital. So long as we have monopoly, others may have praise. Reward meritorious inventors, if you will, but do not diminish our profits. Let a grateful country bestow a medal which costs little, or a title which is worth nothing, on meritorious inventors. Give them anything except patent privileges, so that they may be hindered from carrying on manufactures with better machinery than we have, and thereby compel us either to purchase the right from them to employ similar machinery, or else to keep our manufactories in operation at a loss.—But there are other manufacturers who are less selfish and short-sighted than those in whose name Mr. Macfie claims the right to speak. During the debate which followed the motion made by Sir Hugh Cairns in the House of Commons for the appointment of the Royal Commission whose Report we have been considering, Sir Francis Crossley said, that as a manufacturer he had some experience on the subject, and could state that the body to which he belonged were becoming more and more impressed, not with the worthlessness, but with the importance of patents.

The starting-point of the opponents of patents is that they are monopolies; that, as such, they are odious and hurtful, are noxious

weeds in the fair field of industry, are clogs on the smooth wheels of commerce. The short answer to this is, that patents are not monopolies. If they were, their opponents would be able to extinguish them without delay and without compunction. A patent which Queen Elizabeth granted to Edward Darcy for the importation and manufacture of playing-cards was set aside by Chief-Justice Popham because, being a monopoly, it was opposed to both common and statute law. The famous Statute of Monopolies, which removed those odious burdens, made an express exception of patents for inventions, "so as also they be not contrary to law, nor mischievous to the State, by raising the prices of commodities at home, or hurtful of trade, or generally inconvenient." In fact, what possible analogy can be traced between a patent, and a monopoly like that granted by Queen Elizabeth for the manufacture of saltpetre, which gave power to enter any private house, cellar, stable, or other place where the nitrous matter might be gathered, and dig and carry away without limit? Has any patentee ever enjoyed powers like those possessed by the holders of the monopoly of salt, whereby salt was instantly raised in price from fifteen pence to fifteen shillings the bushel? If, instead of a monopoly, these men had obtained a patent for a new process for making salt, very different results would have followed. The new process, if worthy of a patent, would have enabled its owners to sell salt at a lower rate and larger profit than any one else. A monopolist commands the market: the possessor of a patent privilege cannot force the public to buy the article he manufactures. Indeed, to hold a patent is merely to have the power of entering into wholesome competition with established manufacturers.

Let us see how this applies to the case of Watt, who, it may be thought, enjoyed during several years a monopoly of making steam-engines. Even Watt had not a clear field for the introduction of his improved engine. He had to convince the public that steam power as employed by him would do more work at less cost than steam power as employed by Newcomen. He offered to supply engines at the same price as Newcomen's, and guaranteed that his would do the same amount of work with one-half the expenditure of fuel. With the utmost difficulty he obtained a hearing for his statements and a trial of his machines. All who had an interest in the success of the old machines disparaged the new. Then it was even truer than now that nine hundred and ninety-nine men out of every thousand objected on principle to newfangled notions, so that an overwhelming majority laughed his inventions to scorn. At last the incontestable superiority of his engines was recognised, and then his patent was infringed and its novelty denied. The only monopoly which Watt even

temporarily enjoyed was that of being first ridiculed as an audacious innovator, and then denounced as a miserable plagiary.

Herein lies the substantial and striking difference between monopolies of trade and patent privileges:—The possessor of a monopoly can fix the price of some article in general demand. He has nothing to fear from competition. He obtains the same price for the articles he supplies, whether they are of the best or worst of their kind. On the other hand, the holder of a patent has merely an opportunity for creating a demand for the new article he has produced. He cannot hinder others from competing with him. Unless he can successfully compete with them, he will find no purchasers. If the monopolist enrich himself, it is by impoverishing his neighbours. If the patentee make a fortune, his neighbours will have shared in his gains. The productive power of a country cannot increase through the operation of a monopoly. It may be increased to an extent that baffles calculation by the introduction and employment of a patented invention. The results being so dissimilar, it is both misleading and mischievous to confound patents with monopolies.

We have shown that while a patent continues in force the public is no loser. The greater its success, the larger will be the gain when it expires. This gain does not accrue from the mere right of working the patented invention as it was first given to the world; but of working the invention in its most perfect form. An invention when first tried is never complete in all its details. Experience suggests slight but valuable alterations. Complex movements are simplified: the machinery requisite for constructing the different parts is invented and tested. The public acquires, not an invention which may answer the purpose for which it was destined, but an invention which has been made capable of fulfilling the anticipations of its discoverer; an invention which has ceased to be a plausible theory and has become an accomplished fact. There is the same resemblance and the same change between the original model and the last working specimen of a patented machine, as between an infant when born into the world and a youth at the age of fourteen. It was not till seven years after the date of Watt's patent that his engine worked satisfactorily. When his patent rights expired, the engines then manufactured resembled the earlier ones in little more than the name. For the cumbrous sun-and-planet movement had been superseded by the crank, the arrangement of the valves had been altered, the mode of packing the pistons improved; in fact, the whole was a new and a valuable creation. To give a man an exclusive right to work his invention is equivalent to giving him the power to render it worthy of adoption. Trusting in that right he will devote his whole time and skill to getting his invention introduced, and to overcome

the apathy and repugnance of the public to appreciate and adopt that which may be opposed alike to tradition and past experience. The reaping-machines which now double the farmers' profits were not adopted either in England or America until they had become the subjects of patents. Twenty years before one of these labour-saving machines had been patented, a reaping machine was in successful operation in Scotland; but, as it had not been patented, the valuable idea embodied in it was virtually lost to the world.

From the public let us turn to the inventor, and see how he fares under the operation of a patent system. The hardship of which the inventor is said to be the victim is, that two men, independently of each other, may make an identical discovery, but that the one who shall first obtain a patent will secure the sole right to profit by it. The frequency with which this occurs is explained by supposing inventions to be the result of something floating in the air, a kind of epidemic manifesting itself in a like manner at particular times. Sir William Armstrong in his address at Newcastle, when President of the British Association, referred to this in the following terms:—"As in the vegetable kingdom fit conditions of soil and climate quickly cause the appearance of suitable plants, so in the intellectual world fitness of time and circumstances promptly calls forth appropriate devices. The seeds of invention exist, as it were, in the air, ready to germinate whenever suitable conditions arise; and no legislative interference is needed to ensure their growth in proper season." In an article on Patents which appeared in the *Revue Contemporaine*, M. Legrand expresses the same idea in this manner:—"Who discovered the motive force of steam? Is it Rapin? Is it Watt? Is it Fulton? No: rather it is the eighteenth century; just as the nineteenth has discovered railroads, and the electric telegraph!" With the statement that certain consequences spring from certain conditions, we cannot quarrel, seeing that it is a truism; but we dissent from the conclusion that it is foolish to make a man who is the medium of those consequences the recipient of a reward for the share he may have had in bringing them about. Inventions are not made because there are patent laws: the sole objects and uses of those laws are to benefit those who have given inventions to the world. Were there no patent laws, what would an inventor do? If a poor man, and without the means of working his invention, he would either retain the secret in his own bosom, or he would communicate it to some one possessing the power of working it. Were the secret to die with him, neither he nor society would be advantaged. Should he go to a man having money at command, and say that he knew of a method whereby a particular process could be wrought more pro-

fitably than had been done before, the capitalist would not buy his secret until informed as to its nature. The disclosure of the secret would place the inventor at the mercy of the capitalist. The latter might either pay the inventor his price, or else send him away empty-handed. Honour or generosity might induce him to pay something; but he could not be compelled to make any payment, and he would gain nothing by making it. If the capitalist worked the invention, to him would appertain the benefit; by the inventor would be enjoyed, what some tell us is an ample recompence, all the merit. Can it be maintained that society at large would be the gainer, were inventors either to go to the grave with valuable secrets undisclosed, or that having disclosed them they were to obtain no recompence?

Let us suppose that the rich man acts nobly towards the poor inventor, and that the latter is adequately remunerated. Let us also suppose that another man makes the same discovery, and offers to sell it to the same capitalist, being able to prove, moreover, that the discovery, so far as he is concerned, is undoubtedly an original one. Ought the capitalist to pay a second time for that which he already owns? We should think him foolishly lavish with his money were he to do so. It would be unfortunate that the second inventor had been forestalled; but no one could be blamed for this. In the race of life, everybody cannot pass the winning-post simultaneously; but, because everybody cannot have a prize, should there be no prizes offered for competition? This is virtually maintained by those who consider it a grievance that, if one man invents a process and obtains a patent for it in September, and another should invent the same thing he is debarred from obtaining a patent for it in October. The second inventor may have been as original as the first, but, coming too late, he forfeited his right to a patent. In the matter of patents, as in all other matters, the first comer has the best chance, as he certainly has the fairest claim to be rewarded. Even were patent laws abolished, the first inventor would still be in a better position than the second.

The fact of a custom being universal, although inconclusive proof of its rationality, is yet very strong evidence against its being detrimental to human happiness or uncalled for by human wants. Now, the practice of granting patents for inventions prevails over the whole civilized world. Switzerland is the only European country of any note which has no patent laws, and Switzerland is more notable than influential. China and Japan are the only two large manufacturing countries in the rest of the world which have no patent laws, and they are the two countries which we should pass over in our search for models or illustrations wherewith to support any measure of legislation. England

may be hampered by old laws, but her colonies legislate for their own requirements, and all her most important and flourishing colonies have their own patent systems. Nowhere do we find patent laws in more active operation than in the United States of America. If patents were so embarrassing to manufacturers as some assert, or such impediments to the enrichment of inventors as some would have us believe, how comes it that in a country like the United States, where European crotchets have no influence, and European traditions command no homage, and where the welfare of the many is said to be the law of the few, we should find a patent system prevailing with the concurrence of the whole people? The opponents of patents have arduous work to accomplish, because, should they gain their point in England, they would not be entitled to conclude that their labours were over until they had spread their doctrines from pole to pole, and upset the patent systems which are in operation throughout the habitable globe.

The chief difference between our system and that of other nations, is in the amount paid for an English patent and the number of years over which the payment is spread. The following statement shows the sums which patents cost in the countries about which information on this subject can be obtained:—

Country.	Maximum number of years for which a Patent is granted.	Patent fees.		
Austria	Fifteen	£70	0	0
Bavaria	Fifteen	23	5	0
Belgium	Twenty	84	0	0
Canada	Fourteen	5	0	0
France	Fifteen	60	0	0
Great Britain and Ireland	Fourteen	175	0	0
The Netherlands	Fifteen	62	10	0
Poland	Ten	25	0	0
Portugal	Fifteen	15	0	0
Prussia	Fifteen	0	1	6
Roman States	Fifteen	30	0	0
Russia	Ten	82	10	0
Saxony	Ten	12	16	0
Spain	Fifteen	125	0	0
Sweden and Norway	Fifteen	The cost of advertising the specification.		
United States	Seventeen	7	6	10
Victoria (Australia)	Fourteen	100	0	0

The following are the principal conditions on which patents in the above countries are granted. An Austrian patent must be

worked within one year from the date of issue, and the working must not be interrupted during two years. A Bavarian patent for the maximum term must be worked within three, and not suspended during two years. A Belgian patent must be worked within one year from the date of its being worked abroad, and must not be suspended without sufficient reason during one year. If a patentee take out another patent for improvements, he does so without additional payment. No patent for improvements on his invention, can be taken out without his consent: he is obliged to grant licences to those who desire to work his patent. A French patent must be worked within two years. A patent for the Netherlands must be worked within two years. A Polish patent must be worked within the term for which it is granted. A Portuguese patent must be publicly worked twice a month; and, if it relate to a chemical process, must be worked in public three times during its term. After the expiry of half the term for which a Portuguese patent has been granted, its validity cannot be impeached. A Prussian patent must be worked within six months from the date of delivery. A patent for the Roman States must be worked within, and the working must not be suspended during one year. A Russian patent must be worked within one-fourth of the term for which it is granted. A Saxon patent must be worked within one year. A Spanish patent must be worked within, and the working must not be suspended during a year and a day. A Swedish and Norwegian patent must be worked within one, two, or four years, the time depending on the nature of the invention; the working must not be suspended during one year.

Although the English patent is not clogged with any of the foregoing conditions, yet it costs much more than any foreign one. We do not ask whether or not this can be called reasonable, but we do ask is it necessary? When answering this query, it should be borne in mind that the majority of inventors are poor men. It cannot be said that men of wealth are destitute of brains; but it is indisputable that rich men make few additions to the valuable literature of the Patent Office.

The average number of patents granted in England during any one year is two thousand. If they all continue in force for the full term of fourteen years, the fees will amount to 350,000*l.* In France, the average number is four thousand; the amount payable in fees for the full term of fifteen years is 240,000*l.* Both in France and England every patent is granted on the fulfilment of certain easy formalities and nominal conditions, and after payment of the fees by the applicants. In the United States, on the contrary, no patent is granted for an invention unless it be pronounced novel by a Board of qualified Examiners. The result is that one-third of the applications are refused. Notwithstanding,

the average number granted is four thousand. The fees are paid at once, instead of being spread over the term of the grant as is the case in France and England; yet the four thousand persons who in the United States acquire patent privileges for seventeen years, have to pay in return only 29,366*l.* 13s. 4d.

We are continually assured that things are better managed in France, and that the Government departments are more economically conducted in America than in England; but is it credible that any circumstances can render it necessary that Englishmen should have to pay for shorter terms of patent privileges, and for one-half the number of patents, 110,000*l.* more than Frenchmen, and 320,633*l.* 6s. 8d. more than Americans? Our Patent Office rejoices in a fund accumulated from surplus fees exceeding 200,000*l.*, and in a yearly surplus of upwards of 40,000*l.* The United States Office is certainly less rich, but it is not less efficient. Its Patent Museum is one of the sights of the world, its library is well stocked with scientific books, its officers are men of exceptional talent, and they are well paid, yet its income more than suffices for its outgoings, for at the end of last year it had a balance in hand of 9,280*l.* In every other respect than wealth the superiority of that office over the English one is incontestable. The truth is that we have no Patent Office worthy of the name. Patent business is transacted in a few dingy and incommodious rooms, which are rented for the purpose. So dark are some of these rooms, that gas has to be kept burning in them throughout the year. There are plenty of valuable books, but the rooms in which they are stored are so small, that the shelves cannot suitably contain them, and those who consult them can hardly find standing-room. The Patent Museum, which ought to form an adjunct to the library, is housed at South Kensington. It is a national disgrace that while English patents are more costly than any others, and the income from the fees is far greater than that derived elsewhere from a like source, there should be no separate and convenient building wherein patent business can be suitably transacted, and inquiries relative to patents prosecuted with comfort. Even more disgraceful is it that the surplus which inventors have created is paid into the Consolidated Fund, and appropriated for the service of the nation. This is raising taxes at the expense of ingenious inventors. Surely a tax on invention is still less justifiable than the so-called "taxes on knowledge," which Mr. Milner Gibson and others used to denounce as being the most unjustifiable and injurious of imposts, and which, after an arduous struggle, they succeeded in abolishing.*

* It was stated in evidence given before the Select Committee of the House of Commons which sat last session to inquire into the state of the

Still, with all its shortcomings, the present Patent Office is a paradise in comparison with the dens in which the business was carried on twelve years ago. Then it was almost impossible to get at the contents of the specifications; now every specification may be consulted at the office, or purchased at a small price. Every specification is now printed, whereas formerly all were kept in manuscript. The manuscripts were engrossed in a handwriting which was fashionable and legible during the reign of Queen Elizabeth, but which the subjects of Queen Victoria found great difficulty in deciphering. Each manuscript consisted of several narrow skins of parchment, extending to the length of from twenty to thirty yards. How convenient a work of reference the "Encyclopædia Britannica" would be, were each volume to consist of a long and narrow strip of paper, and to be printed in English of the time of Chaucer! The experience of one inventor in examining the old specifications will give a better notion of the arduousness and repulsiveness of the task than the most laboured explanation. Mr. Bennet Woodcroft told the following tale to the Select Committee of the House of Lords, appointed in 1851 to inquire into the Patent System then in operation. Having taken out a patent for an invention which, as he afterwards learned, had been already secured, he resolved, before applying for another patent, to ascertain whether or not the same invention had been previously made the subject of a patent.

"The first search, I think, was for an improvement in looms for weaving. The index of the titles took me about two or three months to make; I found some of them in works in the college of the town in which I lived, some in the 'Repertory of Arts,' and in other published books on the subjects of patents. I then went to London, and it took me about three weeks to make a search for those various specifications for weaving in the Enrolment Offices; there is one great evil I found to exist—namely, that the specifications are enrolled in three different offices, the Rolls chapel, the Enrolment Office, and the Petty Bag Office, and at none of them had they a complete index of all the enrolled specifications of patents; so that, when an inquirer asks for a certain specification, they will look in their index which contains the specifications only which have been enrolled there; and if they have not the specification asked for, they tell him, 'We have

Patent Office, that the Patent Museum was removed to South Kensington at the express desire of the late Prince Consort. If the opinion of those who professedly carry out his intentions should finally prevail, we shall one day see the Patent Office transported from the vicinity of the Court of Chancery to South Kensington. We fancy the Lords of the Treasury would not have objected, as they have hitherto done, to the expenditure of the funds derived from surplus fees in the erection of a suitable Patent Office and Museum, if the Commissioners of Patents, and others having both an interest and a voice in the matter, would but admit that at South Kensington can alone be found the best site for the purpose.

no such enrolled specification, you must go elsewhere;' then they say, 'But you must nevertheless pay your fee for the search, that is necessary;' then he goes to the next office; if they have it not there the fee for the search is again demanded. He then goes to the third office, and it may not be even there, as the specification may not have been enrolled. So that the inquirer not only loses his time in running to all the three offices, but he is compelled to pay three separate fees."—p. 225.

Thanks to Mr. Woodcroft, who now most fitly presides over the very department in which he once suffered so much annoyance, these grievous abuses have ceased to exist. No charge is made for examining a specification; no difficulty is experienced in finding one, except that arising from the smallness and darkness of the office, for an elaborate index compiled by Mr. Woodcroft enables the searcher to discover in a moment the titles of the specifications he is in quest of. Yet even this does not obviate the necessity of a visit to the Patent Office; a visit which a poor inventor, living in a remote part of the land, may have neither the means nor the leisure to make. In order to remove this drawback a work is now in progress, which the Patent authorities of no other country have yet attempted, and which, when completed, will prove of incalculable service to inventors, patentees, and all who take an interest in the details of mechanical improvements and scientific discoveries. This is the abridging of all the specifications and letters patent from the reign of James I. to the present day. The specifications relating to particular subjects are grouped together, and the contents condensed into a small volume. To each volume a comprehensive index is appended. These volumes are published under the authority of the Commissioners of Patents, and sold at a price which merely covers the cost of paper and printing. Whoever buys one has at his command the most important details of the specifications contained in any one group. To Mr. Bennet Woodcroft belongs the merit of originating and supervising this most laborious and valuable undertaking. Himself the inventor and patentee of machinery and scientific processes which have proved, in an exceptional measure, to be commercial successes, Mr. Woodcroft is unusually well qualified for knowing the real wants of inventors, and how they ought to be supplied. We trust he will not rest satisfied with procuring the abridgment of English patents only, but will afterwards proceed to put within reach of the public equally serviceable abridgments of foreign patents also. When the substance of every patent that has been issued shall be contained in a few small volumes which a schoolboy may understand and the poorest inventor can afford to buy, a substantial piece of Patent-Law reform will have been accomplished. There will then be

fewer applications for patents for old and exploded inventions than are now made, consequently there will be a diminution in the amount of ruinous litigation which now goes on; the opponents and upholders of patents, inventors, and the public, will all have less reason for dissatisfaction than they now have, and will assuredly complain less frequently and bitterly than they now do.

While suggesting a diminution in the charges for patents, we wish to avoid proposing such a reduction in the revenue of the Office as would either curtail or interfere with the necessary improvements and praiseworthy arrangements which Mr. Woodcroft is now carrying into effect. In any way to detract from the usefulness of that Office, would cause greater hardships than those under which inventors now groan, the hardships of having to pay exorbitant fees for patents, and to submit to be taxed for the benefit of the public. Taught by Mr. Gladstone, we hold that the surest way to increase the revenue is to lower the taxes. Hence we would double the income derivable from Patent fees by reducing them by one-half. Practice has demonstrated that the higher those fees are, the less do they yield. The year before the present Act came into operation, four hundred and fifty-eight patents were granted; the year after, the numbers were two thousand and seventy-one. Under the old law, the cost of a patent for the United Kingdom was 350*l.*; under the new, 175*l.* From the former class the fees amounted to 149,250*l.*; from the latter, supposing each patent to have continued in force for fourteen years, the return would have been 362,425*l.* It is a fair inference that were the fees lowered to the extent of one-half, the number of patents granted would be quadrupled.

At present seventy per cent. of the patents granted become void at the end of the third and ninety per cent. at the end of the seventh year. In the majority of cases, this happens because however willing a patentee may be to retain his right for one year beyond the third or fourth, he cannot afford to pay 50*l.* or 100*l.* for that privilege. If the payment were proportioned to the time, the majority of patents would continue in force for at least ten years. Suppose, then, that the system of annual payments were adopted, that 5*l.* were paid for the first and every succeeding year, what might be anticipated? Firstly, that six thousand patents would be granted every year; secondly, that all of them would continue in operation for at least three years. In that case the return for the first year would be 35,000*l.*, for the second 70,000*l.*, and for the third year 115,000*l.* The gross receipts at present are in round numbers 112,100*l.* The outgoings include nearly 10,000*l.* paid the Law-officers and their clerks for discharging almost nominal duties; upwards of 4000*l.* for compensations;

and 20,000*l.* for *Revenue* stamp-duty. Now, the country ought to remunerate the Attorney and Solicitor-General in some other way than out of the fees paid by inventors, and neither the country nor inventors ought to pay any portion of their clerks' salaries. The annual charge for compensations will eventually be extinguished. The amount paid to the Inland Revenue in the shape of stamp-duty should now be withheld by the Commissioners of Patents. Deducting only that sum from the outgoings, we find that there is a surplus of 63,000*l.*, and deducting the indispensable payments from the gross receipts, we find that 49,000*l.* of receipts are sufficient to maintain the Office in its present state of efficiency. It will be seen that while, by the plan proposed above, the income for the first year would be too small, it would be ample during the second, and would leave a huge surplus at the end of the third year. The surplus now in hand would meet the first year's deficit. We should cause the first payment to be made in two sums, 2*l.* 10s. being paid on application, and ensuring a provisional protection for six months, and 2*l.* 10s. on the completion of the patent. Those who either did not choose to make the second payment, or to whom a patent might be refused, would forfeit the first payment, and this would still further augment the income of the Office. We might give calculations showing the enormous revenue which the office would derive at the end of ten or fourteen years were our plan adopted; but we think it unnecessary to do more than show what would be its immediate effects. We are certain that, under its operation, inventors would be great gainers and the Patent Office would lose nothing. If taunted with desiring that patent privileges should be granted at a ridiculously cheap rate, we should reply that granting a patent to English inventors for a term of fourteen years on payment of 70*l.*, is a concession neither astounding nor unparalleled. An English patentee would still have to pay 10*l.* more for a privilege of fourteen years' duration than a Frenchman has to pay for one of fifteen years, and 62*l.* 13s. 2d. more than an American has to pay for one of seventeen years. Our plan would leave English patentees sufficiently over-weighted in the race.

Objections, which we consider almost too frivolous to deserve an answer, have been made to a system of yearly payments. For instance, it is said in the Report of the Royal Commission, that the propriety of a system of annual payments, though favoured by the engineering and manufacturing class, "is however denied by the greater number of those who have given evidence before us, who rely on their experience of the difficulty that is now constantly found in getting patentees to ensure the renewal of their patents by the necessary formalities; they maintain that

this difficulty would be the source of still greater evil, if the same process had to be gone through from year to year." The logic of those experienced persons is exceedingly curious. They argue that because inventors are loth to make large triennial or septennial payments, therefore they would be found still more averse to pay small sums yearly. If this be true, then inventors are differently constituted from other men. Were an ordinary man to have an option of paying 175*l.* as rent for a fourteen years' lease of a house, in three sums, 25*l.* being payable at the end of the first six months, 50*l.* before the expiry of three years, and 100*l.* before the expiry of seven years, or else to pay the amount in fourteen annual instalments, which would he choose? If there were any foundation for the statement that patentees would be reluctant to pay yearly for their privileges, how comes it that the holders of policies of insurance never complain of having to pay the premiums annually, instead of in larger sums and at longer intervals? The difficulty, so far from arising because of the payments being made at unequal intervals, has its origin in the sums demanded being too large. Austrian, Belgian, French, and Portuguese patentees do not find the annual mode of payment oppressive. Why should the English be likely to complain of that about which the people of other countries never grumble? We dismiss this objection without further comment, because we firmly believe that patentees, instead of regarding the system of annual payment as a hardship, would hail its introduction as a boon.

That patents, if granted at all, should be granted on reasonable terms, is what inventors are justified in demanding; that no patent should be granted for an old and previously published invention, is what the public may rightly require. Under the present system there is nothing to prevent any one from copying the description of Noah's Ark contained in the sixth chapter of Genesis, embodying it in a specification and obtaining a patent for "improvements in the construction of ships and other vessels." Such a patent would be useless, yet it would also be hurtful. By the public at large, the possession of a certain piece of parchment having a waxen facsimile of the Great Seal pendant from it, is held to imply an indisputable title to the sole right of manufacturing or disposing of an invention. To disprove the validity of a patent involves passing through an ordeal more terrible than wager of battle. In fact, it would be far easier to walk over red-hot ploughshares unscathed than to upset a patent without losing more than can be gained. So long as there are patents, there will be litigation, as will also take place so long as land is bought, sold, or occupied. Of late years a strong desire has been manifested to give unquestionable titles to landed proprietors. What

the "Registration of Titles Act" has done for them, another Act ought to do for patentees.

The uncompromising supporters of things as they are, tell us that the onus of proving their titles should rest upon patentees; that to institute a preliminary examination into the novelty of an invention would be to do for inventors what they are equally capable of doing for themselves. The Royal Commissioners state in their Report, it was urged by those they interrogated on this head, that if the examination "were *ex parte*, the interests of the public would be no better protected than they now are; if subject to opposition, the inventor would be deprived of the protection of secrecy, while he would in fact be subjected to a premature trial of his patent; and that such a trial, even if it resulted in his success, would be no protection to him against future litigation." From hypothetical objections, the final appeal is to practical results. A preliminary examination is no novelty: it has had a fair trial, and wherever it has been once adopted it has been retained. It prevails in Prussia, Russia, the Netherlands, Hanover, and Bavaria; moreover, it prevails in a country which is more worthy to instruct us in Patent matters than all European countries combined, the United States of America. All give the same testimony, that a preliminary examination is a preventive to litigation. The reason is obvious. At present, if an Englishman knowingly or unwittingly infringes a patent, and if he be proceeded against for this, his first step is to ransack the records of the Patent Office, in order to prove that the patent he has infringed is not novel, and, consequently, is invalid. If he knew that a Board composed of competent examiners had pronounced the invention to be novel, would he be equally ready to dispute the novelty?

Instances of the injustice wrought by the prevailing system are so numerous that the difficulty consists in making a selection. We give the following as specimens, and as being sufficient of themselves to condemn the system. In 1842 Mr. Heath patented a process whereby steel could be manufactured nearly one-half more cheaply than formerly. He died ten years afterwards, after having been constantly involved in litigation from the time that he obtained his patent. It is not unlikely that the anxiety caused by this litigation shortened his life. The law expenses of both sides were known to amount to 15,000*l.*, and were probably much higher. He gained his point, being pronounced by the House of Lords to be the true and first inventor. After his death his widow brought an action against an infringer, and then it was discovered for the first time that the patent was invalid for want of novelty.

Everybody is familiar with bottles having bright capsules over the corks. These capsules consist of tin and lead combined under pressure. They have been the subject of the

most protracted and vexatious litigation it is possible to conceive. Mr. Betts, the patentee, brought an action against an infringer, and got a verdict in his favour. Being appealed against, this decision was reversed, on the ground that in an old patent discovered at the Patent Office Mr. Betts' invention had been anticipated. The costs of the legal proceedings have been estimated at 25,000*l.* What is most extraordinary is, that although the question has been carried to the House of Lords, yet it has not been finally settled, but is about to be tried over again. With this fact before us, can we conclude that judicial torture is abolished in England?

There are few whose dwellings are illumined at night with any other artificial light than that produced from coal-gas who have not burnt either a paraffin candle, or paraffin-oil in a lamp. Both the oil and the substance of which the candle is composed may be obtained by distilling Cannel or analogous coal in a retort, and treating the product in a particular way. That this could be done was no novelty. However, before Mr. Young took out his patent, no one had succeeded in doing this in such a way as to achieve a commercial success. No sooner, however, had the right mode of working been practised by Mr. Young, than others followed in his footsteps. In order to defend his rights, Mr. Young was compelled to have recourse to litigation. The Lord Chief Justice of England, the Lord President of the Scotch Court of Session, and Vice-Chancellor Sir James Stuart have all pronounced his invention novel and his patent valid. Hitherto, then, he has triumphed; but at what a price! The hearing of the last suit in which he was the plaintiff occupied a month. The taxed costs were upwards of 30,000*l.*, and we shall not exaggerate if we estimate the real costs at 40,000*l.* As the question has yet to be settled by the House of Lords, it is impossible to calculate the sum which may be expended before the validity of Mr. Young's patent is finally established. When that question shall be decided, the patent will have expired. In this, as in most other cases, its novelty has been called in question. It is asserted that because Reichenbach, a German chemist, made experiments and published their results several years prior to the date of Mr. Young's patent, and which showed how to extract paraffin from coal, therefore Mr. Young's invention is not new, and his patent is not binding. Indeed, the objections raised are even more narrow; for this chemist is said to have obtained, in the solitude of his laboratory, and purely as an experiment, a few grains of paraffin by distilling coal at "a low red heat." Had he used a white heat it is improbable that the validity of Mr. Young's valuable patent would have been disputed. Now, if the novelty of Mr. Young's invention had been established before a patent was granted to him, is it likely that he would

ever have had to fight the legal battle in which he has been so long engaged?

Be it understood, we do not maintain that any preliminary examination would extinguish all disputes as to novelty. A Board of Examiners would have to confine itself to documentary evidence only. It would be impossible for any member of it to be acquainted with the details of every process which might be in operation. But, it having been determined that no accessible documents contained any disclosure of an invention, and a patent having been granted for that invention, it would be unjust to permit the question of novelty, in so far as published documents bore on it, ever again to be disputed.*

A preliminary examination is not opposed so strongly as the empowering a Board of Examiners to refuse a patent on the ground that an invention is deficient in novelty. It is argued that were the decision final, many cases of hardship might occur, and that were it subject to appeal, the Board would be placed in the position of a defendant. Indeed, the absolute novelty of an invention cannot always be determined with certainty. Suppose that Mr. Betts' invention had been laid before a Board. It might have decided that Mr. Dobbs had patented the same process many years before, and have refused a patent privilege. Now, the same process is described in detail in Mr. Betts' specification as Mr. Dobbs specified in general terms. Because of the vagueness of the description, it was held by the judges that the publication of the invention by the first patentee did not annul the rights of the second. It was proved in evidence that no one with Mr. Dobbs' specification before him could have put in practice the process he describes, whereas this was quite easy with the aid of the minute details furnished by Mr. Betts. The latter would have been aggrieved had a patent been denied to him, and the chances are that a Board of Examiners, possessing the power of denial, would have refused to grant him a patent for his invention. To prevent the occurrence of any such difficulty, we suggest that whenever an inventor should resolve to take out a patent, notwithstanding the adverse decision of the Board, he might do so. The document would then

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* In the report for 1863 of the United States Commissioner of Patents, it is stated that the library of the Patent Office contains 14,000 volumes, whereas the English Patent Office library contains 40,000 volumes, so that if with such a library the American Patent authorities are able to decide as to the novelty of an invention, how much more satisfactorily could an English board settle that point? We may add that some of the information embodied in our article is borrowed from that most lucid and comprehensive report, which, in truth, is a model document of its kind, and is one which we heartily recommend to the perusal of all who care about the spread and progress of invention. It has been reprinted in our "Commissioners of Patents Journal," for June 14, 1864.

bear on the face of it the precise reasons for which the Board declined to certify to the novelty of the invention. It would be in the option of the inventor either to disclaim the parts said to be old, or else to leave the arbitrament of the question to a court of law.

Whether or not patents shall be granted hereafter on more equitable terms than now, whether or not a preliminary inquiry shall be instituted as to the novelty of the inventions for which patent privileges are craved, occasions will always arise rendering it necessary to refer disputes relating to patented inventions to the adjudication of a legal tribunal. Indeed, the want of a thoroughly qualified tribunal to which such questions can be referred has been the cause of more heartburning and discontent than the palpable defects of the Law of Patents. We are blessed with learned and impartial judges, we can command the services of educated and intelligent jurymen, but no judge that sits on the bench nor any jury that can be impanelled can possibly act either fairly or satisfactorily when a question concerning patents is in dispute. To ask a jury to decide whether or not a particular machine or process has been manufactured or conducted so as to infringe a patent privilege, is to sacrifice justice on the altar of tradition. Trial by jury is a truly venerable and thoroughly English institution. But our ancestors, who have been so highly lauded for instituting it, were none of them patentees. Had they been patentees, they would have deserved fewer eulogies for wisdom than are awarded to them if they had ever consented to be bound in a patent cause by the verdict of a jury. Twelve men may easily determine, after hearing all the evidence, whether or not one man has stuck a knife into another; but how can any twelve men of the calibre that act as jurymen, eliminate the truth from a mass of contradictory scientific testimony? They may rely on the judge putting the case lucidly before them, yet if they do so they will generally rely on a broken reed. The judge may be a profound lawyer, but the most thorough knowledge of the theory and the most extensive acquaintance with the practice of the law avail little when the point in dispute is the originality and utility of a piece of mechanism, the novelty and value of a chemical process. There are instances on record of juries displaying remarkable candour. A few years ago, a question as to the infringment of patents connected with apparatus for electric telegraphs was argued before a jury. The opinions of the scientific witnesses were unusually redundant and conflicting. Wearied and worried by their fruitless efforts to unravel the tangled testimony, the jury unanimously refused to sit any longer, assigning as a reason that they were perfectly bewildered.

There is a general and rational aversion to the multiplication

of special and independent tribunals. It is held that the laws should be framed so as to be capable of universal application, and that it is absurd to have a separate law and a separate court for every class of the community. At first sight it may be thought strange that a man whose spouse has broken her vows must sue for a divorce before one tribunal; that, if his servant have proved dishonest, he must prosecute him in another court; that, if his ship have been sunk by another ship, he must apply for redress to a court constituted differently from either. Yet this division of jurisdiction has been found to be necessary in the interest of justice. For a reason equally unanswerable the institution of a court having sole jurisdiction over patent questions is generally demanded, and is imperatively required. The points which arise during the trial of these questions involve the consideration of evidence by scientific or technical persons; in other words, evidence as to matters of opinion. In criminal trials the evidence has reference to matters of fact. Now, when several men have witnessed an occurrence, and an equal number swears that it did and did not take place, how can this contradiction of testimony be sifted and explained? Very simply. It is certain that one half of the witnesses must have spoken the truth, and that the other half must have committed perjury. The positions in life and personal characters of all the witnesses being taken into account, the reasons which may have biassed them to give evidence on one side or the other being weighed, it can usually be readily and conclusively settled which set is worthy of credence. It is far otherwise when the contradictory testimony relates to a matter of opinion. Suppose the novelty or result of a chemical process to be in question; one man will take oath that the process is novel and the result certain, another that the process is old as the hills and uncertain as the weather. The positions and characters of those witnesses have no bearing on their respective credibility. Both may be thoroughly impartial. In one sense both may be right, because each may state what he believes to be true. If a jury listen to both, the jury will probably accept the conclusion of the more famous or popular witness, being dazzled by a name. This is rudely cutting instead of skilfully untying the knot. It is administering justice on the principle of pitch and toss. On the other hand, if the solution be left to a judge who without possessing very minute scientific or mechanical knowledge, is yet well versed in science and mechanics, he will be wholly uninfluenced by the comparative standing of the witnesses, will lean to the views of him who is supported by theory and practice, and in the majority of cases will pronounce a righteous decision. Our arguments go to prove, first, that patent questions should be referred

to a special court, and second that the judge should be chosen because possessing scientific and mechanical knowledge as well as being learned in the law.

Mr. Hindmarch, an eminent authority in patent matters, has made a suggestion which is both practical and important. It is, that the names and addresses of all who now practise as patent agents should be entered in a book to be kept at the Patent Office, that no one should be allowed to practise who is not registered, and that all who may hereafter desire to be registered should be examined as to their fitness. Patent agents are men of undoubted integrity, of considerable experience and of great skill; but few of them have had any sort of legal training. Without legal training it is difficult in the extreme to frame documents which will stand the searching scrutiny of a court of law. The majority of specifications that have been invalidated, have been either loosely or else incorrectly worded. Desiring to secure too much, the patentee has failed to secure anything. This sometimes happens because the inventor has acted as his own agent. It is a common and true saying, that whoever acts as his own lawyer is certain to have a fool for his client. Now, it is as unwise for an inventor, out of motives of economy, to draw his own specification as to make his own will. A specification is at once a title-deed and an estate. Indeed, so conscious are some patent agents of the importance of an accurate specification, that however high may be their standing, and however large their experience, they usually take the opinion of counsel as to the accuracy of the wording of all the important specifications they may be employed to draw. The better qualified those men are for their work, the more careful are they in executing it. The higher their status, the stronger are their reasons for maintaining it. Hence the propriety of giving them what they do not now enjoy, a recognised position, and that position cannot be conferred on them more easily or advantageously than in the way indicated by Mr. Hindmarch.

We have treated as unworthy of serious attention the assertion that Patent Laws are opposed to natural dictates. Expediency is the only justification of any law, and because we believe those laws to be expedient we have advocated their retention. It would be easier to deny than to disprove their expediency. The largest number of patents are applied for in those countries which are distinguished for their industrial activity—England, France, and the United States. In England, the most thriving cities are at the top of the patent list—Manchester and Birmingham. The textile manufactures, which have contributed in the highest degree to render England wealthy, are based on patents. Indeed,

wherever patents are most eagerly sought for, there do we find intelligent, busy, and prosperous men.

We have argued the case on its merits; but we have authority as well as reason on our side. Men of the largest experience and the most illustrious of thinkers concur in supporting Patent Laws.

We could not summon a better witness than Mr. Webster, whose writings on the subject of patents and experience as patent counsel have rendered him thoroughly competent to give an authoritative opinion on the question. His sentiments were expressed in the following emphatic language before a Select Committee of the House of Lords in 1851:—"I am quite sure of this, that if any person who may be disposed to think that patents should be done away with, comes to examine the way in which particular manufactures have been built up by reason of the large amount of capital which has been thrown into them, in reliance upon the action to be obtained by means of the protection given for a short time, he will be very much surprised. In some of the most successful inventions of the present time it will be found that the first patent effected little; but, in attempting to work this out, further improvements were made and fresh patents obtained, so that by the protection which has been given to the different stages of the invention and the quantity of capital which has been laid out upon it, the invention has been perfected and introduced, and made useful to the public in a time within which it could never have been done but for the money which has been employed upon it, in reliance upon the protection of the patent. The whole of our experience of cases before the Privy Council is proof of this, and leads to the conclusion that many inventions would never have been introduced at all without such protection; and no man, so far as my knowledge of manufacture goes, would have ventured upon those experiments had it not been from some such inducement as the reward offered by the Patent Law."

In any matter connected with legal reform, no one was less biassed or better fitted to pronounce a sound decision than Jeremy Bentham. He was a strenuous advocate of Patent Laws, and went the length of maintaining, what we admit to be perfectly just, that inventors should obtain patents free of charge. He pointed out one thing which those would do well to ponder who demand the abolition of patents on the ground that they are exclusive privileges. It is this, that all social distinctions are privileges. "A title of honour, an honorary decoration, an order of knighthood—these are all privileges. Ought the Legislature to be interdicted from the employment of these means of remuneration?" However strange it may seem, yet it is perfectly logical to say that the same reasons which justify the sove-

reign in granting a patent privilege, justify him also in creating a peer. In his "Manual of Political Economy," Bentham states the case of patentees with rare tact in the following clear language:—"With respect to a great number of inventions in the arts, an exclusive privilege is absolutely necessary in order that what is sown may be reaped. In new inventions, protection against imitators is not less necessary than in established manufactures protection against thieves. He who has no hope that he shall reap, will not take the trouble to sow; but that which one man has invented, all the world can imitate. Without the assistance of the laws the inventor would almost always be driven out of the market by his rival, who, finding himself without any expense, in possession of a discovery which has cost the inventor much time and expense, would be able to deprive him of all his *deserved* advantages by selling them at a lower price. An exclusive privilege is of all rewards the best proportioned, the most natural, and the least burdensome. It produces an infinite effect, and it costs nothing. 'Grant me fifteen years,' says the inventor, 'that I may reap the fruit of my labours; after this term it shall be enjoyed by all the world.' Does the sovereign say, 'No, you shall not have it,' what will happen? It will be enjoyed by no one, neither for fifteen years nor afterwards; everybody will be disappointed—inventors, workmen, consumers—everything will be stifled, both benefit and enjoyment." It is said by the opponents of patents, why give an inventor a patent privilege for that which has cost him nothing? Now, to make an invention ready for practical use is a costly undertaking. There is a large expenditure of money as well as of time. Models have to be constructed, experiments made; in short, a considerable amount of capital has to be sunk in an invention before it can become a subject of a patent. There are men who maintain that were there no patent laws, inventors would employ their time and money in perfecting an invention in order to present it to the public. Inventors would be fools were they to do so, and those who expect them to act in such a manner cannot be in earnest.

Those who wish to abolish patents without at the same time robbing meritorious inventors, would call upon the State to award them grants of money. We have stated at length our objections to the latter proposal. Even were it unobjectionable the country would refuse to entertain it. We shall never see the House of Commons voting 200,000*l.* annually to be distributed among meritorious inventors so long as they consider themselves sufficiently rewarded by the acquisition of patent privileges. Moreover, the grant of a determinate sum as a reward in place of a patent has been truly stated by Bentham to be a loss either to the inventor or to the public: "to the inventor if it were less

than he would have gained under a patent: to the public if it were more."

The point on which we have chiefly insisted is that patents ought to be granted on equitable terms. We have shown how the present fees may be lowered and paid in yearly instalments without diminishing the income now derived from patents. In addition to the arguments and figures wherewith we have supported our views, we can adduce the opinion of Lord Stanley, whose judgment on all questions relating to patents justly commands respect. He thus wrote, in a pamphlet published a few years ago. "It is to superiority of mechanical skill that we owe, in great measure, the position of England among nations, and a large proportion of the leading discoveries of our own and past times have been made by men whose command of capital was small, and to whom the greater or lesser amount of fees payable on the patents they took out was a matter of importance. One discovery checked, or even retarded by exorbitant imposts, may cause a greater diminution of wealth, which would otherwise accrue to the nation, than can be compensated by tenfold the gain actually netted by the Treasury." Thoroughly convinced that the Patent Laws have a beneficial influence on the nation at large, we conclude by reiterating that to repeal them would be suicidal, but that to reform them is imperatively required in the common interest of inventors and the public. The direction which that reform might take we have already indicated. We subjoin the leading suggestions on which an Act for the amendment of the present Patent Laws might be based.

I. Considering that the sums derived from fees should not exceed what is required to maintain the Patent Office in the highest state of efficiency, and that any surplus should be applied for the benefit of inventors; considering, moreover, the present amount and mode of payment to be largely in excess of what is requisite, as well as extremely inconvenient to patentees, we suggest the following as an ample sum to be paid and the following manner of payment as certain to be less burdensome than the present. 1. That the sum of *2l.* *10s.* be paid on applying for a patent privilege. 2. That provisional protection be granted for a period of six months from the date of application; but that a patent do not issue unless a farther sum of *2l.* *10s.* be paid on or before the expiry of the provisional protection. 3. In the event of the second payment being withheld or the grant refused, that the first payment be forfeited. 4. That the minimum term of the privilege be fourteen and the maximum twenty-one years, whichever term be chosen that it be not extended, and that the total fees for the minimum term be *70l.* 5. That the fees due at the date of the grant, in excess of the first and second payments,

be payable either then, or by successive yearly instalments of 5*l.*, the patentee having the option at the beginning of any one year to pay the amount of fees necessary to retain the patent privilege until the end of its term. 6. If the fees are not paid on or before the beginning of any one year, that the privilege thereupon cease and determine.

II. Considering that it is absurd and improper to grant a patent privilege to all comers and on frivolous pretexts, we suggest—1. That prior to granting a patent, an inquiry be instituted by a competent Board of Examiners as to whether or not an identical invention has been either already patented, or else published in any work among the records or in the library of the Patent Office. 2. Should the result of such an inquiry be adverse to the novelty of the invention, and should the inventor persist in demanding a patent, that the grounds on which the want of novelty are denied shall be either endorsed on the document containing the grant or else set forth in a paper appended to it. 3. That when an invention has been adjudged by the Board to be novel, that a certificate to that effect be issued along with the grant of a patent privilege, and that a patent so certified shall not be liable to be cancelled for want of novelty on evidence solely derived from books and documents accessible to the Board of Examiners.

III. With regard to imported inventions, we suggest—1. That no patent privilege be granted for an invention imported from abroad, unless the application be made with the consent of the foreign inventor or patentee. 2. That such consent be in writing, and that the document duly signed and witnessed, be filed along with the application.

IV. Considering that whether the Patent Laws are maintained on their present basis, or whether they shall be either reformed or repealed, questions relating to patents will long continue to furnish material for litigation; considering, moreover, that no court as now constituted is fitted for dealing satisfactorily with such questions, we suggest—1. That a court, acting as a court of law and equity, and presided over by a judge ordinary, be established for the purpose of taking exclusive cognizance of disputes relating to the Patent and Copyright Laws. 2. That the judge ordinary have the option of calling in assessors to advise him as to technical points; the salaries of those assessors to be fixed by him, and paid by the parties to the suit or action. 3. Unless the parties to the suit or action desire otherwise, that the judge sit without a jury. 4. That from his decisions there be an appeal to the Lord Chancellor, and from those of the latter to the House of Lords.

V. Lastly we suggest—1. That the names and addresses of all

who now practise as patent agents be registered in a book to be kept for the purpose by the Commissioners of Patents. 2. That no one, other than a solicitor to the Court of Chancery, be permitted hereafter to practise until his name and address shall have been registered; such registration to take place as soon as his fitness shall have been tested and determined by an examination. 3. That the Patent and Copyright Court exercise supervision over patent agents; but, 4, that no restriction be imposed as to the fees they may charge for services rendered to their clients.

Art. V.—Dr. Newman's Apologia.

Apologia pro Vitâ Suâ. By John Henry Newman, D.D. London: Longmans. 1864.

T[illegible] hristianity over heathe[illegible] regarded as a triumph of light over darkness, of reasonable faith over superstition. It can, however, prove no more than that when two religions come into contact, the less superstitious system will secure for itself at the least some temporary advantage. In the first fervour of early conviction, the teachers of Christian doctrine concerned themselves but little with the details of Pagan mythology. Their work was simply to preach the good news of God; and they were content to set that Gospel before men in the assurance that the inherent truth of their message was the guarantee of its acceptance. It was enough for them to proclaim a righteous Father, whose justice could not be perverted into vindictiveness by human iniquity, whose love was not to be extinguished by human hatred. But if the outworks of heathenism could thus be undermined or taken, the citadel of pagan philosophy still retained not a little of its ancient strength. Yet the Christian teachers were not dismayed. The seriousness of the crisis discovered to them arguments of admirable cogency, and they used them in serene unconsciousness that the two-edged sword might be turned, if not against themselves, yet against their successors. As in the Apostolic age, they had to set before Greeks and Romans the living pattern of all purity and holiness in the person of their crucified Lord; but they had also the further task of destroying the belief in the old mythical tales and shattering the great fabric

of the Olympian hierarchy. The achievement was by no means beyond human powers; they had to appeal partly to the acknowledged convictions of their hearers, and in part to general experience. Zeus and Arês, Aphroditê and Apollo, were real beings; but they were demons, not gods. They might breathe into men evil thoughts, or seduce them by fleshly temptations; but the uniform course of nature showed the absolute absurdity of those ancient stories in which the mass of men put implicit credence. It was idle to suppose that Athênê sprang armed from the forehead of Zeus, that maidens were turned into laurels and cows, that whole hosts were smitten by the unaided arms of Heracles or Bellerophon. It was worse than idle to think that Tantalus placed the limbs of his own son on the banquet-table of the gods. Only a dreamer could fancy that Hermes stole the cattle of Phœbus, while he was yet but a day old. "If such things were ever done, they might be done now; but they cannot happen now, and therefore they never happened at all." The battle was soon ended. Comparative mythologists were not present to explain the real origin and growth of these old tales; and the wariness of the Christian disputants gave no provocation for the retort that mythology was not confined to heathendom.

So the ages went on, while Christian bishops and teachers made some boast of the purity of their faith, and the people imbibed the conviction that no elements of error were commingled with their religion. Meanwhile the claims of authority became more stringent and despotic, until men felt that an intolerable burden was laid upon their consciences and their intellects. Once more the appeal was made from abject superstition to a more reasonable belief, from blind obedience to something like rational judgment. The grotesque and repulsive features of mediæval hagiology rivalled the most ridiculous legends of heathen gods and heroes; the pretensions of Christian sacerdotalists imposed a tyranny not less grievous than that of a pagan hierarchy. From the imperious rule of priests and the decrees of a domineering Church, the appeal was made to a book which popes and councils alike professed to reverence. In this volume they saw depicted a state of things which, compared with their own, was one of absolute freedom. From dogmas which could not be accepted without doing violence to the moral sense, men turned eagerly to records where those dogmas were not to be found; and once again the more superstitious religion gave way for a time before a system which professed a greater enlightenment. Delivered from the fear of the Pope, Englishmen cared little whether they had committed themselves to a new principle. Their national Church, buffeted by some storms, was at length submerged in a sea of rebellion; but its restoration was the more welcomed

because it seemed the restoration of social law and order. Henceforth Englishmen could go on their way, thanking God that they were not like traitorous recusants whose allegiance was given only to the vicegerent of St. Peter. The members of the English Church looked on themselves with much self-complacence, and the feeling was not altogether irrational. A comparison with Catholic countries seemed to show that the Protestant character was very truthful, the Catholic character singularly prone to evasion and falsehood. If the papist prized the unsocial virtues of asceticism, the Anglican aimed at a more genial and a more manly standard of excellence.

This placid self-satisfaction was not to last for ever. Orthodox Churchmen had settled down again to their slumbers after the rude shock which they had received from the unseemly vehemence of Wesley; but the sharp sword which had smitten the vendors of indulgences and the hierophants of winking statues, was about to be wielded against themselves with far more than Wesley's energy. The Articles of the English Church might perhaps convince the mass of the people that their Communion was strictly Protestant; but the spirit of her Liturgy, the admissions of its compilers, and the language of her greatest divines, rested her vitality as a branch of the Church Catholic on her harmony with the "godly and decent order of the ancient fathers." It needed no singular keenness of vision to perceive that, while the phraseology of the Articles was vague, the language of the Prayer Book was far less ambiguous, and in some of its expressions exhibited the faith not only of Augustine or Athanasius, but of Bernard or of Bellarmine.* It required no profound discernment to see that from the Formularies and Homilies of the English Church at least as much might be extracted in favour of the principle of authority as in favour of the principle of freedom.† The spirit of Laud, Andrewes, and Cosin had

* Dr. Newman places in juxtaposition the Roman and Anglican forms of Absolution in the Offices for the Visitation of the Sick, and then says:—

"I challenge, in the sight of all England, evangelical clergymen generally, to put on paper an interpretation of this form of words, consistent with their sentiments, which shall be less forced than the most objectionable of the interpretations which Tract XC. puts upon any passage in the Articles."—*Apologia*, p. 171.

† The Book of Homilies has never been in much favour with High Churchmen. Yet from their "godly and wholesome doctrine," which was pronounced "necessary for these times," Dr. Newman extracts twenty-six propositions which have very much the look of genuine Popery, and holds it therefore as proved, "that the men who wrote the Homilies, and who thus incorporated them into the Anglican system of doctrine, could not have possessed that exact discrimination between the Catholic and Protestant faith, or have made that clear recognition of formal Protestant principles and tenets, or have accepted that definition of 'Roman doctrine,' which is received at

not wholly died away; and the fervour of a single champion might stir the smoking embers into flame. The condition of the English Church presented a curious parallel to that of the Church of Rome when the Mendicant Orders arose to rebuke the lethargy of her rulers and justify the indignation of her faithful children. The elements of poetry and enthusiasm, to take the superficial view of Macaulay, had long been repressed, if not banished from within her borders. Her teachers prosed on morality without earnestness, or discoursed mechanically on Christian evidences, or languidly threatened sinners with never-ending torments in discharge of their official routine. Still, in theory, the English Church claimed kindred with primitive Christianity; and the image of that early time, with its stern self-sacrifice and deep devotion, failed not to rouse once more a yearning for the religion of Augustine, Ambrose, and Leo. The fire was kindled, or, as some said, the plague had begun. The course and results of the great movement which ensued lie within the compass of the last thirty years; but they only who were more immediately brought within its influence can fully realize the intensity of feeling which it roused in those who cast in their lot with the reformers. The remembrance of the first fervour of its leaders, of their deep learning, of their thirst for truth, and their genuine self-devotion, will not soon fade from the minds of many who may from an early time have seen whither things were tending, even while they were themselves borne on by the current. The compilers of the Prayer Book identified Anglicanism with the Christianity of the first centuries. As long as the conviction of this identity was retained, there was nothing to break or trouble the even tenour of their course. It was the one belief which served to compensate the miserable evils of a disunited Christendom. The English Church stood by itself, an insignificant unit in the large aggregate of Christian society; but the isolation might be borne so long as it was felt that she was the true representative of the Church of St. Paul, of Irenæus, and of Chrysostom. Here lay the great issue. The authority of the Church was the rock on which their faith rested; but that faith would be rudely shaken if ever they came to see that they had misinterpreted the ancient record,* and contented themselves with a shadow for the substance. It is not given to all men to rest satisfied in an illogical position; and so it fared with some among

this day."—*Apologia*, p. 167. Probably Tract XC. would have been more leniently treated by the Judicial Committee of Privy Council than it was by the Bench of Bishops.

* Dr. Newman puts the charge in words which are probably as true as they are simple.

"I was sore about the great Anglican divines, as if they had taken me in

the leaders of the great Oxford movement. That movement was to determine "whether what is called Anglo-Catholicism, the religion of Andrewes, Laud, Hammond, Butler, and Wilson, is capable of being professed, acted on, and maintained on a large sphere of action; or whether it be a mere modification or transition state of either Romanism or popular Protestantism." To assume the point in question and think no more about it, might conduce greatly to comfort, but would never satisfy a thoroughly sincere and honest man. No conscientious mind would content itself with drawing an arbitrary line between the faith of the third, fourth, or fifth centuries, and then making an ideal picture of that primitive society which was preferred to the Christianity of the Middle Ages. The links of an intricate chain connected the Church of one century with that of another; and only by patient historical inquiry could it be decided whether and when the Church of a later age had forfeited its claim to represent the Church of former generations. The inquiry had for earnest hearts an irresistible charm: the search was fruitful in great discoveries. The image of primitive Christianity on a closer view assumed more and more the features of Roman sacerdotalism. They who accepted reverently the faith and teaching of Jerome and Athanasius could not be deaf to the words of Gregory the Great, of Hildebrand, and Innocent. It was hard to kick against the pricks, harder still to sit down with the consciousness of having shirked a difficulty. If the many said, "So far have I gone, I will go no further," there were some who could not so sacrifice their logic to their ease; but they clung still to the Church in which they had been baptized, and whose orders perhaps they had received. Among the most fearful sins which a Christian could commit was the sin of apostasy; and in every quarter they must search for any plea which might justify their position, until they could see their way marked out as by the finger of God. One by one their strongholds fell. They had thought at first that the Church of England was in all respects, the Roman in few or in none, the representative of primitive Christianity; they were brought against their will to see that at best the Notes of the Church, as they were called, could only be divided between them. Still, it was something to feel sure that if the Roman Communion had retained the note of Catholicity, the Anglican exhibited that of Apostolicity. They found themselves on stormy waters. The suspicion

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and made me say strong things, which facts did not justify."—*Apologia*, p. 221.

"I had made considerable miscalculations; and how came this about? Why the fact was, unpleasant as it was to avow, that I had leaned too much upon the assertions of Usher, Jeremy Taylor, or Barrow, and had been deceived by them."—p. 331.

would from time to time break in upon their minds, that Basil and the Gregories, if again they could mingle with men, would find themselves more at home in the Roman than in the English Church; and it was impossible not to feel sympathy, if not a warmer and more tender affection, for a communion in which the saints of primitive Christendom would have been content to live and die. The comparison was not in favour of the narrow, insular Church. What had she to show in the way of faith, unity, and discipline? Still she had, or she seemed to have, life; and they fell back on the Note of Sanctity as on an impregnable citadel. The Anglican Church was still the mother of saintly children; she still exhibited "a supernatural Christian life, which could only come directly from above;"* and they would thankfully act on the conviction that "a religious body is part of the One Catholic and Apostolic Church, if it has the succession and the creed of the Apostles, with the note of holiness of life."† But harder buffets were in store for them. The bishops took another view: their appreciation of primitive doctrine was not enthusiastic; and they showed no great indulgence to those who professed to hold it. They knew, in short, what the Church of England meant by primitive Christianity, and they were resolved that no logic should tempt them to treat the subject as an open question. Others might talk of seamless robes: it was their business to grasp the right hand of fellowship held out to them by the King of Prussia and Baron Bunsen, and enthrone Dr. Alexander as Bishop of Jerusalem. The beginning of the end had come. Was it the time to depart and be no more partaker of her sins? There was yet one point which seemed to furnish a standing-ground. "This could be said; still we were not nothing: we could not be as if we never had been a Church; we were Samaria."‡ The Israelites were in a state of schism, "yet in fact they were still recognised as a people by the Divine mercy."§ Great prophets were sent "to preach to them and reclaim them, without any intimation that they must be reconciled to the line of David and the Aaronic priesthood, or go up to Jerusalem to worship." The fact, it is true, might be used as evidence that the Aaronic priesthood did not at the time exist; but such as it was, it served to keep them in the Church of England a few years longer. Logically, the work might be regarded as accomplished; but there is such a thing as moral conviction, and the intellect may be swayed when the heart refuses to yield. The world was looking on and more than whispering insinuations of deep and deliberate treachery; but its victims were true to themselves. Great acts,

* "Apologia," p. 261. † *Ib.* p. 263.
‡ "Apologia," p. 264. § *Ib.* p. 266.

they said, take time. "As well might you say, that I have arrived at the end of my journey, because I see the village church before me, as venture to assert that the miles over which my soul had to pass before it got to Rome could be annihilated, even though I had had some far clearer view than I then had that Rome was my ultimate destination."* They confessed to doubts; some who were in orders gave up the exercise of their functions; but it was just possible that these doubts might vanish and that they might resume their work. The bishops scarcely employed the right means to bring about this result. The final stage was reached, and to the certainty that the Church of England was in the wrong was added the conviction that the Church of Rome was in the right. It remained only to see that there were no broken links in the chain which connected modern Romanism with ancient Christianity. The history of Doctrinal Development furnished the answer. The last cord was snapped; or, as Archbishop Whately gracefully put it, the phenakism of men, "who had cast aside all regard for truth," was at last exposed.† The well-laid scheme could be carried no further, and the arch-traitor betook himself to his own place: in less uncharitable phrase, the wounded and conquered spirit found refuge in the arms of Rome.

It may safely be said, that in matters which involve a discussion of first principles, none are competent to form a judgment who do not throw themselves into the position of the man whose actions or character they seek to criticize. To all who will not, or who cannot do this, the most scrupulous conscientiousness will wear the look of reserve and equivocation, if not of absolute falsehood. Impressions long resisted, and convictions slowly and reluctantly admitted, will be but evidence of deep-laid plots and dishonourable schemes. In an eminent degree it has fallen to the lot of

* "Apologia," p. 285.

† We would willingly have allowed this slander to lie buried in the recently published "Miscellaneous Remains" of Dr. Whately, but for the fact that a reviewer in "Macmillan's Magazine" for August, 1864, has not scrupled to quote it, in justification (as it would seem), or at least in palliation, of Mr. Kingsley's charges. Dr. Whately was so utterly unable to throw himself into any state of mind different from his own, that had this judgment been expressed now for the first time, it would in such a case be worth little or nothing; and only the blind assurance which led him to regard his own interpretations as infallible could have repelled the charge of phenakism, if retorted on himself. Dr. Whately knew that his doctrine of the Trinity had nothing in common with the generally received theology; but while he hesitated not to strain the language of the Prayer-Book in his own favour, he insisted as against others, that the Church of England was simply a voluntary association or club with an indefinite power of black-balling or ejecting all who might be obnoxious to her. But, if we are disposed to overlook uncharitable words written hastily by Dr. Whately twenty years ago, that is no reason why the like indulgence should be extended to Mr. Kingsley now.

Dr. Newman to furnish such evidence to those who misunderstood him. In the last bitter struggle, a friend (who did not follow him into the Communion of Rome) could say, "Your whole conduct towards the Church of England, and towards us who have striven, and are still striving to seek after God for ourselves, and to revive true religion among others, under her authority and guidance, has been generous and considerate, and, were that word appropriate, dutiful, to a degree that I could scarcely have conceived possible, more unsparing of self than I should have thought nature could sustain."* From a review of that conduct, Mr. Kingsley, overflowing with that outspoken manliness which is the genuine growth of the Anglican system, could only infer that Dr. Newman cared little or nothing for Truth. So he shot his arrow; and we may be grateful to him, since his attack has called forth a work which not only vindicates Dr. Newman's honesty in the eyes of the world, but which will exercise no slight influence on the future course of English thought. The very vividness with which Dr. Newman has traced every step in his own religious career, the lifelike history which he has given, and which he alone could give, of the great Oxford movement,

* "Apologia," p. 361.—Dr. Newman had no sooner begun to modify his impressions of a subjective personal religion which he had received from the school of Scott and Newton, than (with a feeling which in its absorbing power amounted almost to an instinct) he perceived that the great enemy to be overthrown was Liberalism. This was the one deadly foe which throughout his whole career in the Anglican Church he set himself to fight and vanquish. In the end it proved too strong for him. His words are explicit: "The men who had driven me from Oxford were distinctly the Liberals." Dr. Newman uses the term in a sense which the new school of orthodox Churchmen and the old school of Evangelicals would do well to ponder. It would be a grave error to suppose that he meant what the Bishop of Oxford would mean by it. With the former the word would apply to Dr. Wilberforce himself with quite as much force as to the Essayists and Reviewers, or the Bishop of Natal, or Mr. Maurice, or Deans Milman and Stanley. In its strictest intention Dr. Newman denotes by the term all the parties in the Church of England. In his eyes the pure Anglican, the High and Dry, the Evangelical and the Calvinist, are all of them Liberals, all committed to the principle of Antichrist. His language leaves no room for doubt on this point. Writing to a friend "of liberal and evangelical opinions" (p. 118), he says that the Tractarians will ride over him and his as Othniel prevailed over Chushan-rishathaim, king of Mesopotamia. The establishment of the Jerusalem Bishopric was the crowning sin of the Liberals (p. 245). "The spirit of lawlessness," he repeats, "came in with the Reformation, and Liberalism is its offspring" (p. 313). With the same instinctive conviction he felt that his submission to the Church of Rome would be followed by the triumph of Liberalism in the Church of England, not (we must again remark) by the establishment of the position assumed by Bishop Blomfield, or Dr. Macneile, or Mr. Close, but by the ultimate victory of that principle of freedom to which, in spite of disavowals and anathemas, they had irretrievably committed themselves.

strengthens his appeal to those first principles on which the great battle of the age is to be fought out. Of Mr. Kingsley we need say but little; in a former paper we warned him of the danger of throwing stones from glass houses,* but we will give him the credit of reasoning with his heart rather than his head—we will believe him to be unconscious of those barometric variations in his love of truth, which make him so curious a spectacle to neutral lookers-on. Charges of habitual evasion and falsehood come indeed with singular inconsistency from a writer who, to indifferent judges, appears singularly persistent in the use of what is valued or stigmatized as "the economy." The man who holds that the Song of Solomon is entitled to a place in the Canon because it teaches monogamy, who thinks that the prison-house of the wicked may be the molten mass which seethes beneath the outer crust of the earth, who refuses to listen to a doubt of the genuineness of the Pentateuch while he rejects the fact of a Universal deluge, is not justified in charging others with inconsistency or strained interpretations, with perverse faith in the genuineness of relics, or with misleading consciences by means of a sophistical casuistry. But Mr. Kingsley is, to a certain extent, the exponent of a system; and others who fancy themselves free from Mr. Kingsley's faults, and draw solace from the thought that they are not of his school, must be made to see that they are sailing in the same boat, and are in varying degrees chargeable with the same absurdities.

The immediate effect of Dr. Newman's "Apologia" will be to strengthen the position of the Church of Rome as against her assailants: in the end it can scarcely fail seriously to weaken it. Both these results will follow of necessity from the mercilessly accurate reasoning which has driven one who had no liking for paper logic (p. 285), to submit himself to the infallible Church. Dr. Newman's system is thorough; there is no mincing of matters. We see what we are about, and are content to abide by the issue which he raises. Whether wisely or unwisely, he has made his appeal to facts. He has to account for his belief in the existence of an authoritative external guide, whose duty it is not merely to administer to men their spiritual food but to control their intellect, to set the limits of scientific discussion, "to animadvert on opinions in secular matters which bear upon religion—on matters of philosophy, of science, of literature, of history" (p. 398). In justification of this belief, he appeals not to the words of a book, or the decrees of councils, or to the consensus of tradition, but to the patent facts of society as they appear to his eye, and as he supposes that they must appear in the eyes of all.

* *Westminster Review*, July, 1864, Art. VI. "Mr. Newman and Dr. Kingsley."

"To consider the world in its length and breadth, its various history, the many races of man, their starts, their fortunes, their mutual alienation, their conflicts; and then their ways, habits, governments, forms of worship; their enterprises, their aimless courses, their random achievements and acquirements; the impotent conclusion of long-standing facts, the tokens, so faint and broken, of a superintending design; the blind evolution of what turn out to be great powers or truths; the progress of things, as if from unreasoning elements, not towards final causes; the greatness and littleness of man, his far-reaching aims, his short duration, the curtain hung over his futurity; the disappointments of life, the defeat of good, the success of evil, physical pain, mental anguish; the prevalence and intensity of sin; the pervading idolatries, the corruptions, the dreary hopeless irreligion, that condition of the whole race so fearfully yet exactly described in the Apostle's words, 'having no hope and without God in the world'—all this is a vision to dizzy and appal, and inflicts upon the mind the sense of a profound mystery, which is absolutely beyond human solution.

"What shall be said to this heart-piercing, reason-bewildering fact? I can only answer that either there is no Creator, or this living society of men is in a true sense discarded from his presence. Did I see a boy of good make and mind, with the tokens on him of a refined nature, cast upon the world without provision, unable to say whence he came, his birthplace or his family connexions, I should conclude that there was some mystery connected with his history, and that he was one of whom, from one cause or other, his parents were ashamed. Thus only should I be able to account for the contrast between the promise and condition of his being. And so I argue about the world; *if* there be a God, *since* there is a God, the human race is implicated in some terrible aboriginal calamity. It is out of joint with the purposes of its Creator. This is a fact—a fact as true as the fact of its existence; and thus the doctrine of what is theologically called original sin becomes to me almost as certain as that the world exists and as the existence of God."—p. 379.

On this most momentous of all questions, the position of the Church of England must be carefully distinguished from the popular theology or tradition. Her general meaning may perhaps be guessed at; so far as it is judicially ascertainable, it is sufficiently wide and ambiguous. Her Articles say something about original sin; but the words may involve the conclusions of Dr. Pusey or Dr. Macneile, or they may signify nothing more than the undeniable fact, that men are not born impeccable; perhaps they may be designed to include the holders of either opinion. For good or for evil, the moral obligations of Anglican clergymen cannot be discussed judicially. The judge of the Arches' Court and the Committee of Privy Council have simply to see whether a defendant has or has not contradicted the literal and grammatical sense of the Thirty-nine Articles. If he has

not in plain terms impugned their language about the Sacraments, he may make free use of expressions in the Liturgy, and employ them, if he pleases, in the sense assigned to them by Roman Catholic theologians. It is not for us to say that a large amount of Roman doctrine may not be legitimately held by those who have subscribed the terms of the Great Compromise. We must leave it to those who lay down conditions of Catholicity, to determine whether this fact places the Church of England within the pale of Catholic Christendom, or whether it leaves her, in Dr. Newman's words, "a mere national institution."* But there can be no doubt that the general belief of members of the English Church, with the popular tradition of the whole Christian world, is committed to Dr. Newman's assertions as to the present and the original state of man. Man according to this theory was once sinless, he is now sinful. He was once perfect in body as in mind: now languages, some of them scarcely articulate, betray the decay of the latter: the physical degeneracy of Africans and Polynesians attests the degradation of the former. His intellect once led him to absolute trust in God: its universal tendency now is to utter unbelief. He had once the direct guidance of God; now, of himself, he knows not whence he came or whither to turn. He is decrepit and helpless: and if ever he is to be raised out of a state generally different from that in which he was created, there is need of external interference. Of what kind shall that interference be? It cannot be natural, because by the hypothesis the course of nature has been disorganized by human sin. It must be something extraordinary, or what is called miraculous. But miracles may be either occasional and desultory, or permanent. The former may confirm the faith of those who witness or hear of them; but they involve argument. There must be something which to men shall be as constant a quantity as the air which they breathe. There must be a "face to face antagonist," which shall "withstand and baffle . . . the all-corroding, all-dissolving scepticism of the intellect in religious inquiries" (p. 379). There must be on the earth an infallible guide, and that guide Dr. Newman finds in the Church Catholic. She alone guards the sacred deposit of the faith; she alone has spoken always the same language; she alone can adapt herself to the varying wants of ages; she alone discovers instinctively the special perils of every form of society, and interposes whenever and so far as her interference may be needed. It is true that Protestants laugh these claims to scorn, and look for infallible guidance to the pages of a book, as the Ephesians bowed down before the image which fell from Jupiter.

* "Apologia," Appendix, p. 24.

It is true also that Anglicans intrude their theory of the Church, and by suitable clipping and paring and a judicious eclecticism, half convince themselves that the creation of their own brains possesses a substantial reality. Here the matter is at once brought to a point; and it is the business of all who seek to overthrow the tyranny of fallacies, to see that the question is not diverted to a false issue. With the exception of a few episcopal societies in Scotland and America, no religious body professes agreement with the Church of England; and who can say what she affirms herself? It is well to point to expressions in Rubrics and Formularies; but there is not a single term which may not be held in different senses by persons and schools, all of whom have an equally legal status within her pale. As long as they profess to believe in the Incarnation, in Atonement, in Mediation, Sacrifice, Propitiation, and Justification, they may attach to these terms meanings which from excess of variation become thoroughly antagonistic. Let Mr. Maurice's idea of Atonement be compared with that of Dr. Pusey, and the former will resolve itself into some beautiful symbolism, the latter will leave the stern reality of a change in the divine mind brought about by a Sacrifice of Blood. Let the orthodox doctrine of the Trinity be contrasted with that of Archbishop Whately,* and the latter will dwindle into a merely relative proposition, in defence of which it would be absurd to expect an Athanasius to do battle against the world. At the utmost it can only be said that the Church of England puts forth some ambiguous statements which are not to be contravened; and, while it says little of things which are to be maintained, effectually provides that the adherents of one school shall not ban or eject the disciples of another. Dr. Pusey avows that his religion is different from that of Mr. Maurice, and has even maintained that he does not worship the same God with Mr. Wilson: yet the two religions are forced to go on peaceably side by side. It is of course possible that a real unity may underlie all these strange divergences; but there is no outward uniformity or harmony, and for purposes of argument the position of Anglicans becomes worthless in the controversy with the Church of Rome. Is it better with the external authority which some ascribe to a book? If we ask Dr. Newman, his answer is that—

"The judgment which experience passes on establishments or education, as a means of maintaining religious truth in this anarchical world, must be extended even to Scripture, though Scripture be divine. Experience proves surely that the Bible does not answer a purpose for which it was never intended. It may be accidentally the means of the conversion of individuals; but a book after all cannot make a stand against the wild living intellect of man, and in this day

* "Elements of Logic." Appendix, Art. *Person.*

it begins to testify, as regards its own structure and contents, to the power of that universal solvent which is so successfully acting upon religious establishments."—p. 382.

For lack of a direct reply, Anglicans, Bibliolaters, and Muscular Christians alike fall back on the retort of consequences. Dr. Newman's hypothesis may be very specious; but whither will it lead? Will it not land the unwary victim in the very quagmire of superstition, and if his stomach revolts against the nauseous draught which he is bidden to swallow, leave him helpless to face the horrible alternative of Catholicity or Atheism? Will it not force him to believe in a host of miracles, wrought for little reason or for no reason at all? Will it not compel him to attribute human passions and human malevolence to God, and confuse all distinctions between right and wrong? Ask the discreet Churchman, and he will say that "Miracles are useless in the divine economy, if they are as easy to believe as the natural course of things; the English Church acknowledges difficulties and demands a weight of evidence. Dr. Newman owns himself careless about this."* Look elsewhere, and the great preacher of Muscular Christianity holds up his hands in horror and exclaims, "When I found Dr. Newman talking stupendous nonsense about holy coats, and true crosses, and bones dripping with sacred oil, what wonder that I said to myself, This man cannot mean what he is saying." Hear Mr. Kingsley's followers and advocates, and they will say that Dr. Newman's

"Championship *à l'outrance* of the superstitious element in Roman popular belief can only be termed astonishing. No Roman Catholic born thinks it necessary to enter the lists against all assailants of all his Church's lying legends; but Dr. Newman seems to find a pleasure in the logical *tour de force* of rendering credible the incredible, confusing all rational lines of demarcation between fact and figment, and fighting over again the lost battle of superstition."†

We are quite ready to acknowledge that perhaps not one of these charges against Roman Catholic mythology is exaggerated; but they who bring the charges must be told again and again, that there are things as hard to believe in the mythology of Protestants. The difference between Dr. Newman and his accusers is, that with fully as much honesty he unites more logic. His special merit lies in the fact, that on the subject of miracles he has no equivocations and no reserve. Mr. Kingsley, with greater discretion and less conscientiousness, thinks it no part of his duty "to enter the lists against the assailants of his Church's legends," and turns round with an air of indignant surprise, if a hint is given

* "Christian Remembrancer," July, 1864, p. 183.
† "Macmillan's Magazine," August, 1864, p. 294.

that any such legends exist. He can only think Dr. Newman stupendously silly or incredibly knavish for venturing to regard it not as certain, but as possible or probable, that relics of saints may have a healing power. Dr. Newman does not indeed retort on Mr. Kingsley, that he must be a cheat or a fool for holding the same belief himself; but there is a righteous bitterness in his irony, when, speaking of the oil from St. Walburga's bones, he simply says:—

"There is nothing extravagant in this report of the relics having a supernatural virtue; and for this reason, because there are such instances in Scripture, and Scripture cannot be extravagant. For instance, a man was restored to life by touching the relics of the prophet Eliseus. The sacred text runs thus:—'And Elisha died, and they buried him. And the bands of the Moabites invaded the land at the coming in of the year. And it came to pass, as they were burying a man, that, behold, they spied a band of men; and they cast the man into the sepulchre of Elisha: and when the man was let down, *and touched the bones of Elisha, he revived*, and stood up on his feet.' Again, in the case of an inanimate substance which had touched a living saint. 'And God wrought *special miracles* by the hand of Paul, so that *from his body* were brought unto the sick *handkerchiefs or aprons*, and the *diseases departed from them.*' And again in the case of a pool, 'an *angel went down* at a certain season into the pool, and troubled the water: whosoever then first after the troubling of the water stepped in, *was made whole of whatsoever disease* he had.' Therefore there is nothing *extravagant* in the *character* of the miracle."*

Dr. Newman's argument may be indefinitely extended: nor would it perhaps exceed the truth to say that there is not a single miracle in the whole range of mediæval or modern hagiology of which the type may not be found in the miracles of the Old Testament or the New.† Indeed, the mind and conscience are more strained in accepting many of the Biblical miracles than in receiving almost any that occur in the pages of Alban Butler. If we smile at the grotesque features of mediæval Thaumaturgy, are we less perplexed by the tales of Balaam or Elisha? If we turn impatiently from the miracles of Augustine, what are we to say of spirits passing locally from men into swine, of artificial products multiplied (as in the feeding of the multitudes), of substances changed (as the water at the feast in Cana), of gravitation

* "Apologia," Appendix, p. 42.

† Mr. Kingsley can scarcely have forgotten Dr. Newman's well-known Essay on Ecclesiastical Miracles prefixed to the English translation of Fleury's History; but he would do well to refresh his memory of the argument drawn from the typical character of the Biblical miracles. As a justification of the *character* of Ecclesiastical miracles, apart from the evidence adducible for them, that argument has never been answered.

overcome (as in the walking on the water or the floating of an iron ax-head)? Dr. Newman tells us that in his youth he often wished that the Arabian Tales were true.

"My imagination ran on unknown influences, on magical flowers and talismans. I thought life might be a dream, or I an angel, and all this world a deception, my fellow-angels by a playful device concealing themselves from me and deceiving me with the semblance of a material world."—p. 56.

In these fancies, which Dr. Newman asserts he did not get from Berkeley, orthodox Anglicans profess to find the key which explains his whole career.* It is not, of course, our concern to justify Dr. Newman's present or former belief, that there are spiritual beings who preside over nations and institutions, "a middle race, *δαιμόνια*, neither in heaven nor in hell; partially fallen, capricious, wayward; noble or crafty, benevolent or malicious, as the case might be" (p. 91). It may be very absurd to talk of "John Bull as a spirit neither of heaven or hell" (p. 92); but Anglicans are not the men who may safely cast a stone at Dr. Newman's demonology, so long as they believe in Satan, once an archangel in the courts of heaven, now the personal king of a crowd of devils, who can enter into men and pass out of them, tempting them into sin and, in the vast majority of instances, ruining them for ever. But it must further be remembered that if the Biblical history be true, the Arabian Tales depict no impossible ideal. The narrative of the Acts of the Apostles reveals in parts a similar world of which we have no experience, a world in which wonders are wrought when seemingly they are not wanted, and fail when they are needed, and in which rulers and statesmen act on motives which we are utterly unable to comprehend. It is a world governed apparently by childish caprice. The virulent enemies of the Apostles, eagerly on the watch to seize every means for crushing them, stupidly let slip the golden opportunity afforded by the sudden disappearance of Ananias and Sapphira. The indignation which this event failed to rouse is wakened by paltry cures wrought on some sick folk. From the imprisonment which follows, the Apostles are delivered by the opening of the prison doors, more it would seem for the sake of displaying the astonishment of those who guarded untenanted dungeons, than of securing the safety of the prisoners. There is no interference to save Stephen and James from violent deaths, but the angel again unlocks the prison doors, and the great gates open of their own accord on behalf of St. Peter. When to these marvels we add the coincidence of visions, the display of extraordinary physical powers, with the raising of dead bodies for no

* "Christian Remembrancer," July, 1864, p. 165.

special reasons, we may well ask, whether (to say nothing of tales of the Genii) it be harder to believe the miracles of St. Dunstan or the liquefaction of the blood of St. Januarius? As we read the story of Ananias, we may further ask whether any of the petulant and vindictive miracles related of mediæval saints surpass the presumption which, after the occurrence of one sudden death, deliberately pledged God to the infliction of another? Yet these are tales which orthodox Anglicans (and Mr. Kingsley avows himself of the number*) are bound thoroughly to believe, while, by a logical fallacy as superfluous as it is absurd, they refuse credence to similar facts in later ages which would in no wise add to their existing difficulties. To accept only those miracles which are narrated in the Bible is the extreme of fanatical folly. If the power existed in persons (and St. Paul expressly asserts that it did), we have but to remember that the Book of the Acts relates only a few passages in the lives of three or four apostles. For those who admit the occurrence of post-apostolic miracles the case is even worse. It is childish to weigh the evidence for the miracle of the Thundering Legion, and to shut our ears to that which may be urged for those of Martin of Tours.

But we need not confine ourselves to miracles. The legends of mediæval saints, the teaching of Catholic theologians, may contain much that is debasing to the mind and corrupting to the moral sense; but even in this unenviable distinction they can scarcely surpass some of the Biblical narratives. The wildest superstition of Popish countries cannot well go beyond the abject folly which ascribed a miraculous power to a shadow. The most truculent inquisitor never imputed to God a worse command than that which enjoined the slaughter of myriads of women and children. As we read of a God who smote a whole country with plague for the misdeeds of a king long since dead, and whose wrath could be appeased only by the crucifixion of seven innocent men; who charged Israelites to cheat Egyptians by a lie†; and claimed as the man after his own heart a despot not much better than Nadir Shah,—we may well doubt whether mediæval annals exhibit much that is less edifying or more repulsive. If anything can be worse, it is the method of interpretation adopted by Protestant theologians of narratives which stand self-condemned. The "Apology" of Bishop Watson gave the last blow to the faith of Gibbon. The

* The Cambridge Professor of Modern History, as defending the special privilege of his University, boldly asserts the right of free discussion "within the limits of orthodoxy."—*Gospel of the Pentateuch.*

† "It was lawful for the children of Israel to borrow jewels of the Egyptians, which supposes a promise of restitution, though they intended not to pay them back again. *God gave commandment* so to spoil them." —*Jeremy Taylor.* Dr. Newman quotes the passage for another purpose.— "Apologia," Appendix, p. 102.

comments of Thomas Scott are horrible enough to work the same result in others. When the theologian tells us that "Ehud had a message from God to Eglon, but of a far different nature from what Eglon expected," we are tempted to excuse the less cold-blooded charge of the Inquisitor in the Albigensian crusade, "Slay on: God will know his own." The barbarian who pictured to herself the agony of Sisera's mother would seem less savage than the commentator who, to enhance the merit of his assassin, urges that "Jael is not said to have promised Sisera that she "would deny his being there; she would give him shelter and refreshment, but not utter a falsehood to oblige him." Yet Thomas Scott was a Christian, and would probably have refused to torture or mutilate the most pestilent of heretics.

Thus the believers in an infallible book are logically committed to the premises on which the Catholic system of authority is built up. It is only by an unfortunate or happy inconsistency that they stop short of accepting that system; and it is nothing less than infatuation in such men to talk of reasonable grounds for their belief, or to appeal to facts of which the knowledge is gained by an intellectual process. After such an appeal it is idle to bring forward statements from the Bible as on this account conclusive; for among the many records of which that book is made up, there are narratives which cannot well be surpassed for their superstitious and demoralizing character, for gross credulity and barbarous vindictiveness. In the essential features of their traditional theology, Bibliolaters are in agreement with the Church against which Luther, and Jewel, and Calvin protested, but whose principle of despotic authority they retained. In the end, they must yield or be swept away before the stronger organization, unless they assert, as the birthright of all, that principle of freedom which the Reformers claimed for themselves but resolutely denied to all others. There is no escape from the magic circle, until they lay hands on the primary fallacy, and so reject the ultimate premiss on which the great fabric of authority rests. That premiss is the idea of the "terrible aboriginal calamity" which Sacerdotalists and Puritans alike discern in the third chapter of Genesis; and the simple issue is to determine whether that calamity is a historical fact. If the narrative is not to be taken as a plain statement of events which occurred* as there related, it is worth nothing. If the morality which it ascribes to the Supreme Being suffices to condemn the tale, we are not called on to discuss whether the serpent means the devil or animal desire, or whether the apple is a symbol of sexual appetite, or is susceptible of some other allegorical interpretation. The attempt to

* Quoted by Dr. Newman, "Apologia," Appendix, p. 110.

support the tale by corroborative evidence from heathen mythology is useless. If the legend of the Hesiodic Ages traces the course of man as from the higher to the lower, the myth of Prometheus reverses the order. It may please Mr. Gladstone to see in the woman's seed bruising the serpent's head a complete revelation of Christian dogma; but every science is at war with such ideas, and the war is daily becoming more deadly. To look to Geology for aid is to betray the simplicity of a child; the attempt to reconcile such ideas with the results of philology involves the necessity of receiving a series of stupendous miracles, after which we need not scruple to give faith to the marvellous tales of good Haroun-al-Raschid. The analysis, which has shown that "all words expressive of immaterial conceptions are derived by metaphor from words expressive of sensible ideas,"* has dealt the deathblow to the old fancies which saw, in the mythology of the Greeks, evidence of an original revelation distorted by human depravity. The most monstrous fictions by which miracle-mongers have roused the indignation of Protestants, impose not half the tax on our credulity which is demanded by an assent to the theories of the Chancellor of the Exchequer. To believe that immediately after his banishment from Paradise Adam was taught the mysteries of the Athanasian Creed, when Christians can speak of the Spirit of God only by words which denote the *breath* of the *air* or *sky*, is simply impossible. And if it be so, we have only to state the consequences which flow from this denial, if we would see the emptiness of the popular belief. If science and history alike teach that even the consciousness of a personal life was by no means the earliest stage in the course of man, if ages passed before the faintest idea of a natural order or a Supreme Ruler dawned on the human mind, we must believe that, if ever God has taught men at all, He was teaching them even while they were in a state which some may deem little better than that of brutes.

"It was an event in the history of man," says Professor Max Müller, "when the ideas of father, mother, brother, sister, husband, wife, were first conceived and first uttered. It was a new era when the numerals from one to ten had been framed, and when words like law, right, duty, virtue, generosity, love, had been added to the dictionary of man. It was a *revelation*—the greatest of all revelations—when the conception of a Creator, a Ruler, a Father of man, when the name of God was for the first time uttered in this world."†

Catholic and Protestant alike may kick at the sense here put on a word by means of which they have striven to keep the world

* Max Müller, "Lectures on the Science of Language," Second Series, p. 338.

† *Ib.* p. 308.

in bondage: but the simple truth involved in Professor Müller's words is this—that in all ages God has been and is teaching the children of men, by a method which we may not wholly understand, and for a purpose which we cannot fathom; that all human knowledge comes directly from Him; that man while yet in a stage answering to that of speechless infancy (if the tautology may be allowed) was as much the subject of divine education as was the disciple of Gamaliel. Man is not "out of joint with the purposes of the Creator:" he has undergone no "terrible aboriginal calamity."* There has been no change in the Divine mind, no need of a Sacrifice of Blood to avert Divine wrath or satisfy Divine justice. The search for infallible guidance, whether in the pages of a book or in the authority of a "vague abstraction"† called the Church, is toil thrown away. Men need depend neither on the Bible nor on the Pope. The infallible Teacher is already guiding them, the unerring Ruler is training them, be the people never so impatient and the earth never so unquiet. The votaries of authority may have oppressed their own minds and the minds of others beneath the gloomy fabric which they have reared on sand: they may scare themselves and others with the crowning fallacy, the last outwork of their dismal fortress, that there is no alternative between unquestioning faith and hopeless atheism. The delusion is dispelled by the single process which scatters to the winds Dr. Newman's idea of the aboriginal catastrophe. In the arms of the Roman Church he tells us that he has found repose. Within her communion "his mind has fallen back upon itself in relaxation and peace," and rests in her "as a great objective fact."‡ Beyond her pale he must be "an atheist, or a pantheist, or a polytheist,"§ when he looks into the world. He is a Catholic "by virtue of his believing in a God;"|| and it is only by a happy inconsistency that any can believe in God without being Catholics. To all adherents of the principle of authority, whether couched in the form of papal infallibility, or the Anglican theory of Church guidance, or the Protestant reliance in the oracles of a book, the argument is logically irresistible. It will, however, be retorted

* The contradiction furnished to this theory by the Sciences of Language and of Comparative Mythology, is forcibly brought out by Professor Max Müller, who denounces as "an unhallowed imputation" the idea of "a humanity emerging slowly from the depths of an animal brutality," and claims for man from the first "the divine gift of a sound and sober intellect."—"Comparative Mythology," in *Oxford Essays* for 1856, p. 5.

† Instances of other general terms which have exercised a grievous tyranny over thought, may be found in Professor Max Müller's "Lectures on Language," Second Series, p. 526. To the list there given many more must be added, the examination of which will be fiercely resisted by the self-styled orthodox of every school.

‡ "Apologia," Appendix, p. 24. § *Ib.* p. 377. || *Ib.* p. 323.

generally, by all who have made up their minds, that truth can be found only in their own system. But neither Dr. Newman nor his adversaries are in fact reduced to the terrible alternative of slavish submission or despairing unbelief: and we say this without any fear of marring the serenity of a mind now at rest after the storms of a momentous and memorable career. We leave this last cruel sting to Anglican theologians, who, with a contemptuous compassion, pronounce it well for the old Oxford leader that he should cling with desperate tenacity to the frail cord which alone prevents him from plunging into the depths of infidelity. Because he professes to believe in God "on a ground of probability,"* Dr. Newman has been taunted with believing in God for no reason at all, by flippant reviewers who admit that Englishmen have a real faith in Christianity although they cannot put it into moods and figures—in other words, that they believe in Christianity for no reason at all. The taunt is irrelevant. Dr. Newman does not really believe in God on grounds of probability, although he may sometimes think that he does. Mathematics will in no greater degree than theology or metaphysics give us "certainty by rigid demonstration," without the assumption of those primary truths which we accept because we are so constituted that we must accept them. If on this ground we reject our belief in God, we may as readily reject the evidence of our senses, because we cannot demonstrate our own consciousness, or time and space, or cause and effect. Our knowledge of God, in the words of Professor Max Müller,

"is based neither on the evidence of the senses, nor on the evidence of reason. No man has ever seen God, no man has ever formed a general conception of God. Neither sense nor reason can supply a knowledge of God. What are called the proofs of the existence of God, whether ontological, teleological, or kosmological, are possible only after the idea of God has been realized within us;" and hence "that supreme certainty which is conveyed in our belief in God and immortality," is "a certainty never attainable by cumulative probabilities."†

We are thus brought to a simple contrast between the principle of authority and the principle of freedom, or rather of human despotism and divine government. Sacerdotalists and Bibliolaters may seek to scare men with bugbears of the scepticism and infidelity into which all impartial inquiry must hurry them: but the principle of authority cannot be received without the acceptance, wholly or in part, of a system of mythology almost as complicated, and not much less gross, than that of Greek and Romans.

* "Apologia," Appendix, p. 24.
† "Lectures on Language," Second Series, pp. 575, 577.

With that mythology is mingled, we readily admit, much that is beautiful and true; and the whole thus produced exhibits something like a living force when thrown into the concrete form of the Church Catholic. To minds which would rather submit than think, this Church comes invested with the majesty of ancient tradition, and clothed with all the tenderness of old associations. It displays before the world a long roll of saintly names and heroic deeds; its stirring appeals awaken the enthusiasm of hearts ready to live and die for the cause of God. It professes to be the sole guardian of civil order and of all constituted authority; it denounces its foes as the enemies of law, and the advocates of rebellion and anarchy. So of old Saul of Tarsus, fighting the same battle which Hildebrand and Damiani fought in after ages, said of the small society of Christians; but from his eyes the scales fell, and he saw that the kingdom of God was not what he had taken it to be. He changed his side, but he had not to change his watchword. The same conversion is possible for those who fight for Church authority or Biblical infallibility, as Saul fought for the established order of Judaism; and when that change comes, they will see before them no yawning gulf of hopeless unbelief, but that fair realm of freedom which is the divine heritage of mankind—of freedom in which God talks with man "as a man talketh with his friend."

Art. VI.—Herrings and the Herring Fisheries.

1. *Report of the Royal Commission on the Operation of the Acts relating to Trawling for Herring on the Coasts of Scotland.* 1863.
2. *The Herring: its Natural History and National Importance.* By John M. Mitchell, F.R.S.S.A., &c. Edinburgh: Edmonston and Douglas. 1864.

"Any fres' herrin', any fres' herrin'!" Who is not familiar with the well-known and far-piercing cry of the bare-footed seller of herrings, as she traverses street after street, with business-like gait and well-poised basket on head erect?

"Non cuicumque datum est habere nasum,"

says Martial, and certainly no very sensitive organ is needed to acquaint a man with the proximity of a hawker of herrings. But these said herrings play a very important part in the world. The French naturalist, Lacépède, is guilty of no exaggeration, in this

respect at least, when he says, "Le hareng est une de ces productions naturelles dont l'emploi décide de la destinée des empires. La graine du cafeyer, la feuille du thé, les épices de la zone torride, le ver qui file la soie, ont moins influé sur les richesses des nations que le hareng de l'océan Atlantique. Le luxe ou le caprice demandent les premiers: le besoin réclame le hareng."* These remarks of Lacépède have been reiterated almost word for word by Cuvier, who adds, "this fishery sends every year, from the coasts of France, Holland, and Britain, numerous fleets to collect, from the depths of the stormy ocean, an abundant and certain harvest, which the vast shoals offer to the courageous activity of these nations. The greatest statesmen, the most intelligent political economists, have looked on the herring fishery as the most important of maritime expeditions. It has been named the Great Fishery. It forms robust men, intrepid mariners, and experienced navigators. The nations industriously occupied in this fishery know how to make it the source of inexhaustible riches." We shall return presently to the subject of the importance of herrings in a commercial point of view. First, let us consider some interesting points in the Natural History of the Herring. Mr. Mitchell, the title of whose work will be seen at the head of our article, must be our chief guide. He has recently given us an admirable account of Herrings and the Herring Fisheries, discussing almost every point of interest or importance.

The herring (*Clupea harengus*, Linn.) belongs to the family of fishes called *Clupeidæ*; why Linnæus selected the Latin term *clupea* to denote any of the herring tribe, it is impossible to say. The *clupea* of Pliny has not the most distant relationship with any of that family. It is described as a very small fish which used to attach itself to a particular vein in the throat of another fish called the *attilus*—whatever that may be—and thus to destroy it.† Of the herring family the following species occur upon our coasts:—The common herring (*C. harengus*), the sprat (*C. sprattus*), and the pilchard (*C. pilchardus*). Most ichthyologists are satisfied that whitebait is not, as Yarrell maintained, a distinct species, but an assemblage of the fry of the different clupeoid fishes. Closely allied to the genus *clupea* are the following fish:—The anchovy (*Engraulis encrasicolus*), the twaite shad (*Alosa finta*, Cuv.) and the allice shad (*Alosa communis*).

The herring was unknown to the fish-eaters of ancient Greece and Rome, notwithstanding the peregrinations of Archestratus the Syracusan, who wandered over various countries for the sake of becoming acquainted with whatever dainty dish he could meet with. No herring was found in the Mediterranean, and no

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* "Œuvres de Lacépède," xi. 115. † Nat. Hist. ix. 15.

expeditions in those early days were made to the British Isles—and so no Yarmouth bloater nor kippered herring ever tickled the palate of the ancient gastronomist of Syracuse. The anchovy, however, a common inhabitant of the Mediterranean, was well known and appreciated by the ancients, at least in a pickled state. It was known to the Greeks by the names of *ἀφύη* and *ἐγγραυλίς*, and to the Romans by *alec* or *halec* and *aphya*; it appears at one time to have been used in making the celebrated *garum* or fish sauce, of which the *alec* sauce was a thickened variety; but as it is in the days of Harvey, Burgess, and other modern compounders of pickles and sauces, so it was in the days of Horace and Pliny (*N. H.* xxi. 8). Spurious imitations prevailed, and genuine anchovy sauce was perhaps as difficult to get in ancient times as it is in our own day. Two ingredients, however, with which modern fish-sauce makers colour their pickled anchovies were, we hope, absent from the costly *garum*. Venetian red and Bole Armenian are probably modern introductions into the pickling art. Pliny tells us that the best kind of *garum* in his time was made from the scomber (mackerel) of the fisheries of New Carthage; this was the *garum sociorum*,* or "sauce of the allies." One ingenious Roman, M. Apicius by name, recommended the addition of a living mullet to this pickle, when the flavour was supposed to be greatly improved.†

The allice shad was known to the Greeks and Romans under the names of *θρίσσα*, *thrissa*, or *alausa*, but it does not appear to have been much valued as an article of food, though often purchased by the lower orders. Hence the line of Ausonius, (Idyl. *Mosella*, 127)—

"Stridentesque focis obsonia plebis Alausas."

The shads differ from other members of the herring family in their habit of ascending some of our rivers in the spring, in order to deposit their spawn in fresh water. They are similar in appearance to the common herring, and from their larger size are called by fishermen the "mother of herrings," "the king" or "queen of herrings." But it is of the common herring that we wish to speak more particularly. Mr. Mitchell gives us an interesting chapter on the habits and appearance of herring shoals when on the coasts. We will let him speak for himself:—

"It is extremely interesting to observe the herring when on the different coasts or fishing-grounds at the usual season of their approach. On some of the coasts, as on those of Norway, the herring shoals are frequently accompanied or pursued by numbers of whales and aquatic birds, which are all occupied in preying on them. The large dark

* So called in compliment to the Spaniards, then in alliance with Rome.

† Pliny, *N.H.* ix. 17. Seneca ridicules this cruel custom of pickling fish alive. (*Nat. Q.* iii. 17.)

masses of the whales, rising and blowing, and throwing up great quantities of the herring into the air, sparkling and glittering in the clear winter day; the constant movements of the birds with shrill notes actively engaged in seizing their easily obtained food, vying with man in their attacks on the countless myriads of herrings; and the appearance of numbers of fishing-boats and vessels, with the sound of the voices of an active body of fishermen—the ocean on the one side and the dark and lofty rocks on the other, is one of the most extraordinary and interesting sights that can be contemplated."

Such interesting sights, however, are not confined to the shores of Norway, for "in the Bay of Cromarty, in 1780, a large shoal of herrings appeared, accompanied with vast numbers of whales and porpoises, beating the water into a foam for several miles, giving it the appearance as if ruffled by the sudden land-squalls which blacken the surface;" and on another occasion in the same bay, "no fewer than seven whales were seen within the short distance of half a mile, some of them apparently sixty feet in length, and when they spouted, the water thrown up was mingled with fishes, which had a brilliant effect in the sunshine."—p. 23.

The fishermen watch for these indications of the presence of herring-shoals—the appearance of a whale, the examination of the stomach of a cod or a ling, of a gannet or other sea-bird, often reveals the whereabout of the shining shoals. Sometimes the herrings are observed to be near the surface of the water, "making a ripple," with no appearance of the presence of either whales or ravenous birds; sometimes they become *quasi* flying-fish, "rising up out of the water in a vast mass of many yards in extent, sparkling, and flashing, and flying several feet above the surface." Here are signs of some alarm and danger. The herrings are perhaps pursued by dog-fish.

Mr. Mitchell does not give us information at second-hand only. Like a true naturalist, who is desirous to witness all he can and to verify all he is told, he frequently accompanied the fishermen in their boats; and, doubtless, on a calm night, with plenty of tobacco, both to smoke and to give away, a man might learn, pleasantly enough, something of the nature both of herrings and of men. At any rate, Mr. Mitchell describes the thing as being something "very pleasing and exciting," when the night is very dark and the moon not shining—

"The boat rises and falls in a dark mass of water, the water sends phosphorescent particles around the boat at every stroke of the oar, the other boats are heard or seen moving in the same direction. Now and then we come near the herrings, which to the eye appear quiescent for the moment; in an instant they turn slightly on one aside, as if to look up at the boat, and quickly dart off, each herring forming a line of fiery light."—p. 25.

A vast deal of error and absurdity has been handed down to us

touching what we may be allowed to call "The Great Northern Migration Company." And although long before the appearance of Mr. Mitchell's book almost every naturalist had given up the account as mythical, yet, strange to say, the last edition of the *Encyclopædia Britannica* contains the old story told again. The bubble of "The Great Northern Migration Company" was, we believe, first blown by a countryman of our own, Thomas Pennant, whose works are well known to every zoologist. He supposed that the herrings spent the winter within the Arctic Circle, where they continued "for many months, in order to recruit themselves after the fatigue of spawning; the sea within that space swarming with insect food in a degree far greater than in our warmer latitudes." (!)

"This mighty army," says the worthy Pennant, "begins to put itself in motion in the spring. We distinguish this vast body by that name; for the word herring* is derived from the German *Heer*, an army, to express their numbers. They begin to appear off the Shetland Islands in April and May: this is the first check this army meets with in its march southward. Here it is divided into two parts; one wing of those destined to visit our coasts takes to the east, the other to the western shores of Great Britain, and fill every bay and creek with their numbers; others proceed towards Yarmouth, the great and ancient mart of herrings; they then pass through the British Channel, and after that in a manner disappear. Those which take to the west, after offering themselves to the Hebrides, where the great stationary fishery is, proceed towards the north of Ireland, where they meet with a second interruption, and are obliged to make a second division; the one takes to the western side, and is scarcely perceived, being soon lost in the immensity of the Atlantic; but the other, which passes into the Irish Sea, rejoices and feeds the inhabitants of most of the coasts that border on it. These brigades, as we may call them, which are thus separated from the greater columns, are often capricious in their motions, and do not show an invariable attachment to their haunts."†

Setting aside the *à priori* impossibility of any fish of the size of a herring being able to make the long journey from the Polar regions to the coasts of these isles in the time allowed, there are positive proofs against the migration theory which have been published to the world years ago. Herrings do not exist in the seas of the icy regions; at least no *Clupea harengus* has ever yet been found therein. The whales, seals, and walruses of those seas, the auks and divers, whose stomachs have been examined, do not reveal the presence of any herring-bones. One authority, quoted

* Some derive the name from an old French word, "hairang," "an army," or "host." Both derivatives are apt enough.

† Yarrell's "Brit. Fishes," ii. p. 183. Ed. 2nd.

by Mitchell, "who resided fifteen years in Greenland, after enumerating various kinds of fish caught there, says, "No herrings are to be seen." But what is the true state of the case? Does no migration at all take place? Herrings certainly do migrate, but not to the Polar regions. The shoals are found in abundance round our coasts at certain seasons, and then disappear, though individuals, Yarrell tells us, are to be found, and many are caught throughout the year.

"From all the circumstances known of the natural history of the herring, in regard to its visits on our own coasts and the coasts of other countries, it is reasonable to conclude that it inhabits the seas in the neighbourhood of the coasts on which it spawns, and that it arrives at particular seasons near the coasts for the purpose of spawning, the shoals leaving the coasts immediately afterwards; and the early or late, and distant and near, approach to the coasts in different years, perhaps depends on the clear and warm, and dark and cold weather of the seasons, as well as upon the depth of water at the feeding and spawning grounds."—*Mitchell*, p. 90.

We must now say a few words on the reproduction of the herring:—

"Singularly contradictory statements," the Commissioners report, "are to be met with respecting the spawning season of the herrings. We have obtained a very large body of valuable evidence upon this subject, derived partly from the examination of fishermen and of others conversant with the herring fishery; partly from the inspection of the accurate records kept by the Fishery officers at different stations; and partly from other sources; and our clear conclusion from all the evidence is, that the herring spawns at two seasons of the year—viz., in the spring and in the autumn. We have hitherto met with no case of full or spawning herring being found in any locality during what may be termed the solstitial months—namely, June and December; and it would appear that such herrings are never (or very rarely) taken in May or the early part of July, in the latter part of November or the early part of January. But a spring spawning certainly occurs in the latter part of January, in February, in March, and in April; and an autumn spawning in the latter part of July, in August, September, October, and even as late as November. Taking all parts of the British coast together, February and March are the great months for the spring spawning, and August and September for the autumn spawning. It is not at all likely that the same fish spawn twice in the year; on the contrary, the spring and autumn shoals are probably perfectly distinct; and if the herring, according to the hypothesis advanced above, comes to maturity in a year, the shoals of each spawning season would be the fry of the twelvemonth before. However, no direct evidence can be adduced in favour of this supposition, and it would be extremely difficult to obtain such evidence."

The fishermen give different names to the herring in its different states. Young herrings from five to six inches in length

are called *fry* or *sill*. In fish of this description the milt and roe are exceedingly minute, "discoverable only by careful dissection." Fish between six and thirteen inches in length—and this latter size may be taken as the maximum to which the herring generally attains—which contain in them a large quantity of fat around the stomach and intestines, and roe or milt of a small size, "which never fills the abdominal cavity, and in herrings under ten inches rarely exceeds two or three inches in length," are called *maties*. *Full herrings* are those in which the milt or roe is completely developed, so as to occupy the whole of the abdominal cavity. In this condition, the fat about the alimentary canal has been absorbed, "having in all probability been applied to the nutrition of the reproductive organs." *Spent* or *shotten herrings* are those which have lost all their milt or roe, and are in a very poor condition indeed—"not only," say the Commissioners, "having no fat about their intestines, but even their muscular substance being devoid of fat, harsh, dry, and insipid when cooked"—not quite in a condition, evidently, to journey off to the Polar regions, "to recruit them," as Pennant says, after the fatigue of spawning. *Shotten herrings* may be known from *maties* by inflating the reproductive organs, and so restoring the fish to nearly the size of full herrings. *Maties* cannot be so increased.

Mr. Mitchell thus describes the act of spawning:—

"The female remains quiet at the bottom, the whole of the roe is at once deposited; the milt, thoroughly ripened in the male, has become changed from a solid mass to a liquid of the colour and consistency of cream. The roe, although placed in the briny flood, becomes a firm, united mass, somewhat larger than, but similar in shape to, the roe in a full herring. This lifeless mass, or egg-bed, has the power of adhesion; it grasps firmly the stones, the rocks, the sea-weed, &c., so much so that we have found it difficult to remove or separate it until the mass was dried or dead; the young being thus protected from the effects of storms and currents, to a certain extent from being devoured by fishes, and firmly fixed, probably, in a suitable feeding-ground. Thereafter the eyes are first observable; at least a small black speck is first seen in the egg. Then the head appears, and in fourteen days, or perhaps three weeks, the young are seen in great abundance near the shore, of a very small size; in six or seven weeks more they are observed to be about three inches in length, and move about in large shoals in winter and spring on the various coasts, and in the rivers and bays generally resorted to by the herring shoals; and it is likely that they attain to full size and maturity in about eighteen months."—p. 30.

The *spent* herrings then, it is most probable, rapidly leave the coasts and retire into deeper water, where they remain for a time, and then return as *maties* to the shallows and develope their reproductive organs, "becoming full herrings in the course of three

or four months; the full herring appearing at first only scattered here and there among the shoals, but gradually increasing in number until they largely preponderate over the maties, or almost entirely constitute the shoal." How many times a herring may run through the changes from the condition of *matie* to *full* herring, and from *full* to *spent*, and from *spent* to *matie*, it is impossible to tell; but the Commissioners say, with great reason, that "the enemies of the fish are too numerous and too active, to allow us to suppose the existence of any one individual to be prolonged beyond two or three reproductive epochs."*

The herring, as may be supposed from its wonderfully prolific nature, has many enemies; some of them we have already alluded to — codfish, whiting, salmon, congers, dogfish, ling, amongst fishes; gulls, gannets, cormorants, divers, amongst birds; porpoises, whales, and dolphins, amongst marine mammals; and man amongst bipeds!

Mr. James Wilson, speaking of the gannets, or solan-geese (*Sula alba*) of St. Kilda, writes—

"Let us suppose that there are 200,000 solan-geese in the colony of St. Kilda, (we believe, from what we saw, the computation moderate), feeding there, or thereabouts, for seven months in the year: let us also suppose that each devours (by itself or young) only five herrings a day; this amounts to one million. Seven months (March to September) contain 214 days, by which if we multiply the above, the product is 214 millions of fish for the summer sustenance of a single species near the island of St. Kilda."

We shall have to allude to this subject further on.

But if herrings are themselves victims to the hunger of many animals, many creatures are preyed upon by them in return. Mr. Mitchell devotes a chapter to the question as to the food of the herring, which by some writers was supposed to be confined to one particular kind. Their food, however, is of a very varied nature. crustacea, worms, molluscs, sand-eels, the eggs of numerous other fish, as well as their own fry, all form articles of Clypean diet. The Commissioners state that while in the *matie* condition they feed voraciously, and distend their stomachs with crustacea and sand-eels in a more or less digested condition, and become so fat that they will not cure well.

We must now say a few words on the capture of herrings. The ordinary methods adopted for taking herrings are by "fleet or drift-nets, and by the seine-net, often erroneously called "the trawl." On the west coast of Scotland "trawling" is illegal. On this point, which is one of the highest importance, we shall speak further on.

* "Report," p. 28.

"The Scotch 'fleet'-net, made either of hempen twine or of cotton, has generally from 12 to 15 score of meshes, or squares, and is 50 yards in length, and each boat has from twelve to fifty nets on board. The meshes of the net are in some cases 1 inch, and in others 1¼ inch square; therefore, a twelve-score net of 1 inch square is 20 feet in depth; of 1¼ inch square, 25 feet; and a fifteen-score net 25 feet, or 31 feet in depth. The law requires that each mesh shall not be under 1 inch square. In preparing the net for the fishing, the upper part is fastened to a rope made of several cords joined in one, frequently as many as twelve; this is called the *rope* or *cork baulk*. The ends of each net are strengthened by being attached to a rope (or cords of two or three plies joined together), which ends are termed, on certain coasts, *lugs*. The lower part of the net is joined to another rope of two or three plies of cord, which of course in ordinary cases must strengthen the whole; but when fishermen fear that the nets may come in contact with foul or rocky ground, the cords or rope of the lower part of the net are left off, which prevents the net being torn so much as it might otherwise be. At the lower part of the net are loops, to which sinkers (of stone or other substances) can be attached when considered necessary. When about to be used, all the nets are united together at the top, and between each net is fastened a buoy to a rope of four to eight fathoms in depth, the buoy attached being in some places an inflated sheep or dog skin, and in other places four inflated ox-bladders; the buoys being tarred and the initials of the owner of the net painted on the outside, this being the only distinctive mark by which fishermen, in case of storms or entanglements of nets (and the latter circumstance, from want of proper management, often occurs) can know their own nets."—p. 92.

Now this *fleet*-net is used in two different ways: it may be allowed to move along with wind or tide, hence termed a *drift*; or it is secured by means of ropes and anchors, and held in its proper position in cases where the water is not too deep. Herring fleets generally contrive to "shoot" or shake out their nets about sunset; these remain submerged till daybreak, when the fishermen haul in their nets to the side of the boat, spread them out, and shake the herrings in.

The seine-net of the Scotch fishermen resembles an ordinary fishing-net, except that it is without the purse or pocket; the meshes are often diminished considerably, and consequently smaller fish may be captured than by the legal fleet-net.

"Drag-ropes are attached to the net, which is buoyed by corks, and one rope is held on shore while the net is taken out by a boat, which rows round in a semicircle, determined by the size of the net and length of the drag-rope; the boat, after paying-out the net in its course, now comes to shore with the second drag-rope; the two crews hauling in both ropes, gradually approach each other, until the net becomes a bag containing the fish enclosed in the space which it has surrounded. The fish are, of course, of various kinds, although her-

rings form the chief bulk of the take, the ground being selected where the latter are found to be abundant."*

Sometimes two boats are employed in this mode of capturing the fish, one boat remaining stationary, the other describing with the net a semicircle round it; the bottom of the net is raised on both sides, so as to form a bag, and the fish received into one of the boats.

Mr. Mitchell has detailed different modes of taking herrings as adopted at different fisheries. Our poor Irish neighbours have a "striking and unusual mode of fishing for herrings. The poor people, for want of other means, sow their blankets and sheets together often to the number of sixty, for the purpose of forming an equivalent to a net, each person getting a share of herrings in proportion, the people having nothing to cover them when their bedclothes are used in this way." Alas! alas! who will not be reminded of the touching song:—

> "Wha'll buy my caller herrin?
> They're no brought here without brave daring;
> Buy my caller herrin,
> Ye little ken their worth.
> Wha'll buy my caller herrin?
> O ye may ca' them vulgar farin',
> Wives and mithers maist despairing
> Ca' them lives o' men."

Fishing for herrings is attended with very different results, sometimes the fish are not in a humour to "strike;" they seem to be very capricious in their habits—deserting a spot visited by them for years quite suddenly and apparently without any reason, and then returning again after the lapse of some years.†

"In dark nights and in mild weather the herring swims nearest the surface; in moonlight and in cold weather it swims nearest the bottom. The experienced fisherman well knows and acts upon these facts; for when the nights are dark, or the weather mild, and the depth of the sea twelve or fourteen fathoms, the length of the buoy-rope, or the distance of the net from the surface of the sea, is only one to two fathoms; while in moonlight or in frosty weather the fisherman lets down the net from three to five fathoms, and finds that the greatest quantity of herrings are near the ground, to which the nets are allowed to descend."‡

The amazing abundance and prolific nature of the herring may be seen from the following paragraph in the Commissioners' Report:—

"In 1861, there were in Scotland and that part of England over which the Fishery Board have jurisdiction, 42,751 fishermen and boys engaged in the herring fishery. The total take of the year would

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* Report, p. 6. † Report, p. 20. ‡ Mitchell, p. 28.

give about 20,000 herrings for each of these persons, or near upon 900,000,000 for the whole."*

That is to say, that man alone destroys in one year more herrings than there are human beings on the face of the globe. As the Commissioners have said, this "is a most marvellous drain upon the power of multiplication of a single animal;" and yet even this vast number "sinks into insignificance if compared with the total destruction effected by agencies over which man has no control whatever."

Herrings, as everybody knows, are eaten either *fresh* or *cured.* Of the excellency of the herring, whether in its unprepared or prepared state, few require to be reminded. So thoroughly are "cured" herrings generally appreciated, that we find there is no little competition as to who first originated the happy ideas of salting and smoking herrings. France claims the credit of the discovery of curing "red herrings," and a Dutchman, of the name of Wilhelm Deukelzoon, is supposed to have first taught men how to salt this fish; but, as Dr. Badham has wittily remarked, "all assertions like the above, touching the first curing of herrings, must be taken with a grain of *salt*, as a *smoky* obscurity hangs over that interesting epoch."†

Of "cured" herrings there are the following kinds:—*Salted* or *white herrings*, *red* or *smoked bloaters*, and *kippered herrings*.‡

Salt herrings are thus prepared:—They are first of all gutted, then sprinkled with salt, and then deposited in layers into a barrel, the bottom of which has been previously supplied with a quantity of salt—a layer of herrings and a layer of salt till the barrel is properly packed. The herrings remain a few days in the salt, when the barrel is opened, and the briny pickle poured off, more herrings of the same day's fishing being added to fill up the cask; more salt is then laid on the top, and the barrel is headed up, ready for receiving the Government brand, which consists of certain letters denoting the day and month when the herrings were caught, whether the fish were gutted or not: the name and residence of the curer must also be given.

"Herrings intended to be cured red or smoked, as soon as possible after having been taken out of the nets, and measured, are salted into barrels with a due proportion of Liverpool salt or Lisbon salt. The latter salt is preferable. . . .

"If the herrings are to be made into 'keeping reds,' they remain in the barrels in the salt and pickle two or three days, then put on the spits, round pieces of wood prepared for the purpose, capable of supporting about twenty herrings on each, the spits being put through

* Report, p. 28. † "Prose Halieutics," p. 319.

‡ *Bloater*, or, as the word is sometimes spelt, *bloter*, has primarily the signification of "swelling." Compare the Swedish *blöt*, Danish *blöd*, "soft," "soaked." *Bloated* means "turgid," "swollen," as if from imbibing

the mouth and gills; then in large square tubs or water-tight boxes the spitted herrings are washed by being repeatedly plunged into the cold water. These tubs or boxes are of the requisite width to admit of the two ends of the spits to rest on each side. Before being spitted, if the herrings have been a long time in salt, they are laid loose in the cold water, which is repeatedly emptied and renewed with fresh water. They are then taken out of the steeping-tubs and hung upon the spits to dry in the open air, if the weather is favourable, or in the herring-house, before the fire is applied, for a whole day. When sufficiently dried, the herrings on the spits are suspended in rows in the smoking-house, which is properly fitted up with beams, so that the whole may receive a due and equal proportion of the smoking process. The smoking process is best effected by fires of oak-billets, placed at intervals on the floor of the herring-house."*

The smoking process lasts for ten or twelve days in the case of those herrings intended for home consumption, and from fourteen to twenty-one days for herrings intended for exportation. The herrings must then be allowed to cool before they are packed into barrels.

Bloaters are "cured" by a process more speedy. The fish are put at once into strong salt pickle for about eight hours, then spitted and washed, and put to be smoked for the space of six or ten hours, then cooled and packed.

Kippered herrings—what pleasant things could we say of kippered herrings!—are partially treated to a briny pickle, then opened and slightly smoked, and "in this way," says Mr. Mitchell, who is evidently alive to the excellences of a kippered herring, "afford a very pleasant change of food."

In consequence of the absence of legislative enactments with regard to the preparation of the red or smoked herrings, the trade is now inconsiderable excepting at Yarmouth. Mr. Mitchell prints an extract of a letter from a house which had purchased a cargo of herrings, which proves the necessity of the Fishery Laws being applied to the curing of red herrings, fraud being very prevalent; barrels generally contain a better kind on the top, refuse qualities in the middle; part of the herrings being improperly cured, part consisting of empty or *shotten* herrings.

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water. When fish under the name of *bloaters* were "imported into England, it was naturally supposed that the signification of the first element of the word had reference to the process by which it was cured, and hence to *blote* has been supposed to mean smoke, to cure by smoke.

'I have more smoke in my mouth than would blote a hundred herrings.'—B and F, in Nares." Wedgwood's *Dict. of Engl. Etymology*.

The word *kipper* has likewise undergone a change of meaning. A *kipper* used to denote a lean and spent salmon, and as such ill-conditioned fish were only rendered edible by the smoking process, the term *kippered* signified salmon so prepared. When the same process was used to cure herring the same term was employed.

* Mitchell, p. 14.

At what time herrings became an article of commerce it is quite impossible to determine. The herring fishery at Yarmouth was in existence in very early times. Swinden says on this point :—

"And now, by pregnant probabilities, it is my opinion very clear, that from the landing of Cerdrick in anno 495, now 1124 years past, this sand, by deflexion of tides, did, by little and little, lift its head above the waters; and so, in short time after, sundry fishermen, as well of this kingdom—viz. of the Five Ports (being then the principal fishermen of England) as also of France, Flanders, and the Low Countries, yearly, about the Feast of St. Michael the Archangel, resorted thither, where they continued in tents made for the purpose by the space of forty days, about the killing, trimming, salting, and selling of herrings."*

Yarmouth is mentioned in "Doomsday Book," as containing seventy burgesses, and notice is made of an adjoining village of Gorleston, as having "three salt-pans," and twenty-four fishermen in Yarmouth belonging to that place.

Mr. Mitchell, in a chapter on "The Chronological History of the Herring Fishery," has given us much curious information on its early state; to this chapter we must be content to refer the reader interested in such antiquarian lore.

Mr. Mayhew, in his valuable work, "London Labour and the London Poor" (i. 68), has given us the following table, showing the number of different "wet" fish, with their weight in pounds, which are sold annually by the street sellers of the metropolis :—

	No. of Fish.	lb. weight.
Salmon	20,000	175,000
Live cod	100,000	1,000,000
Soles	6,500,000	1,650,000
Whiting	4,440,000	1,680,000
Haddock	250,000	500,000
Plaice	29,400,000	29,400,000
Mackerel	15,700,000	15,700,000
Herrings	875,000,000	210,000,000
Sprats	,,	3,000,000
Eels from Holland	400,000	65,000
Flounders	260,000	43,000
Dabs	270,000	48,000
Total quantity of "wet" fish sold in the streets of London.†	932,340,000	263,281,000

From a glance at this table it will be evident that the herrings are at the head of the poll by an overwhelming majority. "Of

* "History and Antiquities of Great Yarmouth," p. 15.

† There must be a mistake in the case of the plaice and mackerel in the above table; but we give the figures as we find them.

the aggregate amount no less than five-sixths consist of herrings, which indeed constitute the great slop diet of the metropolis."

With good reason did the street seller of sprats exclaim to Mr. Mayhew, making all allowance for his mistake in natural history, "Ah! sir, sprats is a blessing to the poor. Fresh herrings is a blessing too, and sprats is young herrings, and is a blessing in 'portion."

If we turn from "wet" fish to "dry," we still find herrings in the ascendancy.

Wet salt cod	93,750
Dry ditto	1,000,000
Smoked haddocks	4,875,000
Bloaters	36,750,000
Red herrings	25,000,000

Mr. Mayhew calculates the value of the eight hundred and seventy-five million "wet" herrings at 900,000*l.*, and the sixty-one million seven hundred and fifty thousand "dry" herrings at 100,000*l.*—in other words, the poor of London spend annually a million of money in the purchase of herrings alone!

As "there are Scotch haddies that never knew anything about Scotland," so there are Yarmouth bloaters that never knew anything about Yarmouth.

Let us hear the costermonger:—

"I've salted herring,; but the commonest way of salting is by the Jews about Whitechapel. They make real Yarmouth bloaters and all sorts of fish. . . . One Jew sends out six boys crying, 'Real Yarmouth bloaters.' People buy them in preference, they look so nice, and clean, and fresh-coloured. It's quite a new trade among the Jews. They didn't do much that way until two years back. I sometimes wish I was a Jew, because they help one another with money, and so they thrive where Christians are ruined."

If this latter portion of the costermonger's story contain a "true bill," we recommend the establishment of a "Society for the conversion of Christians" to the older form of belief.

When we consider the enormous demand for herrings in London alone, not to mention the provinces, it is really almost impossible to exaggerate the importance of our herring fisheries. It is pleasing, certainly, to be told "that the herring fishery has been increasing with steady as well as rapid progress since 1808, when the Fishery Board was established. In that year 90,185 barrels were cured, and in the year ending December, 1855, 766,703 barrels, besides the quantity caught and sold fresh, 130,759 barrels; making the total quantity of herrings caught in 1855, 897,462 barrels."* In the year 1849, the most productive year

* Mitchell, p. 120.

ever known, there were fished on the Scottish coast 942,617 barrels, and on the English coast 209,362, or a total of 1,151,979 barrels, which, allowing 800 herrings to a barrel, gives a total of 921,579,200. Now, notwithstanding the enormous numbers of herrings caught annually off the coasts of Scotland, Ireland, and England, it nevertheless is a wonderful fact, that these numbers, when viewed in relation to the shoals destroyed by other agencies than man, sink into perfect insignificance.

We now wish to call the attention of the reader to the extremely lucid Report of the Royal Commission, with regard to the Acts which prohibit the use of the seine-net on the west coast of Scotland. The report is characterized by great ability, impartiality, and soundness of judgment.

The method of taking herrings by the so-called "trawl" or "seine"-net which we have already alluded to, was rendered illegal by the 14th and 15th Victoria, c. 26 (1851). By this act all nets, except the drift-net, if employed for taking herrings, were prohibited. As this Act does not appear to have worked very effectually, increased powers were given to the Fishery Board by the 23rd and 24th Victoria, c. 92 (1860), wherein "numerous and stringent measures against trawling" were contained. This same Act "introduced a close time into the herring fishery for one portion of the Scottish coasts. It was enacted that no herrings should be caught on the west coasts of Scotland up to Point Ardnamurchan from the 1st of January to the 31st of May, and from the north of Ardnamurchan to Cape Wrath from the 1st of January to the 20th of May. The east coasts of Scotland were left free in their fishing as before." As the Act of 1860 was still ineffectual to put down trawling, and as it was found, moreover, to interfere with, or indeed to destroy, another important fishery—viz., that of sprats, which was carried on during the winter months in the Firth of Forth—for the small mesh necessary for the capture of sprats was made illegal by the Act of 1860—a new Act was passed in 1861, which legalized the capture of sprats in certain localities, and also gave increased powers for repressing trawling. "The operation of this Act," we are told, "has been as complete as could have been desired by its promoters, and under it trawling has been effectively, and almost entirely, suppressed on the west of Scotland."—*Report*, p. 6.

Now the question naturally arises, whether this suppression of the seine-net by Acts of Parliament is a wise and a fair proceeding? It is impossible, we think, to study the Commissioners' Report upon this important commercial question, without coming to their conclusion. The drift-net fishermen object to the seine-net, because they maintain that it disperses the shoals, which will not again unite; this they term "breaking the eye of the fish;" that it

takes small and immature herrings; that it "sweeps across the beds where the fish are depositing their spawn, and not only takes the spawning herring, but destroys the spawn which has been deposited; they urge, moreover, that herrings caught by the seine-net are not fit for curing, on account of the injury done to the fish in their capture—that the trawlers are a turbulent, bad set of fellows, and often "cut away drift-nets, or stab the buoys which float them;" that trawling and drift-net fishing cannot be carried on in narrow waters, as the trawl-nets get foul of the drift-nets; that "the extravagant gains of the trawlers, monopolized by a few, alter the market prices by sudden fluctuations, to the great detriment of the drift-net fishermen."—p. 7.

The trawlers, in their defence, deny all these allegations; and the Report of the Commissioners is strongly or altogether in their favour; they show, by published statistics, that the capture of herrings actually increased during the years of trawling.

"The general result that the fishing of the loch (Fyne) steadily and largely augments, in periods sufficient to cover the accidents of annual fluctuations, has convinced us that, so far from there being truth in the assertion that the system of trawling has diminished the supply of fish from Loch Fyne, the evidence is conclusive that it has thrown an additional quantity into the market during a long succession of years."*

With regard to the assertion of the drift-net men, that fish taken by the seine or trawl are unfit for curing, the Commissioners say—

"In order to examine the state of the herring caught by the trawl, we made three experiments with the trawl-net. On one occasion we employed a crew of Tarbert men, but the haul of fish got by them was small in quantity. On two other occasions we employed the men of H.M. ship *Jackal*; in one of these hauls the take was so great that the net broke. In all these instances, the herrings were delivered on board the *Jackal* in excellent condition. The scales were not rubbed off, the flesh was not discoloured, and there was no unusual amount of blood in the vessel which runs along the backbone. The herrings captured were of a saleable size, and had no herring under six inches mixed with them."—p. 12.

Not content with these few experiments, the Commissioners applied to the Fishery Commissioners of Ireland, where the seine-net is not illegal, for a statement with regard to the condition of trawled herrings, and Mr. T. Redmond Barry, the Inspecting Commissioner, writes as follows:—

"I am, from my own experience, enabled to state that the herrings taken by the seine used to be considered in a better state, when carefully handled, than those taken by the drift-nets, in which they mesh and struggle, to the great injury of the scale."

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* Report, p. 11.

Large numbers of herrings are caught off the coasts of Norway by drag-nets, and imported cured into different countries. "All the curers of herring," the Commissioners state, "whose evidence we have taken, admitted that the cure of the Norwegian herring is excellent."

In respect of the assertion that trawlers are a turbulent set of men, and injure the fishing-gear of drift-fishermen, the Commissioners say that the accusation against trawlers as a class, "though constantly made, has not been supported by any evidence submitted to us." It will be remembered that one great objection against trawling was that by this system a large number of herring fry are caught. "From the evidence there can be no doubt that they did so at certain periods of the year. It is stated by the trawlers, and coincides with our own experiments, that few very small herrings are caught with trawl-nets having the legal mesh of one inch from knot to knot. But the trawlers frequently employed nets of a smaller mesh. Their inducement to do this was, that nets of the legal size became obstructed by the herrings meshing themselves, so that it took a long time to clear the nets after a fishing operation; and during the time in which the men were thus engaged, the boats of the cruisers might surprise them in the act. Accordingly, the meshes were often reduced from the legal number of thirty-six to the yard, to forty or forty-five to the yard. In such nets both large and young herrings were caught together." The public feeling at Loch Fyne, the Commissioners say, both among trawlers and drift-net fishermen, is strongly against the capture of immature herrings, but the question has lost much of its importance now that a close time has been established, as at the times when young herrings appear there is no herring fishing at all.

Trawling, again, is said to injure the white-fishing. On this subject the Commissioners "could gather no satisfactory evidence." It is unquestionable that trawlers frequently catch white-fish in their trawls, but they contend, and with much show of justice, that in doing so, they "benefit the herring fishery by removing the natural enemies of the herring."

On the east coast of Scotland trawling for herring is not practised, and the inquiries of the Commissioners were directed to "ground fishing," that is to the capture of herring when engaged in depositing their spawn, and to the consequences of "beam-trawling" for white-fish on herring ground.

"The ground fishing is chiefly practised at Dunbar, Pittenweem, and North Berwick. . . . At Dunbar the herring fishery begins in the middle of July, and generally ends on the second week of September. During most of this time the fishing is prosecuted in the usual way with drift-nets. But about the 2nd of September the herrings settle themselves on the banks to spawn. The fishermen now anchor their

nets, allowing half the net to float about on the ground. The nets get frequently covered with spawn, and the fish are drawn out partly full and partly spent."—p. 22.

With regard to the "beam-trawl," a bag-net for taking white-fish, the fishermen say that it "injures the herring fishery by disturbing and dragging up spawn from the gravelly beds on which it is deposited."

The Commissioners here draw attention to the inconsistency of the fishermen:—

"They are exceedingly anxious that the beam-trawl should be prohibited, for the protection of the spawn, but they see no propriety in their being asked to discontinue the capture of the herring which they remove in the very act of laying down that spawn. . . . They protest against any interference with their own practice, but demand that immediate legislative measures should be passed against the trawlers."—p. 23.

Both trawlers and drift-net fishermen on the west coast of Scotland are generally unanimous in favour of a close time, although "there is an equally general testimony that it acts in a direction which was not anticipated." It appears that codfish, ling, and other large and ravenous members of the piscine family, are at certain periods of the year somewhat dainty in their choice of food, and refuse almost everything offered to them, unless in the shape of a silvery fresh herring: the close time, therefore, in this particular instance, acts injuriously, for the fishermen are not allowed to obtain herring-bait at the time when it is especially needed, and they require a relaxation of the law for the purpose of procuring the necessary bait. Upon this subject the Commissioners report:—

"Although we have been unable to satisfy ourselves that a close time is of any advantage for the protection of the herring; still, as it is universally approved of in the district around the Frith of Clyde, we do not take upon ourselves to recommend, against the wish of those who are practically concerned in the fisheries, any alteration as regards this district. It is true that close time presses heavily on the long-line fishermen, who are unable to obtain herring for bait to catch white-fish during the close time from the 1st of January to the 31st of May; but it would be possible in this locality to allow licensed boats to catch fish for bait; and the general desire of all witnesses examined by us is, that the Board of Fishery should be allowed to license such boats under proper regulations."—p. 31.

Though the Commissioners see objections to the establishment of licensed boats, they regard the method proposed as "the only practicable means of alleviating the injustice of close time, as regards the persons engaged in the long-line fisheries."

We fully agree with the remark of the Commissioners on the subject of seine-fishing,—that "the demand for repressive legislation is only another form of that which always arises when a new and more productive form of labour presses inconveniently upon

those who prosecute and have embarked their capital in the old and less productive form of labour." The laws which forbid the use of the seine-net should be immediately repealed, and seine-fishing should be rendered legal; "the repressive Acts of 1851, 1860, and 1861 were altogether unnecessary; they are essentially Acts for protecting class interests, and interfere with the invention and application of new and more productive modes of industry." There can scarcely be any subject of greater importance than that which relates to the provision of cheap wholesome food for the large masses of the poor inhabitants of our country; the laws which render illegal the use of the seine-net prevent the approach to our markets of abundant supplies of a nutritious fish; the curer alone seems to be the person mostly benefited.

Mr. Mitchell seems in favour of the laws which prohibit trawling; he certainly has made one important omission in his otherwise complete book. Why has he not given us his opinion upon the Commissioners' report, in which, as we have already said, the unjust and unnecessary repressive nature of the Acts against trawling are clearly stated? We call especial attention to the philosophical reasoning of the Commissioners, by which they show how inappreciable are the effects of man, whether conservative or destructive, when compared with the destruction of herrings by natural enemies over which man has no control.

"Consider the destruction," the Commissioners write, "of large herring by cod and ling alone. It is a very common thing to find a codfish with six or seven large herrings, of which not one has remained long enough to be digested, in his stomach. If, in order to be safe, we allow a codfish only two herrings *per diem*, and let him feed on herrings for only seven months in the year, then 2 herrings × 210 days = 420 herrings as his allowance during that time; and fifty codfish will equal one fisherman in destructive power. But the quantity of cod and ling taken in 1861, and registered by the Fishery Board, was over 80,000 cwt. On an average 30 codfish go to 1 cwt. of the dried fish. Hence, at least 2,400,000 codfish were caught in 1861. But if 50 codfish equal 1 fisherman, 2,400,000 will equal 48,000 fishermen. In other words, the cod and ling caught on the Scotch coasts in 1861, if they had been left in the water, would have caught as many herring as a number of fishermen *equal to all those in Scotland, and six thousand more*, in the same year; and as the cod and ling caught were certainly not one tithe part of those left behind, we may fairly estimate the destruction of herring, by these voracious fish alone, as at least ten times as great as that effected by all the fishermen put together. When it is further considered, that the conger and dogfish probably do as much mischief as the cod and ling; that the gulls and gannets slay their millions, and that the porpoises and grampuses destroy additional untold multitudes, it will probably be thought no exaggerated under-estimate if we assume that our fishery operations, extensive as they are, do not effect 5 per cent. of the total destruction of maties and full herring that takes place every year. And when it is further

considered that sea-trout, and innumerable other fish, prey upon the herring-fry, and that flat-fish of all kinds resort in immense numbers to the spawning-grounds of the herring, to prey upon the freshly-deposited ova, it would seem, as we have said, that the influence of man, whether conservative or destructive, upon herrings, must be absolutely inappreciable;. and under these circumstances it seems almost unavoidable that great fluctuations, wholly beyond human control, should occur to the abundance of herrings in different years." —p. 29.

"Under such circumstances," the Commissioners further add, and we recommend their words to the careful consideration of Parliament—

"the herring fishery should not be trammelled with repressive Acts, calculated only to protect class interests, and to disturb in an unknown and possibly injurious manner the balance existing between conservative and destructive agencies at work upon the herring. If legislation could regulate the appetites of cod, conger, and porpoise, it might be useful to pass laws regarding them; but to prevent fishermen from catching their poor one or two per cent. of herring in any way they please, when the other ninety-eight per cent. subject to destructive agencies are poached in all sorts of unrecognised piscine methods, seems a wasteful employment of the force of law. We conclude by expressing our strong conviction that the recent legislation on the subject of the herring fishery has unnecessarily restricted the operations of fishermen, has repressed invention, by prohibiting new and more productive forms of labour, is calculated to be destructive, rather than conservative, in relation to the future supply of herrings; and although it may be beneficial to certain class interests, is prejudicial to the consumer of fish, and to the public generally."

Art. VII.—Mr. Tennyson's New Poems.

Enoch Arden, &c. By Alfred Tennyson, D.C.L., Poet-Laureate. London: Moxon. 1864.

NOTHING is at once so difficult and so easy as to criticise a work of art. To graze ever so tenderly with the critical scalpel the breathing form fresh from the artist's hand seems cruel, reckless, and all but profane, and therefore the operation is beset by most of the perplexities popularly held to attach to vivisection. Again, in the too bold effort to detach part from part and limb from limb, for the purposes of observation and experiment, the life itself, the only object of pursuit, glibly eludes the grasp of the operator, and he has nothing left him to work upon but a dull and dry residuum of words, paint, or stone. And yet, withal, this work of criticism is an easy work too. Here, more than any

where, ignorant readers there are at all times so many, trustworthy guides so few. There is perhaps scarcely any conceivable proposition capable of being framed about a new poem, picture, or statue, which, if duly weighted with phrases sufficiently removed from the common dialect of the people, and affirmed in any given case, would not be unresistingly acceded to by a large number of very respectable and, on other subjects, tolerably well-informed people. One reason of this amiable toleration in matters of art, no doubt, is that the culture necessary to equip a true critic for his task has hitherto operated over an extremely narrow field; and, at the same time, the widespread interest in intellectual perfection throughout all its varied developments, and the general love and appreciation of the beautiful, which alone can qualify a reading public to provoke the responsive efforts of genuine criticism, are some of the latest attainments in national life, and have never yet been attained in England at all. Thus it happens that there is scarcely a single canon of criticism applicable to a new poem which has any pretensions to the rank of common acceptance. Some critics, indeed, attempting a reaction to the prescriptive mannerism of their trade, have set themselves to answer such simple and ultimate queries as, Does the poem give pleasure? or, Does it instruct? or, Does it represent just feeling? or, Does it sound well, and please the ear? Yet there is perhaps at least about as much prudery and affectation in this knot-cutting "Anglo-Saxonism" as in the more professedly esoteric catechism which it attempts to supersede. There have been works which pleased once, please now, and will please for ever. There have been others which pleased once, but please no more, and will never please again. There are some which please these persons, and not those,—which please at one period, and not at another. Is there any general cause to explain these phenomena? If so, it is no superfluous or useless work to endeavour to ascertain this cause, and to guide the youthful poet and the inquiring reader in the process of investigating the elements of permanent success. To please, to amuse, to instruct, are each by themselves only portions of a poet's task. Nor, in truth, can pleasure and instruction be severed by the mere operation of a colloquial solvent. It is the object of all true culture to make amusement and instruction one; nor will the man who has farthest distanced the animal nature within him have true delight in aught but what promotes his still further development, nor can such an one consult directly for that further development without procuring thereby to himself the most assured delight. It is not too rash a generalization to say that in such a man his intellect and his heart are one; and it is to this perfection of nature that the best and noblest poets have ever successfully appealed.

The method we unconsciously employ in searching for a

standard by which to test a new poem, is a species of rough and very imperfect induction. It is observed that there have been in this country a succession of great poets, who have all permanently won the affections of Englishmen, whether of those belonging to one class of minds or to another. Shakspeare and Milton, Byron and Wordsworth, Shelley and Cowper, all wrote poems, and one set of idolaters or another are in each age seen to perform unwearied sacrifices at their altars. Is there, we ask, any one quality, any generic faculty, common to all these poets? Can this faculty be abstracted? Can it be stamped with a name and handled familiarly but piously by all future aspirants for poetic fame? There have been many attempts to do this, many definitions of poetry and the poetic quality, and yet no single one has as yet triumphed over and excluded its competitors. It is not proposed here either to recount the long list, or to add one more to that list. It is, however, submitted that among other sources of amusement and instruction found at the Pierian spring, there is one notable one at least which belongs to every great poet who has permanently touched the heart of the family of man. This source of poetic power rests on an ultimate fact of our nature. Every man and every woman has an intense sympathetic interest in the feelings and fortunes of every other man and every other woman. If this interest seems at times dormant, it is because the fortunes and feelings of others are for the most either wholly unknown, or very imperfectly narrated and obscurely conceived. Tell truly and in detail a veritable history of misery and want, and it melts the hardest and warms into benevolence the coldest and meanest. Tell truly and in detail the circumstances of a generous action, of a lofty thought opportunely expressed, of sustained suffering in a worthy cause, and no eye will be dry, no pulse without a quickened bound. Nay, the very symbols of others' joys, cares, and sufferings, the marriage-bell, the funeral trappings, are so actively suggestive of a crowd of feelings profoundly interesting to us, that we are ever laughing or weeping, we know not why, and heaving up and down with the ebb and flow of the mighty ocean of human feeling encompassing us on every side. Now it is this mysterious activity in our sympathies and antipathies which the great poets, and in fact all poets, in so far as they are poets at all, of every age and country, have instinctively perceived and rendered tributary to their purposes, whatever those purposes may be defined to be. The poet operates on the emotions of his hearers and readers by the exhibition of such human feeling as is calculated to stir their sympathies or antipathies; and he differs from his brother artists, the painter and the dramatic actor, in that the only engine he employs is verbal expression. He differs from the novelist in superadding to his forces an appeal to the pleasure enjoyed from rhythmical sounds. If this notion of the

poet's method be distinctly conceived, it will at once suggest itself that this method implies the satisfaction of certain definite conditions, and just so far as these conditions are adequately satisfied is the poet truly and permanently successful in his work. For instance, our sympathies and antipathies are only educed by the representation of such mental emotions as we conceive to be real and true,—that is, either such as men and women like ourselves really have shown or are showing in such and such circumstances, or such as our knowledge of our own habits and the habits of those about us convinces us would be likely to be shown by men and women so situated, so acting, so suffering, as the poet chooses to represent the men and women of whom he writes. In fact, our interest is then the keenest when the illusion is so complete as to forbid us ever and anon correcting our instinctive appetite for belief by recalling the really fictitious character of the scenery and events. From this it follows that a poet must not only be "of imagination all compact," but must sedulously exercise himself in co-ordinating, refining, and coercing the products of his imagination. He will be careful how far he transcends the general results of human experience in the sequence and epochs of his story. He will copy history and biography, not burlesqued, and exaggerate their ordinary teachings. He will give the freest play to general human causes, natural moral developments, and the known laws of individual and social advancement. If for special purposes he select a transcendental theme, he will not willingly tarry in the regions of the fantastic and the marvellous, but gladly descend again and again to earth, visiting human dwelling-places, conversing in human language, and welcoming an ever-freshened contact with the common facts of life.

There is one chief condition which necessitates every poet being in some degree a painter. In order to give a transitory reality to every stage for the exhibition of human feeling, his words must paint as well as draw and tell. The cottage, the woodland dell, the city with its "busy hum of men," must all be "clothed in circumstance" and grow into real and living realities, such realities as not even reason and sense can for the time gainsay and disprove,—more real and more vivid even than the phenomena of sense themselves. To this end every artifice of language, of melody, of metaphor, of verbal association, and of pre-Raphaelite particularity may be appropriately made subservient. Not that the truthful and impressive picture of events, scenery, and minor details is the ultimate object of the poet as has been often ignorantly and superficially imagined; but it is requisite the scaffolding should be properly buttressed and supported on which the man, the woman, and the child is to strut his little hour, and from which the tears of Andromache, the wrath of Achilles, the

passion of Clytemnestra, have to be reflected off on to the feeling hearts of all time. There is one other condition which the poet who would attain an everlasting crown must satisfy. The circumstantial events which form, as it were, the ground and theatre of that emotional action he wishes to portray, must not be essentially local, transitory, or exceptional in their nature. This is a great temptation and snare to a young and ambitious genius, for it is just those who best present the familiar, the fashionable, the ephemeral, who have the largest immediate audience, and the most intoxicatingly rapid success. It is a sad sight to any one sincerely anxious for the progress and enlargement of national culture, to observe the quantity of wasted and lavished power consumed in glutting an illiterate public with the drugged and incessantly administered potions of a "sensational" and flippantly conventional drama. That it is possible to create a taste for the best and the purest literature, even for such as shall interest man, as man, a thousand years hence as much as to-day, the author of "Silas Marner" and "Romola" has conclusively proved. It will appear in the sequel that the Poet Laureate has then only failed when he has preferred things temporal to things eternal. It is for this that Dryden and Pope exhibit symptoms of decaying renown. Even the immortality of Milton and Dante is, in some degree, bound up with the fleshly garments of Puritanism and Catholicism. Shakespeare alone will live for ever.

Some of the above remarks on the necessity of a poet's maintaining a certain likelihood and possibility in the accidental appendages of his creations, derives illustration from those celebrated instances where this rule seems, at first sight, to have been most flagrantly violated. No works have a more lasting and ineradicable fame impressed upon them than "A Midsummer Night's Dream," "Paradise Lost," "Faust," "The Cenci," and "Christabel." The exceptional, the magical, the monstrous, seem here to conspire in a triumphant revel, jointly insulting to every literary maxim and prescriptive regulation. Yet it is just in these extreme cases that the marvellous power and determination of the poet in each case to preserve Truth alive in the very den of Falsehood, Reality in the very teeth of the wildest invention, is most singularly conspicuous. In some way or other we fervently sympathize with Beatrice Cenci, and, however remote from common events are those described, we believe and impatiently follow them all. This one here feels for the love of Margaret, that one there for the sceptical and unsatisfied isolation of her betrayer. The loves and quarrels of Oberon and Titania can never have been fictitious and untrue: and Milton's Satan is the veritable hero in adversity for every one amongst us. In the case even of Christabel, where common events and proba-

bilities would seem to be recklessly disregarded, there is a sensuous glow investing the marvellous verse, and a narcotic potency flowing out in a delicious, but perilously Lethæan stream that benumb and arrest the severest distinction-monger of the false and the true. In some form or other, in dream-land, in fairy-land, in some metaphysical or ideal region yet unmapped out in the atlas of common experience, the story and its belongings, we feel is, and must be, true. The letter of the rule killeth, the spirit giveth life.

It is proposed, by way of illustrating the above conception of the poetic method, and also more rigidly prescribing its limits and the conditions of its practicability, to enter upon a minute analysis of Mr. Tennyson's two new poems, "Enoch Arden," and "Aylmer's Field." There are some points in these poems which note a great advance in the very progressive and laborious genius of Mr. Tennyson. In the sequel it will remain for us to compare Mr. Tennyson with himself as he appears in former works, and also with that ultimate standard by which he must consent to be impartially tried, his great predecessors in all time. He himself would be the last to flinch from this ordeal, and he need not fear it. In the meantime, and preparatory to our account of the first poem in the volume before us, we may note that the scenery and drapery in each of these poems is selected from that of the most familiar, common-place, and every-day description. There is the quiet English fishing-village, the neighbouring hazel-grove, the wild ocean and its shingly beach; there is the "capacious hall" "hung with its hundred shields," with its "dull sameness," and its Newfoundland dog rising "two-footed at the limit of his chain, roaring to make a third person in a walk, the adjoining rectory-house, and the trim cottages, one "looking all rose-tree," and another "wearing a close-set robe of jasmine sown with stars." Here, too, we have many old familiar faces in the "nightly wirer of the innocent hare," the "yeomen over their ale," the "hunters round the hunted creature, drawing the cordon close and closer toward the death;" the old English oak, too, "once grove-like, each huge arm a tree, but now the broken base of a black tower, a cave of touchwood with a single flourishing spray." Here, too, is the village church, crowded beyond its wont, from curiosity to hear the funeral sermon on one the cottagers knew and loved, and for which many had left "their own grey tower and plain-faced tabernacle." These are essentially English scenes, such as we all have known and loved from our earliest infancy. They are such as we can with difficulty believe to be unreal, which we have a luxurious conceit in filling out each after his own fancy, and associating intimately with sacred and indestructible memories, stored up in our innermost bosoms. Here, then, is a fitting arena

for the exhibition of such feelings of our brother men, manifested in the junctures and complexities of daily life, as we can readily appreciate and believe to be true. The poet has done half his task when he has predisposed his readers in favour of the faithfulness and unblemished veracity of his work. His next task is to conceive such conflicts of human action and mutual interlacings of individual energies as shall give rise to situations adapted to the natural development of strong, deep, and interesting emotions. The more these apparently accidental situations resemble the actual conjunctions of real life, and the more true to the laws of human feeling are the emotions represented, the more predominant will be the interest and success attaching to the whole work. It will be found that these conditions are most efficiently fulfilled by Mr. Tennyson in "Enoch Arden," and less so in "Aylmer's Field."

The story, or framework for the true poetical diagram, of "Enoch Arden" is very simple and natural—such an one as the complications of human society, and the involved notions of marriage, death, remarriage, and miscalculation, must necessarily ever render possible, though the actual situation imagined may never yet have been really displayed. Here everybody does their duty, everybody acts even wisely and nobly, and yet, such are the conditions of our complex and incalculable circumstances in this world, that the fruit is heartbroken misery and disappointment, and the curtain falls on a vision of all that is unutterably sad and hopelessly desolate.

The first scene is of a small village at the seaside, a narrow wharf, a mouldered church, a "long street climbing to one tall-towered mill." Three children are represented playing together, one little girl, Annie Lee, and two little boys Philip Ray, the son of the miller, and Enoch Arden, an orphan and a "sailor-lad." The description of their seafaring amusements is very pretty and natural, and reminds the reader of Hook's pictures of Clovelly. Till lately it seemed impossible correctly to describe the talk and sports of children: they were always made too wise or too foolish, too much resembling the lower animals, or else mere pygmæan likenesses of old men and women. George Elliot led the way in the "Mill on the Floss" to a truer conception; and Mr. Tennyson, in this passage, has certainly rivalled, for he could not excel, his gifted contemporary. So the children play very prettily together, and, as they get older, both the boys, as might be expected, fall in love with the little girl, but, as might be expected also, the little girl does not fall equally in love with both the boys—in fact "she seemed kinder unto Philip than to him (Enoch): but she loved Enoch, though she knew it not, and would if asked deny it." However, Enoch perseveres like a man, and one day Philip climbs

a hill, "and sees the pair, Enoch and Annie, sitting hand in hand," and "in their eyes and faces reads his doom." Heartbroken, "he had his dark hour unseen, and rose and past, bearing a life-long hunger in his life." The marriage of Enoch and Annie consequent on this little scene may be regarded as the first crisis in the tale. The second crisis is the departure of Enoch to sea. He becomes anxious to give a good education to his children and provide comfortably for his family; but he breaks his leg while clambering on a mast in harbour. As he lay recovering, he has an offer from a ship-master to make him his boatswain in a voyage to China. He has much difficulty in procuring his wife's consent to this, and his determined courage in doing what he knew was ultimately best for all, coupled with his love and tenderness in giving pain, is described in Mr. Tennyson's best style, and cannot fail to touch the feelings of most readers. "He let her plead in vain; so quivering held his will and bore it thro'." His courageous parting with Annie, and his provisions for her in his absence, "the shelves and corners" put up in the cottage, the sale of his boat, "his old sea-friend," and his hopeful words of farewell, are all told with affecting particularity, and bear us along in a current of genuine interest and sympathy. Annie is left alone, and year after year Enoch is heard of no more. She fails to manage properly her little shop. She and the children become impoverished, and the only friend who lends them a helping hand is the faithful Philip, the friend of her childhood, the boyish lover, the broken-spirited rival of her husband in those days gone by, and now the well-to-do owner of the Mill on the Hill. Year after year goes by, and Philip and all else, all but Annie, believe Enoch to be no more. Slowly, and with infinite delicacy, such as only the pure Saxon of the poem itself can properly denote, Philip renews the suit of his youth. He is adored by the children, he is Annie's dearest friend, he alone by marriage can raise them all from the abyss of poverty, and after many a delay, first of a year, then of month after month, the widow with fear and trembling takes him to her heart, and they are married. This is crisis the third.

The scene then changes to follow the fortunes of Enoch. He has been shipwrecked, and cast upon a lonely island, and is there subjected to all those vicissitudes of hope, fear, labour, and anxiety which since the days of Daniel De Foe are sufficiently familiar to all. This forms a fine opportunity for some gorgeous scenery painting, which Mr. Tennyson has not neglected, and of which more will be said by-and-by. At length, as usual, the long-watched ship arrives and takes him off. He reaches home and hastily re-seeks the spot to which his life-long thoughts had ever reverted with unwearied tenderness and indomitable hope. He

hears in the village from a talking gossip the circumstances of his wife's remarriage; and this may be regarded as crisis the fourth. Certainly the situation here, to which all the previous detail has borne us steadily on, is extremely artistic. There are in it the elements of curiosity as to what he will do next, of sympathy for his heartrending disappointment, of perplexity as to the duties incumbent upon all persons concerned; and all these feelings are at last absorbed in simple admiration for the course that Enoch, at the price of any personal self-denial, ultimately adopts. He ventures to visit the peaceful abode of those his heart yearns for, he peers in upon the domestic scene with longing, lingering eyes, and—he turns away. He turns to bury again his hopes and his love, to hide away all his passion and his agonizing desire, and bears but one resolve in his bosom, "as though it were the burthen of a song,"—"Not to tell her, never to let her know." "He was not all unhappy." Such men never are, and never can be.

This is the real critical point of the whole tale, and it quickens in the reader the warmest and strongest sympathy. After all Enoch's watching, waiting, nursing his hope for months and years, it has all ended in nothingness, or in worse than nothingness; for the affections of his wife and children are not buried in the grave after a life-long faithfulness to himself, but they have been weaned and diverted from him, and he stands in a world where he is wanted not, thought not of except by one in some still anxious hours, and where his known presence could only produce unutterable confusion and far-reaching pain. It is a sad spectacle the poet has conjured up for us, but we are the better, if the sadder, for gazing on it. Here is a man who accepts the chilling facts of life with patience and meekness, who bows before them in religious reverence, and does the only duty and the last earthly work left for him to perform—"never to let her know."

The story closes with a very picturesque description of Enoch's death, and his telling his tale in his last moments to the village gossip, who first broke to him the crushing news. We are anxious to know more—how Annie, how Philip, how the children behaved on hearing of that noble act of self-denial, what the village thought and said; but the only satisfaction to our curiosity is given in one suggestive glimpse of a later scene—

> "When they buried him, the little port
> Had seldom seen a costlier funeral."

There are at least three situations in this simple story, each of which arrests our interest, and strongly stimulates our sympathies. There is, first, the deliberation of Enoch with himself and with his wife as to going abroad. There is much to be said either way, and his wife does not help him. Her motherly and wife-like feelings plead too strongly for her even to bear to contem-

plate absence from her husband. Her womanly eloquence is exquisitely described—

> "Not with brawling opposition she,
> But manifold entreaty, many a tear,
> Many a sad kiss, by day by night renewed."

This is intensely true to nature, and we have the liveliest fellow-feeling with the whole scene. It must here be noted that Mr. Tennyson has attained such exquisite ease, grace, and finish in manipulating his Saxon words, and making the line an echo to the sense, that a truly pathetic picture like this is set off to the very fullest advantage. The ear, the understanding, and the heart, are at once all actively employed and deliciously entertained. The next situation of marked and affecting interest is the scene of Annie's scruples as to remarriage, and Philip's urgency in his suit. It is not mere selfishness in Philip that presses him on, though he too has had a life-long love as well as Enoch, but he can only give real and efficient help to the whole family in their hour of extreme need by the proposed plan. He has loved long and faithfully; he has not availed himself of any dishonest advantage acquired by his friendly relations to the family; he is tender, patient, and forbearing, and we cannot help wishing him well. Though in turn we have the tenderest consideration for the unsatisfied mind of Annie, for her extreme hesitation, for her clinging hope, and, finally, for her graceful abandonment of every available plea. Love, duty, anxiety, memory, hope, faith, and matronly modesty, all combine to irradiate the occasion with the manifold colours of the truest and deepest feelings we know; they are reflected back on to our own hearts, and they find kindred emotions there, and we discern in ourselves that we are in the presence of a poet and a poem.

As to the third and culminating situation of all, the return of Enoch, enough has already been said. It remains to say a few words on the truly poetic description of Enoch's life on the desert isle. There are some glowing lines here that remind one of the gorgeous imagery of Shelley; such as—

> "The sunrise broken into scarlet shafts,
> Among the palms and ferns and precipices;
> The blaze upon the waters to the east;
> The blaze upon his island overhead;
> The blaze upon the waters to the west;
> Then the great stars that globed themselves in heaven,
> The hollower-bellowing ocean, and again,
> The scarlet shafts of sunrise."

This portraiture is vivid and powerful, and it is beyond doubt part of a poet's function to be thus sensitive to all the sights and sounds

of the outer world, to see what others see not, and hear what others hear not. It is a pleasure to the reader to have his memory refreshed and his imagination exercised by a replenishing store of bright and beautiful colouring. Further, also, in accordance with the theory of poetry above enunciated, it is only thus that the poet can impart absolute reality to his work, and so engage the sympathies of his readers for the emotions of those he depicts.

As to the merits of "Aylmer's Field," opinions will probably be long at hopeless variance. The first impression will be that of distaste and disappointment. Then a host of champions will spring up showing us how we have entirely misunderstood the whole meaning and purport of the work, and whoever else is right, readers and reviewers at least are one and all wrong. It will be urged in vindication or extenuation that the complainants have no eye to the moral purpose of the piece, no faculty interpretative of the broad facts of modern life, no sympathy with the generous and philanthropic aims of the poet. It will be alleged that poetry is a world-embracing, fact-dealing art, for the subject of which nothing is too small, nothing too unmanageable, nothing too monstrous. These pleas and their counter-pleas bandied about between the defenders and impugners of Mr. Tennyson's works have been employed more than once. Some of those works have successfully triumphed over all opposition; upon others the popular jury, after a protracted retirement, have not yet brought in their verdict, and hints are suggested of a verdict "Not proven." However it may turn out with "Aylmer's Field," it is pretty certain that if Mr. Tennyson had now his reputation to make, this poem would not make it. Not indeed that it will mar his well-won fame, for so long as a poet brings out good and questionable works in couples, the public will judge him by his best, and not his worst production. Does this poem give pleasure? Certainly not,—so far as the story, the situations, the characters are concerned. On the contrary, each of these elements imparts one continuous and unmixed sensation of pain, and most readers will be simply shocked by the insolent language and the reiterated horrors. Does it interest and excite? If it fails to do so, it is not the fault of the poet. There are four premature deaths out of the order of nature. One young man commits suicide from disappointed love. One young lady dies of a broken heart, complicated with epidemic fever. The young lady's mamma dies from a similar cause (that is, the broken heart) without the complicating symptoms, and the young lady's papa goes mad, and soon dies, long before he ought. This is pretty well in the way of exciting and interesting matter for one short poem. Let Miss Braddon look to her guns. There is a rival in the field. But again, does the poem instruct? If it does not, again it is not the poet's

fault, for there is the longest sermon in it which perhaps is to be found in the whole library of the British poets. Nay, but in addition to these obvious attractions, the moral purpose is so translucent, and enforced with such emphasis, that all the other grounds of eulogy are simply superfluous. The great evil of modern life in England is, in Mr. Tennyson's eyes, idolatry, that is, a kind of agricultural pantheism, of worshipping a

> "God far diffused in noble groves
> And princely halls, and farms, and flowing lawns,
> And heap of living gold that daily grew,
> And title scrolls, and gorgeous heraldries."

Starting with this creed, the country gentlemen and ladies do not like their daughters to marry young gentlemen just called to the Bar, without a shilling and without a brief. And when the young lady is refractory, the papas conduct themselves in a way suggestive of what we witness among the larger mammalia in the Zoological Gardens at feeding time. Now, no doubt, the papas are very wrong, and the young ladies and young gentlemen quite right, and if this be so, certainly Mr. Tennyson presents a most terrible example of poetic justice. We have seen in a pantomime the clown beating the policemen, and every one is very glad that for once the policemen get their dues, and the "smashers" are smashed. It must be a like satisfaction to the lovers of retributive justice to see the papa and mamma, and everybody else, brought to unutterable grief through their naughty doings, and hearing a most "plain" and very long sermon in their parish church into the bargain. We are sure they wont do so any more.

The story of "Aylmer's Field" can be almost sufficiently collected from the above observations. There is a Sir Aylmer Aylmer, "an almighty man, the county god;" which is, presumedly, a form of abridged notation to denote his being, or having been, chairman at Quarter Sessions, master of the hounds, and an unimpeachably true Blue of the good old Church-and-King type. His wife is a weak milk-and-watery sort of a person, who always says ditto to her lord, or cries, or says and does nothing whatever; "insipid as the queen upon a card." They have one only daughter, Edith, their heiress, "bounteously made, and yet so finely, that a troublous touch thinn'd, or would seem to thin her, in a day." She is a very good girl, very kind to the poor, and everybody is very fond of her. Near the Hall there is the Rectory, where the Averills have for generations succeeded in retaining within their family circle the good things annexed to ecclesiastical preferment. The present rector is a bachelor who has been disappointed in love, and is not a "marrying man." But he has a young brother who often comes to visit him. *Hinc illæ lacrymæ.* This young gentleman gets called to the Bar after the due series

of "Temple-eaten terms" are completed, falls in love with Edith, and with the view of becoming worthy of her, makes up his mind to do great things in the world; "Chancellor or what is greatest would he be." The old people at the Hall never conceive the possibility of such upstart arrogance on the part of their friends at the Rectory, till a neighbour calls on the old gentleman, and after discussing the news of the day, the prospects of the "Blues and Reds," the *dénouement* of the last fox tragedy, and a Gretna-green marriage, is led to hint at the inexpediency of letting "that handsome fellow, Averill walk so freely with his daughter. People talked—the boy might get a notion into him; the girl might be entangled ere she knew." Sir Aylmer Aylmer does not much like this, but acts upon it pretty vigorously none the less, and the same evening does all but kick the presumptuous villain out of his house, accompanying his overt acts with a considerable amount of slander and blackguardism. Edith is henceforth put under all the rigours of martial law. A state of siege is proclaimed. Correspondence with her absent lover is artfully intercepted. Desirable young gentlemen are invited in shoals, or would have been so could shoals of them be found. All communication even with the villagers is summarily forbidden; she is watched, and the watchers are watched too, till, as might have been expected, some low fever found the girl—

> And flung her down upon a couch of fire,
> Where careless of the household faces near,
> And crying upon the name of Leolin,
> She, and with her the race of Aylmer, past."

In the meantime young Leolin has been, of course, storming away at the iniquities of rich old gentlemen with only daughters. "Insolent, brainless, heartless! heiress, wealth, Their wealth, their heiress! wealth enough was theirs For twenty matches . . . He believed This filthy marriage-hindering Mammon made The harlot of the cities; nature crost Was mother of the foul adulteries That saturate soul with body," &c. His history need not be longer followed, except to say that instead of the world ringing of him "to shame these mouldy Aylmers in their graves," he commits suicide in his chambers with a dagger Edith had received from an Indian cousin, and given to him. We sincerely trust the coroner's jury passed some less complimentary verdict on him than "temporary insanity." It has already been intimated what are the fortunes of the papa and mamma. They go to the parish church to hear from Mr. Averill a funeral sermon on their daughter, and they do hear one. It proves quite as much a funeral sermon on themselves, because they never get over it. Their respective deaths have been already described.

Now no one can say that, with a fixed determination to tell

a horrible story, such as is thought likely to do certain people good, who want being done good to, Mr. Tennyson has not made the very best of his work. This poem cannot be read without a strong interest, and a certain amount of sympathy or antipathy, as the case may be. Some of the language, particularly the invectives of the old gentleman, commencing "Ungenerous, dishonourable, base, presumptuous!" if not exactly Shakespearian or Æschylean, are certainly possessed of some amount of power and nervous energy. The sermon of Mr. Averill is perhaps too directly didactic and plain speaking for the purposes of poetry, but at the same time it vibrates with some passages of genuine eloquence and vehement emotion. And, withal, the graceful simple life of Edith, in her country village, going about from cottage to cottage, dressing the gardens with flowers, "A splendid presence, flattering the poor roofs Revered as theirs, but kindlier than themselves. To ailing wife, or wailing infancy, Or old bedridden palsy," is suggestive of much that gives us pleasure to look at and think about. Nor must the stirring ambitious life of Leolin in London, contrasting with those serener scenes, be neglected as a piece of truthful painting from real and daily experience.

The chief flaws in this poem are capable of being reduced to two; one literary, the other moral; both going to bar it out from the rank of the greatest and only undying works. Its literary vice is, first, that in which it contrasts unfavourably with "Enoch Arden." Its situations are all spasmodic, the result of the conflict of very exceptional passions, and involving, not the common every-day experience of love, marriage, passion and death, but extravagant anger, unreasonable expectations, and unpardonable crime. The mind of the reader does not willingly fall in with the truth of the facts. He rather keeps questioning if such things really happen, hopes they do not, and rises up with a reactionary and self-complacent belief that they are poetic extravagances invented for the sake of making stimulating scenes. He rebels against showing the kind of sympathy he is expected to show, and he assumes the attitude of critic and sceptic where he ought to be the fanatical follower and the entranced devotee. It is also a drawback to the effectiveness, and probably to the eternal interest of the poem, that the feelings pourtrayed are not those general and everlasting emotions which scarcely vary from age to age, or clime to clime, but the partial, narrow, and transitory phenomena which are the outgrowth of the fashionable life of a very circumscribed section of English society at this particular period. Had Homer, Shakespeare, or Goethe selected such modes of feeling, and dressed them up in such a way, and written nothing more, the Agamemnons, Hamlets, and Egmonts of old would for us have been shrouded in impenetrable night.

Now, as to the moral flaws in this poem, the question suggests itself, Is this assumed idolatry of gold, land, &c., to the heartless disparagement of a daughter's happiness, really a vice sufficiently common among our landed gentry to justify such an unscrupulous onslaught? And again, does Mr. Tennyson mean to say that any young man with insufficient means of providing for himself, let alone for a wife and family, has a right to entrap the affections of any young lady he chooses, wholly irrespective of her natural and justifiable prospects? Does Mr. Tennyson mean to blink the patent fact that worldly possessions are part of a young lady's capital in what he will allow us to term *pro hâc vice* the marriage fair? *Cæteris paribus*, the richer the gentleman a young lady marries, the more luxuries, carriages, parties, dresses, she will be able to indulge in; and the more money she has to offer, the more, of course, she has a right to expect. This is a plain economical truth, which a poet and public teacher has no right to hide away under the cover of plausible and unmeaning generalities about "love" and "sentiment" and "unworldliness." If a young man believes himself an unequal candidate in the race for a lady's hand, he should not run, or, if he run, he must expect to be beaten or turned off the course,—sometimes, as here, without remorse. A sensible and conscientious man can ascertain well enough the conditions of the contest, and a healthy-minded man can and will adapt himself to them.

We have not much space left for the description of the smaller poems in this volume. But it is a pleasure to us to say a few words on the one remaining Idyll, "Sea-Dreams." This poem is not now in print for the first time, and it is not likely to be one of Mr. Tennyson's most popular productions. The thoughts contained in it have in them too deep a moral, and travel too near the border-lands of metaphysical problems to secure a general and enthusiastic reception. This, however, is not in itself an objection, and it was the characteristic (some would say the imperfection) of some lasting favourites both of Goethe's and Wordsworth's. But if there be certain rare feelings and mysterious perplexities common to ever so few men at all times, and forming part of the permanent heritage of mankind, it is the office of the poet to reproduce and abstract those feelings and those thoughts by means of the fascinating machinery which he alone can employ.

The "Sea-Dreams" are based on the following little incident: A city clerk and his wife go with their sick child to the sea-side for a month. It may be remarked here that all Mr. Tennyson's descriptions of the sea, its varied phases, and its local accompaniments, are extremely appropriate, attractive, and true. Instances of this will readily suggest themselves to our readers, and need not be reproduced here. The family are in straitened circum-

stances, and are suffering from an imprudent investment of some small fortune in Peruvian bonds. This was done by the advice of a chance acquaintance, whether ignorantly or fraudulently given, it does not appear. The husband naturally feels very indignant with this man, who he thinks has designedly taken him in. He will not forgive him, and his wife wishes him to do so.

> " Forgive ! How many will say 'Forgive,' and find
> A sort of absolution in the sound,
> To hate a little longer !"

One night the husband dreams a very strange dream about a navy being wrecked upon a reef of hidden gold, and a tall giant of a woman, who represents "Work" and who acquired her enormous strength by working in the mines. He tells his dream to his wife, and then she dreams a still stranger dream, which, though rather obscure, is truly poetical, and touches with a delicate finger some of the saddest and most contradictory experiences of human life. The sense and the harmonious language are here blended so intimately together that it would be unfair to the original to tame down its flitting and sensuous grace to the dull habiliments of prose. The lesson intended to be conveyed is, and it is a most consoling one, that in good and in evil, in ignorance and in knowledge, in all conflicting forms of thought and belief, there is an abiding central, ever-present unity capable of being represented under the form of everlasting music. Amidst all changes, convulsions of opinion, destruction of material fabrics, this same immortal harmony is for ever heard blending with all, penetrating all, tuning all things into communion with itself.

> "And still they strove and wrangled : and she grieved
> In her strange dream, she knew not why, to find
> Their wildest wailings never out of tune
> With that sweet note ; and ever as their shrieks
> Ran highest up the gamut, that great wave,
> Returning while none marked it, on the crowd
> Broke, mixt with awful light, and show'd their eyes
> Glaring, and passionate looks, and swept away
> The men of flesh and blood, and men of stone
> To the waste deep together."

The little tale concludes with tidings of the death of the person who had done the wrong, and his complete forgiveness.

It will be an interesting question with most serious readers of Mr. Tennyson's new poems, what rank must be assigned to them relatively to those other works of his with which we are already familiar ? It is a notable circumstance that each of the works considered above has its germ (as it were) in some one or other of Mr.

Tennyson's earlier productions. "The Gardener's Daughter," "Dora," "Love and Duty," are each domestic Idylls, presenting like combinations of such perverse circumstances and conflicting human actions as are not without their parallel in the real events of life, and are strikingly exhibited in the tale of "Enoch Arden." Again, "Aylmer's Field" will recall much of the worst and best parts of "Maud," "Edwin Morris," and "Locksley Hall;" while the "Sea-Dreams" is another poetic approximation to the ideal solution of similar problems to those forming the intellectual groundwork of "The Two Voices," "The Palace of Art," and "In Memoriam."

The subject of comparison with the present works that will most obviously suggest itself as a means of testing Mr. Tennyson's progress will be his last volume of the "Idylls of the King." The new works are manifest steps in advance so far as a just spirit of enterprise, and a loftier and enlarged ambition can record those steps. Those former Idylls surpassed most of what went before them in the more natural development of the critical epochs, and the determination of those epochs by the action of ordinary, though vehement, passions; and also by the closer copy of the actual conduct of common men and women, under such circumstances as those supposed. Over and above this, those Idylls possessed an easy flow of the purest English, a certain harmonious cadence and insinuating sweetness in every line, such as has had few parallels in the English language. Further, the poetical images were clearly and consistently defined, and such as really elucidated and intensified the language of the passages in which they appeared. Now in "Enoch Arden," it cannot be said that Mr. Tennyson is at all behind his former works in these points of excellence. There is, no doubt, a grandeur and divinity hedging a king and a court, and chiefly such an one as was King Arthur's, which, in the former volume, made room for a magnificence of declamation, and a gorgeousness of fantastic apparel, imparting their own richness and glow to the passions described, such as the simple and modern surroundings of the new tales absolutely forbid. At the same time it is to this modern dress in which the new poems are cast that whatever fresh reputation thereby accrues to Mr. Tennyson is mainly due. And deservedly it is so. For the more he divests his work of every adventitious wrapping, banishing first the magical and supernatural, then the regal and the antique, then the rare and incalculable, the greater the burden he throws for the production of legitimate poetic effect on the simple description of natural and elementary feelings. And, as has been repeatedly urged in the course of these observations, it is on the opening afforded for sympathy with such feelings, when recognised as real and true, that the

lasting pleasure of poetry ultimately turns, and therefore on his ability to do this must the poet's success mainly depend. How far Mr. Tennyson has or has not achieved this end in his new poems the general considerations urged above will enable the reader to determine for himself.

Lastly, what of Mr. Tennyson's rank in the great line of the world's poets? Is he on the way to promotion in that line, or is he remaining, and ever to remain, where he was? It is a consolation that it is not now incumbent upon us to attempt to answer these questions, though they are qeustions which we are ever partially answering each for himself, and which posterity will have to answer in full. Mr. Tennyson is certainly less cosmopolitan than some of his great predecessors. But on the other hand, this style of the family Idyll has never been attempted with such triumphant success before. Taking to himself many of Wordsworth's valuable lessons, imitating his example, Mr. Tennyson keeps clear of his most flagrant faults. He deals with simple subjects without becoming childish, and he is thoughtful without obtruding upon his unsuspecting reader abrupt metaphysical digressions. And Mr. Tennyson, too, can paint a glowing scene, full of brilliant colouring and coruscating with unimagined glories, with a luscious sensibility not unworthy of Shelley and Keats.

We have said that Mr. Tennyson is less cosmopolitan than some of the world's favourites, the poets of all time. It would seem as though, perversely paradoxical as it may seem, the better a man is, the more distinct his opinions, the more philanthropic, earnest, and definite his aims, the less suited, in one respect, he is to be a poet. A poet, like other men, is beset by the difficulty of doing justice in his representations to forms of thought opposite to his own, and to manifold phases of feeling which his judgment and education teach him to regard with suspicion or even condemnation. Yet this the poet must do, or he ceases any longer to hold the key to men's inner hearts and deepest emotions. He must describe all, paint all, be a part of all, even

> "Sit as God, holding no form of creed,
> But contemplating all."

Now, Shakespeare is the most notable instance of what we have called the cosmopolitan character. The Greek poets, as might be expected from their Athenian training, were eminently of a similar constitution. Goethe commands the adoration of a world-wide audience through a like capacity, and Walter Scott, Robert Burns, and in some respects Thomas Carlyle, are instances of the possession of a like temperament familiar to all. We do not say Mr. Tennyson is without any portion of this last loftiest characteristic; but we submit that his didactic and moralizing vein is

occasionally suicidal to the accomplishment of his poetic purpose; and there is in many of his poems an absence of that comprehensive spirit of self-identification with every conceivable form of thought and feeling and all possible conditions of humanity, which is the very life-blood of a poet given for all time. We do not think he would be a worse man for developing this faculty more. We are convinced he would be a greater poet, and a not less persuasive philanthropist.

ART. VIII.—MODERN NOVELISTS: CHARLES DICKENS.

The Works of Charles Dickens. Library Edition. 22 vols. London: 1858-62.

WHEN we have read a novel and laid it aside, it by no means follows that we have done with it. The most careless or critical reader cannot take leave of works of fiction in that summary manner. He has become identified, at least for a time, with interests not his own, and he must have abandoned himself with some degree of sympathy and unreserve to the feelings and thoughts which the progress of the story naturally excites. Consciously or not, the opinions of every one are modified by additional experience, even by that which comes to them third-hand—the experience of an author reflected in the characters he creates. But it would be very unjust to the great brotherhood of novel readers to suppose them capable either of carelessness or criticism. Under the spell of a favourite author they are rapt and passive; no difficulty staggers, no improbability repels them; they are swept onward by the current of their imagination, absorbed while they read, in a continuous act of faith. Of course there are many to whom this self-immolation is a perfectly harmless exercise. But those who habitually fall under the influence of the novelist are generally least able to correct him when he is wrong, or to supply from their own experience what may be wanting in the lessons he teaches. Men immersed in active life have neither leisure nor inclination for fiction. But to the young of both sexes, and to very many grown-up women, novels are the staple article of intellectual food; "they take Defoe to their bosoms instead of Euclid, and seem on the whole more comforted by Goldsmith than by Cocker." Among those who have thus exercised a very considerable influence upon society at large, Mr.

Charles Dickens may claim the foremost place. As regards mere popularity he has certainly no rival. It is nearly thirty years since he made his first appearance as an author. In the interval we have had from his pen no less than thirteen novels; and Christmas books, sketches, occasional stories, and fugitive pieces without end. Not to speak with statistical exactness, we may say that in England these works have been read by everybody without distinction of age or rank. In America he is fully as popular as he is here; his career has been followed in Germany with the patient insight which distinguishes the Teutonic mind; and he is read (whether understood or not) in France. If, like Mr. Putnam Smif, he "aspirates for fame," his aspirations must have been realized to their utmost extent.

Nor is Mr. Dickens unworthy of this great popularity. His genius is entirely original. It is scarcely an exaggeration to say that the light literature of the present generation has been created and moulded under the influence of his style. "Pickwick" has been to us very much what the "Rape of the Lock" was to the poets of the last century. It has revolutionized comic writing, and introduced a new standard of humour.

Nor is it only or chiefly in the field of letters that the power of Mr. Dickens is felt. He has entered into our every-day life in a manner which no other living author has done. Much of his phraseology has become common property. Allusions to his works and quotations from them are made by everybody, and in all places. If Sir Edward Bulwer had never written a line there would be a blank on our shelves, and perhaps in some of our thoughts; but assuredly there would be no perceptible difference in our conversation. But take away "Pickwick" or "Martin Chuzzlewit," and the change would be noticed any day in Cheapside.

A writer of whom this can be said is worth reading critically. We accordingly propose—not indeed, to review Mr. Dickens' novels in detail—but to examine some of the leading qualities of his mind and style, so far as these qualities find their expression in the twenty-two volumes before us. And we shall do this with the object of leading our readers to infer whether, on the whole, the vast power he has wielded has been exercised for good or not.

It may seem not quite fair to apply so grave a standard to works which profess to be written for our amusement. But authors must be perfectly well aware that novels are now some thing more than the means of passing away an idle hour. They supply thousands of readers with a philosophy of life, and are at this moment almost the only form of poetry which is really popular. Time was, when seriously disposed people would have nothing to do with them. The model governess of that period

always locked them up: the wicked pupil always read them. The current of opinion now sets in an exactly opposite direction. The novelist has taken rank as a recognised public instructor. Important questions of social policy, law reform, the latest invention, the most recent heresy, are formally discussed in his pages, in the most attractive manner too, with a maximum of argument and a minimum of facts.

This change is in a great measure owing to Mr. Dickens himself. In order to understand how it was brought about it is necessary to glance slightly at the literary history of the generation preceding his first appearance as an author. The century opened with but poor prospects for novel readers. It was a night between two days. Fielding and Smollett had ceased to write; Sir Walter Scott had not yet written. The interval was feebly bridged over by writers of little note, and the public (who were determined to read novels) read novels of a degree of badness, more pretentious and more absurd than any that we shall find now—unless we expressly look for them. The Minerva Press was in full activity. We know what it means to say of a book that it reminds one of the productions of the Minerva Press. It is a short way of saying that the imagination runs riot; that scenes and characters are described without the faintest reference to probability: that it is steeped in a sickly sentimentalism and defaced by a miserable execution. But in 1814 "Waverley" appeared, and with it a completely new era. During the succeeding ten years, national and historical peculiarities took the place of gloomy over-wrought passion. To Miss Edgeworth belongs the credit of having inaugurated this wholesome change. It was the fame of her Irish characters—we have it on the authority of Sir Walter Scott himself—which rescued the manuscript of "Waverley" from the drawer in which it had lain so long forgotten among salmon-flies and night-lines, and enriched the English language with a series of fictions unequalled for humour, plot, and dramatic skill. It is not surprising that descriptions of Scotch and Irish character should have proved attractive at a time when comparatively little was known either of Scotland or Ireland. Presently, however, the mania passed away, and a taste for Highland interiors yielded to a preference for the pictures of English homes. Miss Austen undertook to construct a novel out of the ordinary occurrences of every-day life. To write a book on the peculiarities of one's friends was not a bad idea, and, in her hands, it was certainly very pleasant reading. But even dinner-parties and country rectories become tedious after a while. It so happened, however, that an increasing number of rather idle people began, about this time, to feel an interest in social and political questions. The dreams of romance

had been exchanged for the realities of the drawing-room; the realities of the drawing-room were about to give way to some of the sterner facts of out-door life. The stir of the Reform movement was at its height. Everywhere questions were being asked, changes advocated, abuses swept away. Even the novel-reading public caught the enthusiasm, for they saw an opening to a new kind of excitement. The diffusion of common knowledge had brought social questions within the ken of a large class who, fifteen years before, were, and were contented to be, perfectly ignorant of them. Clearly, all the conditions requisite for a highly popular treatment of politics were there—an interested public and unlimited means of communicating with them. Still, we doubt whether any one less gifted than Mr. Dickens, or with qualifications different to his, would have succeeded in inducing half England to read books which had anything to do with the Poor Laws or Chancery reform. He has certainly effected thus much, and we believe him to have been the main instrument in the change which has perverted the novel from a work of art to a platform for discussion and argument.

But this is only part of his originality. When he began to write, the life of the middle and lower classes had found no chronicler. The vagabonds of our London streets, the cabmen, the thieves, the lodging-house keepers, the hospital-nurses and waiters, with whom we are now so familiar, passed away unhonoured and unmourned for want of a poet. Here was a mine of life and character which might have been profitably worked by a less skilful hand than Mr. Dickens'. He entered into indisputed possession of it, and made it his own. This happy choice of subject has had much to do with his success. In his later works he has always mixed up with his unrivalled descriptions a serious element, or, to speak more strictly, he has made the descriptions themselves subservient to a moral or political purpose. It is but fair to say that this habit seems to have been gradually forced upon him by the character of his genius. There is no trace of it in his earliest work, the "Sketches by Boz." There is only a faint trace of it in "Pickwick." It appears more decidedly in "Oliver Twist" and "Martin Chuzzlewit," and it arrives at maturity in "Bleak House" and "Little Dorrit." In attempting to write with an object, Mr. Dickens has committed the very common error of mistaking the nature of his own powers. He possesses in high perfection many rare and valuable gifts. But he is in no sense, either as a writer or a thinker, qualified to cope with complicated interests.

What, then, are the qualities in which the secret of his influence truly lies? The first, the most important, and most distinctive is, without doubt, his humour.

It is often said that Mr. Dickens is a great humourist, but no wit. From this opinion we altogether dissent. His wit is not like that of Shakespeare or of Cowley or of Pope; it is not even that of Sydney Smith or of Hood; but it is wit nevertheless. It would be pedantic to attempt to define so volatile and changing a quality. By far the best description of it with which we are acquainted is contained in Barrow's Sermons.* "Its ways," says the learned Doctor, "are unaccountable and inexplicable; being answerable to the numberless rovings of fancy and windings of language. It is, in short, a manner of speaking out of the simple and plain way (such as reason teacheth and showeth things by) which by a pretty surprising uncouthness or conceit of expression doth affect and amuse the fancy, stirring in it some wonder and breeding some delight thereto." Barrow must be allowed to be an excellent judge of wit; if there is any one on whose opinion we should rely with greater confidence, it is Addison. Addison quotes somewhere the poet's saying, that his mistress' bosom is as white as snow: he maintains that there is no wit in this; but when, he remarks, the poet adds, with a sigh, it is as cold too, then the comparison grows into wit. The reason of the distinction is perfectly plain. The first simile is so obvious that any one can make it for himself; it lies in the connexion of two ideas related by so superficial an analogy that it cannot possibly either affect or amuse the fancy; but the second is more remote, and coming upon us unexpectedly, "stirs some wonder and breeds some delight." It would appear from the definition of Barrow, as well as from the example of Addison, that whenever ideas are so put together that a feeling of pleasurable surprise is aroused, we have all that is necessary to constitute wit. It would be difficult to give many examples of humour which did not include such a connexion. It is true that in humour there is something more: we are amused as well as surprised and delighted; but humour does not cease to be witty because it makes us laugh. When Mr. Pecksniff cannot remember the name of the fabulous animals who used to sing in the water; and one person suggests "swans," and another "oysters," this is humour with as little admixture of wit as may be; there is nothing in the expression, the whole point lies in the juxtaposition of things so incongruous as a mermaid and an oyster. So with Mr. Weller's observation, that there is no use in calling a young woman a Venus or an angel—that you might as well call her a griffin, or a unicorn, or a king's arms at once: in this there is certainly what Barrow would describe as a pretty surprising uncouthness of expression; there is also a propriety in the thought as occurring to that particular

* Sermon xiv.

speaker; but what strikes one most is the oddness in the relation of the ideas of a young lady and a king's arms. To borrow Addison's well-chosen expression, this "grows into wit," but the passage is of course chiefly remarkable for its humour. But Mrs. Gamp's picture of the imaginary Tommy Harris, "with his small red worsted shoe a-gurglin' in his throat, where he had put it in his play, a chick, while they was leavin' of him on the floor a lookin' for it through the 'ouse, and him a choakin' sweetly in the parlour"—is essentially witty. At least we can detect no difference in kind between the quality that delights us in Mrs. Gamp and the quality that delights us in Falstaff. We believe it to be a great error to press the distinction between wit and humour to the extent that is usually done. They belong to the same family and are related, having some characteristic differences. Such differences may be expressed in various ways. We may say that wit resides chiefly in the expression; humour in the thought: that we admire the former, and are amused by the latter; that one depends on the assemblage of ideas which are congruous, the other on the connexion of ideas which are incongruous. But they agree in flowing from a particular turn of thought which enables a writer at once to surprise his hearers and to affect their fancy; and if Mr. Dickens does not possess that quality of mind, we do not know who does.

It must be admitted that he sometimes spoils both his wit and humour by putting them in the mouth of the wrong person. This arises from the fact that he often begins a book without having formed a clear notion of it as a whole. He introduces a character with no defined intention as to the use that is to be made of him. Hence in the progress of the story a man acts and talks in a manner for which our former experience of him has not prepared us. Dick Swiveller is an instance in point. We must assume that the history and conversational peculiarities of this young gentleman are known to our readers. His reflections on Miss Sally Brass are in themselves very good, but they are curiously out of place coming from the Perpetual Grand Master of the Glorious Apollos. "It is no use asking the dragon," thought Dick one day, as he sat contemplating the features of Miss Sally Brass. "I suspect if I asked any questions on that head our alliance would be at an end. I wonder whether she is a dragon, by the bye, or something in the mermaid line. She has rather a scaly appearance. But mermaids are fond of looking at themselves in the glass, which she can't be. And they have a habit of combing their hair, which she hasn't."*

* "Old Curiosity Shop," vol. i. p. 283.

Next to his wit and humour, the leading quality of Mr. Dickens' mind is undoubtedly his imagination. We should expect it to be so in a successful writer of fiction. But it is one thing to possess this power, and it is quite another thing to be possessed by it. And, with much submission to Mr. Ruskin, imagination is not exactly the most truth-telling faculty of the human mind, even for the purposes of art. It sometimes misleads. It sometimes overpowers by its own brilliancy. Oftenest it destroys the effect of a whole by the prominence which it gives to subsidiary parts. Those in whose hands it produces the most striking effects use it as Prospero used Ariel. This is not at all the practice of Mr. Dickens. He abandons himself unreservedly to the guidance of fancy, and makes a point of giving complete liberty to his Spirit at the very commencement of its task. That this is owing in part to the great relative strength of his imagination we do not ar all doubt; but it is chiefly due to the absence of controlling powtr. Throughout his writings there is no sense of government or of restraint. We miss altogether that nice sense of relation and fitness, artistic judgment, tact, taste, the faculty, by whatever name it may be called, which should sit, like Æolus, to temper and calm the spirits who are wildly struggling for expression in him, and by the aid of which—

"Et premere, et laxas sciret dare jussus habenas."

The freaks of an imagination run wild are generally amusing, and when the subject illustrated by it stands alone or apart our amusement is not interfered with, because there are no surrounding circumstances to remind us of its extravagance. Take, for example, that little scene in the drawing-room at Mrs. Todgers'—

Mr. Pecksniff had followed his younger friends upstairs, and taken a chair at the side of Mrs. Todgers. He had also spilt a cup of coffee over his legs without appearing to be aware of the circumstance; nor did he seem to know that there was muffin on his knee.

"And how have they used you downstairs, sir?" asked the hostess.

"Their conduct has been such, my dear madam," said Mr. Pecksniff, "as I can never think of without emotion, or remember without a tear. Oh! Mrs. Todgers!"

"My goodness!" exclaimed that lady. "How low you are in your spirits, sir."

"I am a man, my dear madam," said Mr. Pecksniff, shedding tears, and speaking with an imperfect articulation, "but I am also a father. My feelings will not consent to be smothered like the young children in the Tower. They are grown up, and the more I press the bolster on them, the more they look round the corner of it."

He suddenly became conscious of the bit of muffin, and stared at it intently, shaking his head the while in a forlorn and imbecile

manner, as if he regarded it as his evil genius, and mildly reproached it.*

The humour of this illustration is not marred by any feeling of incongruity, for Mr. Pecksniff has been sitting over his wine, and it is natural that his ideas should not flow with severely logical precision. So, in the case of the gentleman who remarks that "there is a poetry in wildness, and every alligator basking in the slime is himself an epic self-contained,"—we are not offended by that, because it is said by an American. But when the thing illustrated is not separated or separable from other things, but stands to them in the relation of part to whole, its description must be kept strictly within the limits of likelihood, or the exaggeration will become evident by comparison with that which lies around and about it. In a series of disconnected sketches we can bear with much improbability. Perhaps it was some feeling of this which led Mr. Dickens to start the idea of publishing his novels in monthly parts. It certainly suits his style. "Pickwick" is not even in structure a story, and many of its most admired scenes would scarcely be supported were they not seen to be fragments. But when he writes for the purpose of carrying out an idea, we have a right to expect some harmony and proportion. There are two parallel passages in Mr. Dickens' works which are very much in point, and which we shall quote, quite as much for the sake of the passages themselves, which are admirable, as of the example. The first occurs in the "Old Curiosity Shop." Nell, in the course of her wandering, has taken office under Mrs. Jarley, the owner of a travelling show of wax-work, and she is sent by that lady to solicit the patronage of Miss Monflathers, who keeps a school for young ladies:—

"You're the wax-work child, are you not?" said Miss Monflathers.

"Yes, ma'am," replied Nell, colouring deeply, for the young ladies had collected about her, and she was the centre on which all eyes were fixed.

"And don't you think you must be a very wicked little child," said Miss Monflathers, who was of rather uncertain temper, and lost no opportunity of impressing moral truths upon the tender minds of the young ladies, "to be a wax-work child at all?"

Poor Nell had never viewed her position in this light, and not knowing what to say, remained silent, blushing more deeply than before.

"Don't you know," said Miss Monflathers, "that it's very naughty and unfeminine, and a perversion of the properties wisely and benignantly transmitted to us, with expansive powers to be roused from their dormant state through the medium of cultivation?"

The two teachers murmured their respectful approval of this home

* "Martin Chuzzlewit," vol. i. pp. 15, 78.

thrust, and looked at Nell as though they would have said that there indeed Miss Monflathers had hit her very hard. . . .

"Don't you feel how naughty it is of you," resumed Miss Monflathers, "to be a wax-work child, when you might have the proud consciousness of assisting, to the extent of your infant powers, the manufactures of your country; of improving your mind by the constant contemplation of the steam-engine, and of earning a comfortable and independent subsistence of from two-and-ninepence to three shillings a-week? Don't you know that the harder you work, the happier you are?"*

The second is from the first two chapters of "Hard Times:"—

"Now what I want is, Facts. Teach these children nothing but facts. Facts alone are wanted in life. Plant nothing else, and root out everything else. You can only form the minds of reasoning animals upon facts; nothing else will be of any service to them. This is the principle on which I bring up my own children, and this is the principle on which I bring up these children. Stick to Facts, sir." The speaker and the schoolmaster and the third grown person present all backed a little and swept with their eyes the inclined plane of little vessels then and there arranged in order, ready to have imperial gallons of facts poured into them until they were full to the brim.

"Girl number twenty," said Mr. Gradgrind, squarely pointing with his square finger. "I don't know that girl. Who is that girl?"

"Sissy Jupe, sir," exclaimed No. 20, blushing, standing up, and curtseying.

"Sissy is not a name," said Mr. Gradgrind. "Don't call yourself Sissy. Call yourself Cecilia."

"It's father as calls me Sissy, sir," returned the young girl in a trembling voice.

"Then he has no business to do it;" said Mr. Gradgrind. "Tell him he mustn't, Cecilia Jupe. Let me see. What *is* your father?"

"He belongs to the horseriding, if you please, sir." Mr. Gradgrind frowned and waved off the objectionable calling with his hand.

"We don't want to know anything about that here. You mustn't tell us about that here. Your father breaks horses, don't he?"

"When they can get any to break they do break horses in the ring, sir."

"Very well then. Describe your father as a horsebreaker. He doctors sick horses, I dare say?"

"Oh yes, sir."

"Very well then. He is a veterinary surgeon, a farrier and horsebreaker. Give me your definition of a horse."

(Sissy Jupe thrown into the greatest alarm by this demand.)

"Girl No. 20 unable to define a horse!" said Mr. Gradgrind for the general behoof of all the little pitchers. "Girl No. 20 possessed of no facts in reference to one of the commonest of animals. Some boy's definition of a horse. Bitzer, yours."

* "Old Curiosity Shop," vol. i. pp. 245, 6.

"Quadruped. Graminivorous. Forty teeth, namely twenty-four grinders, four eye teeth, and twelve incisive. Sheds coat in spring; in marshy countries sheds hoofs also. Hoofs hard, but requiring to be shod with iron. Age known by marks in mouth." Thus (and much more) Bitzer.

"Now girl No. 20," said Mr. Gradgrind, "you know what a horse is."

The third gentleman now stepped forth. A mighty man at cutting and drying, he was; a Government officer; in his way (and in most other people's too) a professed pugilist; always in training, always with a system to force down the general throat, like a bolus; always to be heard of at the bar of his little public office, ready to fight all England. He had a genius for coming up to the scratch, wherever and whatever it was, and proving himself an ugly customer. He was certain to knock the wind out of common sense, and render that unlucky adversary deaf to the call of time. And he had it in charge from high authority to bring about the great public-office millenium when commissioners should reign on earth.

"Very well," said this gentleman briskly, smiling and folding his arms. "That's a horse. Now let me ask you girls and boys, would you paper a room with representations of horses?"

After a pause, one half the children cried in chorus, "Yes, sir." Upon which the other half, seeing in the gentleman's face that Yes was wrong, cried out in chorus "No, sir,"—as the custom is in these examinations.

"Of course, no. Why wouldn't you?"

A pause. One corpulent slow boy, with a wheezy manner of breathing, ventured the answer—Because he wouldn't paper a room at all, but would paint it.

"You *must* paper it," said the gentleman rather warmly.

"You must paper it," said Thomas Gradgrind, "whether you like it or not. Don't tell *us* you wouldn't paper it. What do you mean, boy?"

"I'll explain to you, then," said the gentleman, after another and a dismal pause, "why you wouldn't paper a room with representations of horses. Do you ever see horses walking up and down the sides of rooms in reality—in fact? Do you?"

"Yes, sir," from one half. "No, sir," from the other.

"Of course, No," said the gentleman, with an indignant look at the wrong half. "Why, then, you are not to see anywhere what you don't see in fact; you are not to have anywhere what you don't have in fact. What is called taste is only another name for fact."

Thomas Gradgrind nodded his approbation.

"This is a new principle, a discovery, a great discovery," said the gentleman. "Now, I'll try you again. Suppose you were going to carpet a room. Would you use a carpet having a representation of flowers upon it?"

There being a general conviction by this time that "No, sir," was always the right answer to this gentleman, the chorus of No was very strong. Only a few feeble stragglers said Yes; among them Sissy Jupe.

"Girl No. 20," said the gentleman, smiling in the calm strength of knowledge. Sissy blushed, and stood up.

"So you would carpet your room with representations of flowers, would you?" said the gentleman. "Why would you?"

"If you please, sir, I am very fond of flowers," returned the girl.

"And that is why you would put tables and chairs upon them, and have people walking over them with heavy boots?"

"It wouldn't hurt them, sir. They would be the pictures of what was very pretty and pleasant, and I would fancy——"

"Ay, ay, ay! but you mustn't fancy!" cried the gentleman, quite elated by her coming so happily to his point. "That's it. You are never to fancy."

"You are not, Cecilia Jupe," Thomas Gradgrind solemnly repeated, "to do anything of the kind."

"You are to be in all things regulated and governed," said the gentleman, "by fact. We hope to have before long a board of fact, composed of commissioners of fact, who will force the people to be a people of fact, and of nothing but fact. You must discard the word fancy altogether. You have nothing to do with it. You are not to have in any object of use or ornament what would be a contradiction in fact. You don't walk upon flowers in fact, and you cannot be allowed to walk upon flowers in carpets. You don't find that foreign birds and butterflies come and perch upon your crockery; you cannot be permitted to paint foreign birds and butterflies upon your crockery. You never meet with quadrupeds going up and down walls; you must not have quadrupeds represented upon walls. You must use," said the gentleman, "for all these purposes, combinations and modifications (in primary colours) of mathematical figures which are susceptible of proof and demonstration. This is the new discovery. This is fact. This is taste."

This passage is in Mr. Dickens' best manner, and is undoubtedly very clever and entertaining. It is not at all true; although, as a mere question of probability, the speech of the school inspector is much more in place than Miss Monflathers' tirade. But an attentive reader would be very differently influenced by the two scenes; he would be more struck with the exaggeration of the latter than with that of the former. Granting an imaginative treatment, there is no particular reason why Miss Monflathers should not talk nonsense and misrepresent the teaching of a certain school, for the simple reason that her remarks are wholly unconnected with the purpose of the story into which they are dovetailed. But "Hard Times" professes to be a treatise on education, and it is essential that the system to which, in its moral, it supplies the antidote, should be impartially set out. If Mr. Dickens' fancy had not run away with him, he would never have commenced what is, after all, a very serious and admirable work by striking a note which everybody knows to be false.

It is the tendency of an active imagination to mistake thoughts for objects. The ideas which it presents are clothed with so much circumstance, and have such a real existence within

the mind, that it seems superfluous to inquire, whether they do or do not correspond with anything without it. This confusion is very observable in Mr. Dickens, but nowhere more than in his mode of describing Nature. His language takes us quite back to the old poetic days of Dryads and river-gods:—

> "The intelligible forms of ancient poets,
> The fair humanities of old religion,
> The power, the beauty, and the majesty
> That had their haunt in dale or piny mountain,
> Or forest by slow stream, or pebbly brook,"

live again in his pages: the trees, the leaves, and the streams of his pictures are endowed with a distinct personality; they act, think, and suffer; and it is in the description of the imaginary relations which subsist between them—in the transference to them of the writer's own thoughts and emotions, that his landscape-painting essentially consists. Its aim is not so much to delineate the scene of action, as to excite in the reader a state of mind in harmony with the action itself. For example:—

> "It was pretty late in the autumn of the year when the declining sun, struggling through the mists which had obscured it all day, looked brightly down upon a little Wiltshire village, within an easy journey of the fair old town of Salisbury. Like a sudden flash of memory or spirit kindling up the mind of an old man, it shed a glory on the scene in which its youth and freshness seemed to live again. The wet grass sparkled in the light; the scanty patches of verdure in the hedges—where a few green twigs yet stood together bravely, resisting to the last the tyranny of nipping winds and early frosts—took heart and brightened up; the stream, which had been dull and sullen all day, broke out into a cheerful smile; the birds began to chirp and twitter on the naked boughs, as though the hopeful creatures half believed that winter had gone by, and that spring had come already. The vane upon the tapering spire of the old church glistened from its lofty station in sympathy with the general gladness, and from the ivy-shaded window such gleams of light shone back upon the glowing sky, that it seemed as if the quiet buildings were the hoarding-place of twenty summers, and all their ruddiness and warmth were stored within."

Sir Walter Scott would have given us a map of the country, with the heights and bearings of all the mountains; we get from Mr. Dickens a rhapsody on the beauty of the scene, with a few disjointed sketches of some of the principal objects. But these sketches are elaborate and minute—often to a fault. Almost immediately following the passage just quoted, is a description of a church-tower. Not one of the infinite variety of shades and tints—the form of no single stone, has escaped the watchful eye of the artist. He concentrates his whole attention on it; he sees each the minutest detail, and for the moment he sees nothing

else. The style is exactly that of Mr. Hunt. The leaders of the pre-Raphaelite school are, like Mr. Dickens, men of great imaginative power, and with a fine instinct. They protest against the conventionalism of art, as he protests against the conventionalism of society, with the same view of showing that beauty and worth are universal, and may be found everywhere, if only we have eyes to see them. But though all things may be beautiful, all things are not equally so, and their grades and relations have been somewhat lost sight of. The realism of certain artists recoils with horror from the loose, suggestive way in which foregrounds are often treated; so the daisies and dandelions, and the ears of corn and blades of grass, are painted with as much care as if each were a separate centre of interest, the focus of a distinct picture. And the result is, that we get a gallery of photographs, but no landscape.

Just so with Mr. Dickens. His genesis of character, like his description of Nature, is exactly what might be expected in a writer of his peculiar endowments. It is imaginative, brilliant, effective; but it is altogether wanting in analytical depth, and has, at best, an air of half truth about it. He rarely shows us any of the more delicate springs of action. There is too much consistency for life, and too much violent contrast for art. The gradations, the shading, the secondary lights are wanting. It always reminds one of Martin's pictures, in which the world is tumbling about in the presence of a mixed assembly of demons and angels. He paints his scenes minutely. He conceives his characters strongly. But he works at them as if each, like the alligator, were itself an epic self-contained. They stare at you out of his canvas with an oppressive individuality like the generals in the picture of the Waterloo banquet. But there is neither harmony of conception nor unity of design.

In "Martin Chuzzlewit," for example, the writer's design was, we are told, to exhibit selfishness in various forms, and to trace out its consequences. To this end several very selfish people are described: Martin Chuzzlewit the elder and Martin Chuzzlewit the younger; Antony Chuzzlewit and his son Jonas. The incidents are carefully arranged, so as to give the vice in question plenty of room in which to display itself. Each of the leading personages is set off by a contrast; old Martin is attended by his niece Mary, young Martin by Mark Tapley, Antony Chuzzlewit by Chuffey, and Jonas is relieved by his wife. We need not stay to inquire how far the novelist has succeeded in doing what was proposed, for we can scarcely imagine anything more certain to give a distorted view of life and character than the fact of his success. The most selfish men are not all selfish. Even when they are inclined to be so, events are constantly compelling them to act with reference to others. Here we have a number of self-seeking people brought together with

exceptional means of studying their own ease and convenience, and with a self-denying friend always at hand to bring out their idiosyncrasies as strongly as possible. On the whole, "Martin Chuzzlewit," considered as a treatise on moral philosophy, rather overshoots its mark. Mr. Dickens makes in it exactly the same mistake as was committed by Major Pawkins. He gives an unnecessary stimulus to his own vigour.*

The principle of describing men under the influence of a leading habit or passion is carried out into the subordinate traits of character. Some very ordinary and superficial peculiarity is seized and kept constantly before us. At one time it is the repetition of a phrase; at another, it is some trick of manner or of gesture. No one objects to the fat boy going to sleep, to Barkis being willing, to Traddles drawing skeletons, to Carker showing his teeth, to Mark Tapley being jolly, to Dick Swiveller quoting scraps of songs—occasionally. But we are treated to this as if for the most part we were capable of nothing but inexplicable dumb show and noise. On the stage the artifice is common and allowable; the novelist, however, has opportunities of developing character which are denied to the playwright. The impression left by this posture-making is, that the men and women we meet are acting their parts, and not acting them particularly well either. To represent Daniel Quilp eating hard-boiled eggs, shells and all, drinking boiling spirits and tea without winking, and biting his spoon and fork till they bend, is mere burlesque.

The want of analytical power with which we are disposed to charge Mr. Dickens is in certain directions compensated by his extraordinary delicacy of observation. Outward peculiarities—the details of manner, speech, and appearance, are at best but an imperfect index of character. But they are always worth something, and there are cases in which they tell us all that we care about, or indeed, are able to know.† The moral and intellectual

* "We are an elastic country," said the *Rowdy Journal.*

"We are a young lion," said Mr. Jefferson Brick.

"We have revivifying and vigorous principles within ourselves," observed the Major. "Shall we drink a bitter afore dinner, Colonel?"

† Pages of analysis would not give us more insight into Doctor Blimber's character than the following short description of his manner of walking: "The doctor's walk was stately, and calculated to impress the juvenile mind with solemn feelings. It was a sort of march. But when the doctor put out his right foot, he gravely turned upon his axis with a semicircular sweep towards the left; and when he put out his left foot, he turned in the same manner towards the right. So that he seemed, at every stride he took, to look about him as though he were saying, 'Can anybody have the goodness to indicate any subject, in any direction, on which I am uninformed? I rather think not.'"—*Dombey and Son,* vol. i. p. 160.

peculiarities of animals, for example, are sufficiently described, when we are told how they look and behave. Mad, half-witted, weak, and simple people, again, are adequately represented by their obvious and external qualities; for, as regards the former class, inasmuch as we cannot rely on inferences from the ordinary laws of mind, there is nothing but manner to look to; and as regards the latter class, there is a tolerably constant relation between what they think and what they say and do. In noting these surface attributes, Mr. Dickens has shown an exquisite tact. Accordingly in his sketches of animal life, in his description of madness, and in the working out of such characters as Tom Pinch, Dora Spenlow, Esther Summerson, Toots, Smike, and Joe Gargery he is perfectly satisfactory. Mr. Sleary's reflections on the instinct of dogs* are alone sufficient to prove how accurately their habits must have been observed. Very excellent, too, is Mr. Garland's pony, Whisker, and the performing dogs in the "Old Curiosity Shop." But the best thing of the kind is, without doubt, the raven in "Barnaby Rudge."

"Halloa!" cried a hoarse voice in his ear. "Halloa! halloa! halloa! Bow wow wow, what's the matter here? Hal-loa!"

The speaker—who made the locksmith start, as if he had seen some supernatural agent—was a large raven, who had perched upon the top of the easy-chair, unseen by him and Edward, and listened with a polite attention and a most extraordinary appearance of comprehending every word, to all they had said up to this point; turning his head from one to the other, as if his office were to judge between them, and it were of the very last importance that he should not lose a word.

"Look at him!" said Varden, divided between admiration of the bird and a kind of fear of him. "Was there ever such a knowing imp as that? Oh, he's a dreadful fellow!"

The raven with his head very much on one side, and his bright eye shining like a diamond, preserved a thoughtful silence for a few seconds, and then replied in a voice so hoarse and distant, that it seemed to come through his thick feathers, rather than out of his mouth.

"Halloa! halloa! halloa! What's the matter here? Keep up your spirits. Never say die. Bow wow wow. I'm a devil, I'm a devil, I'm a devil. Hurrah!" And then, as if exulting in his infernal character, he began to whistle.

* * * * * * * * * *

"Is he old?" said Edward.

"A mere boy, sir," replied the locksmith. "A hundred and twenty or thereabouts. Call him down, Barnaby, my man."

"Call him!" echoed Barnaby, "but who can make him come? He calls *me*, and makes me go where he will. He goes on before, and I follow. . . . I make *him* come! Ha! ha! ha!"

On second thoughts, the bird appeared disposed to come of himself.

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* "Hard Times," p. 344.

After a short survey of the ground, and a few side-long looks at the ceiling, and at everybody present in turn, he fluttered to the floor, and went to Barnaby—not in a hop, or walk, or run, but in a pace like that of a very particular gentleman with exceedingly tight boots on, trying to walk fast over loose pebbles. Then stepping into his extended hand, and condescending to be held out at arm's length, he gave vent to a succession of sounds, not unlike the drawing of some eight or ten dozen of long corks and again asserted his brimstone birth and parentage with great distinctness.*

For the same reason Mr. Dickens describes children singularly well. But he always appears anxious to make too much of them, giving them a prominence in the story which throws an air of unreality over it. Prodigies like Paul Dombey, or girls with the sagacity and heroism of Eleanor Trench, are not children at all; they are formed characters who talk philosophy and happen accidentally to be small and young. But Pip, and David Copperfield (when he is not too conscious in his simplicity), and Sissy Jupe, and little Jacob, are what they profess to be, and are created and carried out with unusual skill. Oliver Twist is merely a lay figure, like one of those in Mrs. Jarley's Waxworks, who are so well described as "standing more or less unsteadily upon their legs, with their eyes very wide open, and their nostrils very much inflated, and the muscles of their legs and arms very much developed, and all their countenances expressing great surprise." Up to a certain point Paul Dombey himself is natural and delightful. Abstraction made of what the waves were always saying—there is a duet about these waves of which it is impossible to think without a shudder—his thoughts are such as might well occur to a child under peculiar circumstances. The episode of Doctor Blimber's Academy—the solemn politeness, pretension, and weariness of that establishment—is nearly as good as anything in the whole of these volumes. No one can help remembering the "round of bread, genteelly served on a plate and napkin, and with a silver fork lying crosswise on the top of it," which was to serve for dinner to the disgraced Briggs—nor the butler, "who gave quite a winey flavour to the table beer; he poured it out so superbly;" nor even the fact that Dr. Blimber's young gentlemen did not "break up," but oozed away semi-annually to their own homes. It is by the finish of these lighter touches that Mr. Dickens has won the high position he occupies. His minor characters are generally good. Mr. Littimer, for example, is only a sketch—but it is a sketch which leaves a far more vivid impression behind than the comparatively laboured portrait of Steerforth. So with Mr. Vincent Crummles, young

* "Barnaby Rudge," vol. i. pp. 54, 5.

Bailey, Mrs. Skewton, Captain Cuttle, and Mr. Buckett—they are among the happiest things in his books. As an illustration of selfishness, we far prefer the few pages in the "Old Curiosity Shop," which describe Messrs. Short and Codlin, to the heavy melodramatic business in "Martin Chuzzlewit." It is more natural, more humorous, and, we think, more true. The cautious surliness of Codlin in the first instance, when he is not clear what to make of his fellow-travellers; his awkward attempts to ingratiate himself when he suspects money may be made out of them; and the characteristic manner in which he finally takes credit for everything that he had not done, when he is clear that money *is* to be made, contrast admirably with the simple good-nature of his partner Short:—

"Did I always say, Thomas," cried Short, turning with a look of amazement to his friend, "that there was sure to be an inquiry after them two travellers?"

"*You* said!" returned Mr. Codlin. "Did I always say that that 'ere blessed child was the most interesting I ever see? Did I always say I loved her, and doated on her? Pretty creetur, I think I hear her now. 'Codlin's my friend,' she says with a tear of gratitude a tricklin' down her little eye; 'Codlin's my friend,' she says, 'not Short. Short's very well,' she says; 'I've no quarrel with Short; he means kind, I dare say; but Codlin,' she says, 'has the feelings for *my* money, though he mayn't look it.'"

"Stay a minute," said Short. "A man of the name of Jerry—you know Jerry, Thomas?"

"Oh, don't talk to me of Jerrys," replied Mr. Codlin. "How can I care a pinch of snuff for Jerrys, when I think of that 'ere darling child? 'Codlin's my friend,' she says, 'dear, good, kind Codlin, as is always a devisin' pleasures for me! I don't object to Short,' she says, 'but I cotton to Codlin.' Once," said that gentleman reflectively, "she called me Father Codlin. I thought I should have bust!"*

But when Mr. Dickens writes on principle, with an object before him, and, above all, when he tries to enlist our sympathy or dislike, he signally fails. We search in vain throughout these sixteen novels for any one man or woman whom we really admire, really fear, or whom we should at all desire to imitate. If the figures in a tailor's shop were to become suddenly animated they would be exceedingly like Mr. Dickens' heroes. Compare Rochester, or Louis Moore, or the Professor, with John Westlock, Nicholas Nickleby, or Walter Gay. While no one reads Miss Brontë's works without a marked feeling one way or other for the principal actors, there is a very general impression that if Mr. Dickens' young men could be got rid of altogether his novels would be greatly improved. They have an admirable choice of

* "Old Curiosity Shop," vol. i. pp. 292, 3.

words, and express the most unexceptionable opinions in the most correct language, but there is a premature goodness and an odious prosy morality about them which are quite insufferable. Those little angularities by which character is distinguished are nearly altogether wanting. Nicholas Nickleby, Frank Cheeryble, and John Westlock are each represented under the influence of a strong passion; but they might be shaken up in a bag with Madeleine Bray, Kate Nickleby, and Ruth Pinch, and it would make very little difference either to themselves or the story how the couples were taken out. Whereas "Shirley" would be quite another book if Rochester had to be substituted for Louis Moore. The reason of this is that Mr. Dickens has trusted not to his observation, but to his imagination, and he has exercised his imagination on a subject of which he has no special knowledge. There is just one exception to the triviality of his heroes. David Copperfield has some marks of life about him. And it is generally believed that in this novel Mr. Dickens has drawn largely from actual experience.

After all, Mr. Dickens the artist is only subsidiary to Mr. Dickens the philosopher, the moralist, and the politician. We should not have ventured to regard him in this threefold capacity were it not that he expressly claims to have views in some of his prefaces,* and that he insists on those views in his books.

Most people who affect to think have some kind of notion about the world in general. It commonly resolves itself into one of these two propositions: (1), that things are right; (2), that they are not right. The philosophy of Mr. Dickens is contained in the former statement.

There is an optimism based on the belief that events are so arranged as to turn out happily in the long run. Upon this hypothesis the facts of life are explained by allowing plenty of time for arrangement, and by pointing out the imperfection of our means of judgment:—

> "All nature is but art, unknown to thee,
> All chance direction that thou canst not see,
> All discord harmony not understood,
> All partial evil universal good."

This is the optimism of theory, and it amounts to this, that there is, speaking strictly, no evil at all in the world.

On the other side there is the view which treats misfortune, crime, and whatever makes men miserable, as so much foreign matter introduced, by a kind of divine accident, into an organism expressly constructed for happiness. Those who adopt it do not

* See particularly the Prefaces to "Martin Chuzzlewit," "Little Dorrit," and "Bleak House."

attempt to explain away the facts, but they insist on the duty of getting rid, as fast as possible, of whatever interferes with the general well-being; they also have the peculiarity of believing that they can do so. This is the optimism of practice—the wisdom of Social Science Associations, of political reformers, and more particularly of Mr. Dickens himself. His theory of life is very complete and comfortable. He believes the world we live in to be, in the main, a happy world, where virtue is rewarded and vice punished on the strictest principles of poetic justice. There is, of course, a great deal of want, and wretchedness, and crime; but the poor people are compensated for their poverty by being more cheerful and virtuous than the rich; and the wretchedness and crime are chiefly owing to the absurdity of our government and laws, to our neglect of sanitary improvements, and to the selfishness of the great. A few obvious reforms, such as putting all the right men in the right places, and seeing that the labouring population lived in airy, clean, and well-ventilated houses, would soon put things to rights. This is his theory, and his practice accords with it. The deserving people are rewarded with a uniformity which is exceedingly gratifying. Those who are young enough are married happily—some of the very good ones twice; those who, like Miss Trotwood, the brothers Cheeryble, Mr. Pickwick, and Tom Pinch, could scarcely be married without destroying the romance of the thing, become accessories, before or after the fact, to the marriage of somebody else, and live a quasi-domestic life surrounded by their friend's children. No mercy is shown to the Fagins, the Quilps, the Pecksniffs, the Squeers, the Heaps. The rewards of virtue are, it is true, somewhat commonplace, and the highest good of which any example is found in these volumes does not rise much above the level of material comfort. We believe that if Mr. Dickens were king he would first of all take care that in England seven half-penny loaves should be sold for a penny, and he would make it felony to drink small beer.

As a mere matter of political expediency, we are not at all disposed to quarrel with this view. It is what would be called "healthy," and it supplies a motive to that large class of people who insist on taking a commercial view of moral obligations. But it is by no means the last word on the subject. When an author steps forward and says, "I propose to write a funny book;" very well; no one troubles himself to examine his theories. But Mr. Dickens claims to represent large phases of modern thought and life. Therefore we think it a pity that he should have set out with so trivial a belief as that virtue is usually rewarded and vice usually punished. . . .

His moral and political speculations take their colour from the

opinions of the public for whom he works. Like many other novelists, he has two classes of readers. There are those (including, we should think, everybody who has sense to understand a joke,) who admire him greatly for certain special qualities. Then there are those who thoroughly understand and believe in him, and whom he may be said to represent—just as Cambridge men are represented by Mr. Kingsley. This class is not easily defined. It is chiefly made up of the impulsive people who write letters to the *Times;* of practical, well-to-do men who understand their own business, and see no difficulties elsewhere; and of those to whom it is a pleasure to have their feelings strongly acted upon. That Mr. Dickens must keep constantly before him the requirements of some such class as this, is plain from his manner of dealing with the pathetic, as well as from the freedom with which he constantly expresses himself on subjects which he cannot possibly be supposed to understand.

There is nothing more distinctive of the refinement which proceeds from education than these two qualities—a reluctance to draw conclusions, and a reserve of expression on subjects which nearly concern us. In dealing with practical affairs, all men are indeed equally forced to rely on half truths, to act on experiences which they know to be merely approximate, and to speak of things which they feel are vulgarized by being put into words. But they do so under protest, well knowing that they must either do this or nothing. Were they to wait for the precise juncture which would enable them to act and speak with absolute propriety, they would wait long. Circumstances, so far as they are any help at all, usually favour common purposes, and further every-day ends. Actual life is accordingly a continual sacrifice to opportunity, in which we are obliged to do some violence to ourselves and much violence to our convictions, for the sake of influencing the world around us.

But the novelist is not under the influence of this necessity. It is open to him to arrange events in such a manner that the persons he creates may move in them, may act and be acted on by them, without compromising their better thoughts and feelings. In a book, a speaker is not absolutely bound to talk claptrap. The hero may pass through his various adventures, he may struggle, be disappointed, and be made supremely happy, without professing to see his way clearly through everything, or having to act on convictions he does not feel. Circumstances may be artificially constructed so as to favour him thus far. And when a novelist has to describe emotions or passions which call for reticence, he has an unlimited power of indicating their shades and depth inferentially, by the effect they produce, without minute analysis or outspoken description.

No writer with whom we are acquainted has taken less advantage of this happy privilege than Mr. Dickens. He abuses the liberty of dogmatism, and he revels in describing incidents which good taste would carefully conceal. His deathbed scenes exceed in number and variety that of any other author, living or dead. They are arranged in much the same way as they would be put on the stage of the Adelphi Theatre.

It is not distinctive of Mr. Dickens that he minutely analyses states of mind and feeling that a person who appreciated their meaning would touch with extreme reserve; but it is distinctive of him that he often seeks to make a secondary and still more objectionable use of them by turning them, as it were, into political capital. In one of his novels there are some reflections in a country churchyard. These thoughts are suggested by some poor men's tombs, and they are not very bad, being, in fact, a part of Gray's "Elegy" done into prose. Then we have the clergyman's horse stumbling about and cropping the grass, and close by, a lean ass in a pound, who having trespassed in the churchyard "without being qualified and ordained, was looking with hungry eyes on his priestly neighbour." Now we wonder that Mr. Dickens did not see that there was a want of fitness in this. There is no objection to meditations in a country churchyard, but it is odd that any one who felt the influence of the place sufficiently to care to write about it at all, should have had his attention strongly directed to the difference between rich and poor, and to the exclusive privileges of the clergy. It may be all perfectly true; but it is so out of place that one cannot help suspecting that the scene, with all its accessories—the ivy and the tombs of the "poor humble men"—is merely introduced to heighten the effect of his little bit of bunkum at the end. And if so, Mr. Dickens has been trifling with the sympathies of his readers for an unworthy purpose.

To the love of melodramatic effect and partiality for violent contrast must be referred a manner of treatment which seriously interferes with the artistic beauty of many of these novels. We allude to the practice of suddenly converting people without showing sufficient reason for the change.

To do justice to Mr. Dickens' views, we must rather abuse our privilege of making extracts.

There is Mr. Dombey, in many respects an extremely well-drawn character; a type of the aristocratic pride of commerce. He has his ancestors, his traditions, and an hereditary name, which he is above all things anxious to preserve. He loses his wife, and regrets her after his fashion. "Something lay at the bottom of his cool heart, colder and heavier than its ordinary load; but it was more a sense of the child's loss than his own, awakening within him an almost angry sorrow. That the life

and progress on which he built such hopes should be endangered in the outset by so mean a want; that Dombey and Son should be tottering for a nurse, was indeed a humiliation." His son dies next; the only result is, that he is more frigid and dignified than before. There is something painful in the obstinate indifference with which he repels the advances of his daughter, not because she thwarts, but because she cannot advance his ambition. He marries a second time, and pays dearly for it. Domestic misery is followed by commercial ruin; but through every change of circumstance Mr. Dombey is still the same. The reader is about to close the book with some admiration for the stoicism with which such a variety of misfortune has been met, when, in the last chapter or so, Mr. Dombey suddenly encounters his daughter, who has lately eloped with a man to whom he has a particular objection. A meeting of this kind does not usually bring out the amiable side of the parental character, but it produces a remarkably soothing effect on Mr. Dombey, who instantly becomes quite a different person—distinguished for his affectionate qualities and domestic habits; and we take leave of him enjoying a bottle of Madeira in the company of Captain Cuttle.

This is more like the melodrama in "Nicholas Nickleby" than anything else:—

"What do you mean to do for me, old fellow?" asked Mr. Lenville, poking the struggling fire with his walking-stick, and afterwards wiping it on the skirt of his coat; "anything in the gruff and grumble way?"

"You turn your wife and child out of doors," said Nicholas; "and in a fit of rage and jealousy stab your eldest son in the library."

"Do I though!" exclaimed Mr. Lenville. "That's very good business."

"After which," said Nicholas, "you are troubled with remorse till the last act, and then you make up your mind to destroy yourself. But just as you are raising the pistol to your head, a clock strikes—ten!"

"I see," cried Mr. Lenville. "Very good."

"You pause," said Nicholas; "you recollect to have heard a clock strike ten in your infancy. The pistol falls from your hand—you are overcome—you burst into tears, and become a virtuous and exemplary character for ever afterwards."

"Capital!" said Mr. Lenville; "that's a sure card. Get the curtain down with a touch of nature like that, and it'll be a triumphant success." *

But the most astonishing case of conversion is afforded by the history of Merry Pecksniff. She is introduced in the following description:—

* "Nicholas Nickleby," pp. 225, 6.

"Miss Pecksniff sat upon a stool, because of her simplicity and innocence, which were great—very great. Miss Pecksniff sat upon a stool because she was all girlishness, and playfulness, and wildness, and kittenish buoyancy. She was the most arch and at the same time the most artless creature, was the youngest Miss Pecksniff, that you can possibly imagine. It was her great charm. She was too fresh and guileless to wear combs in her hair, or to turn it up, or to frizzle it, or to braid it. She wore it in a crop, a loosely flowing crop, which had so many rows of curls in it that the top row was only one curl."

So she is described throughout the first half of the book. She is a hypocrite, as we should expect a daughter of Mr. Pecksniff to be. Without any deliberately vicious intention, she is simply thoughtless, vain, insolent, and spiteful. She perfectly understands her father's game with regard to old Martin Chuzzlewit, and she plays it unhesitatingly and well. At length she meets a man who is, without exception, the most despicable ruffian that Mr. Dickens ever held up to the execration of his readers. He makes love to her sister, and ends by abruptly proposing to herself. He has money, and she accepts him.

Here are her views, a week before her marriage, on the duties and responsibilities of that state:—

"Are you forced into this match? Are you insidiously advised or tempted to contract it, by any one? I will not ask by whom; by any one?"

"No," said Merry, shrugging her shoulders, "I don't know that I am."

"Don't know that you are! Are you?"

"No," replied Merry. "Nobody ever said anything to me about it. If any one had tried to make me have him, I wouldn't have had him at all."

"I am told that he was at first supposed to be your sister's admirer," said Martin.

"Oh, good gracious! My dear Mr. Chuzzlewit, it would be very hard to make him, though he *is* a monster, accountable for other people's vanity," said Merry. "And poor dear Cherry is the vainest darling!"

"It was her mistake then?"

"I hope it was," cried Merry; "but, all along, the dear child has been so dreadfully jealous, and *so* cross, that, upon my word and honour, it's impossible to please her, and it's no use trying."

"Not forced, persuaded, or controlled," said Martin, thoughtfully. "And that's true, I see. There is one chance yet. You may have lapsed into this engagement in very giddiness. It may have been the wanton act of a light head. Is that so?"

"My dear Mr. Chuzzlewit," simpered Merry, "as to lightheadedness, there never was such a feather of a head as mine. It's a perfect balloon, I declare! You never *did*, you know!"

He waited quietly till she had finished, and then said, steadily and slowly, and in a softened voice, as if he would still invite her confidence :

"Have you any wish—or is there anything within your breast that whispers you may form the wish, if you have time to think—to be released from this engagement?"

Again Miss Merry pouted, and looked down, and plucked the grass, and shrugged her shoulders. No. She didn't know that she had. She was pretty sure she hadn't. Quite sure, she might say. She "didn't mind it."

"Has it ever occurred to you," said Martin, "that your married life may perhaps be miserable, full of bitterness, and most unhappy?"

Merry looked down again; and now she tore the grass up by the roots.

"My dear Mr. Chuzzlewit, what shocking words! Of course, I shall quarrel with him; I should quarrel with any husband. Married people always quarrel, I believe. But as to being miserable, and bitter, and all those dreadful things, you know, why I couldn't be absolutely that, unless he always had the best of it; and I mean to have the best of it myself. I always do now," cried Merry, nodding her head, and giggling very much; "for I make a perfect slave of the creature."

They are married. Jonas Chuzzlewit is certainly not a model husband. From the antecedents of the lady we are quite prepared to find that she makes good her promise not to allow him always to have the best of it. But Mr. Dickens appears to have thought that, although he had painted Jonas in the blackest colours, and drawn him in the most repulsive form, that was scarcely enough. He still wanted a little contrast to heighten the effect. And he wished to show how character may be developed independently of circumstances, and may, even on the shortest notice, acquire a bent the very opposite of that which those circumstances would tend to produce. So, to the unbounded astonishment of the reader, and in defiance of all truth and probability, the woman who married her husband chiefly to spite her sister; who, according to the testimony of her friends, had no heart; whose head, as she confesses herself, was a perfect balloon—throwing aside at once the ingrained selfishness and meanness of nearly thirty years, becomes in less than two months a model of uncomplaining endurance and self-denying affection. The only reason for which change is that she has married a man whom she always despised; who is a coward and a bully, and on the high-road to become a murderer.

We have illustrated at some length the mental habit which is most constantly presented to us in the works of this remarkable writer. His mind is in fragments. To this strongly marked intellectual quality may be traced both his characteristic excel-

lences and his characteristic defects. Inability to discern the relations of things, aided by a fancy fertile and plastic in a high degree, has enabled him to summon at will the most ludicrous and grotesque images, and has given vigour to whatever can be done in parts—to his isolated sketches, for example, and to his descriptions of simple passion. On the other hand, it has prevented him from either constructing a story or penetrating a character. It is due to this that his views, both of life and morals, are imperfect and of the first impression; being, in fact, just what would occur offhand to any ordinary warm-hearted person who had not reflected on the subject. With these characteristics it is particularly unfortunate that he should have attempted to express himself on questions of State. Mr. Tupper's poetry, Dr. Cumming's theology, Mr. Samuel Warren's sentiment, are not worse than Mr. Dickens' politics. And this is saying a good deal. He seems, however, to have thought otherwise. It is difficult to name any important subject which has arisen within the last quarter of a century on which he has not written something. Imprisonment for Debt, the Poor Laws, the Court of Chancery, the Ten Hours' Bill and the relations of Workman and Employer, Administrative Reform, the Ecclesiastical Courts, the Civil Service Examinations, and National Education, have all been illustrated, criticized, and adjudicated upon. We should be sorry to say that he has not pointed out many defects in the working of these institutions; it was not difficult to do so; but he has uniformly overstated the case, he has often not understood it, and never has he pointed out any remedy. It may be added that his criticism has generally come too late. The account of the Fleet Prison in "Pickwick" was published in the year in which the Act for the amendment of the Insolvent Laws was passed. The Poor Laws had just been improved when "Oliver Twist" exposed the horrors of the workhouse system. The description of Mr. Bounderby and the hands of Coketown closely followed the last of a series of statutes regulating the management of factories. Jarndyce and Jarndyce might or might not have been true in the time of Lord Eldon, but it bears about as much relation to the present practice of the Court of Chancery as to that of the Star Chamber. It is all very well meant, but very ignorant.

"Ordinary people," says Addison, "are so dazzled with riches, that they pay as much deference to the understanding of a man of estate as of a man of learning, and are very hardly brought to regard any truth, how important soever it be, which is preached to them, if they know that there are several people of 500*l.* a-year who do not believe it." We may safely acquit Mr. Dickens of this particular form of error. He is so far from thinking a man

to be any better because he is rich, that he thinks he can hardly be good except he be poor. Such an opinion, directly and indirectly enforced by so powerful a writer, cannot fail of harm. We fear that it has helped to widen the breach, already sufficiently great, which separates the two classes. It is scarcely an excuse to say that our author's bias proceeds from a desire to help the unfortunate and to relieve the oppressed. There is no question as to the excellence of his intentions. But good intentions do not absolve one from the necessity of considering the truth of an opinion or the result of proclaiming it. And sympathy is not exactly the instrument by the use of which a right judgment is ensured on complicated and difficult questions. Mr. Dickens, however, is so impressed with the importance of cultivating the feelings, that he is led to infer that, if the feelings are right, the judgment is not likely to be wrong. And thus, whatever has the appearance of being hard and unsympathetic, is the object of his most particular aversion. To people who do not understand the province of political economy, that science certainly has a somewhat uncompromising and forbidding aspect. Accordingly Mr. Dickens runs full tilt against it, apparently because it does not happen to be the same thing as moral philosophy. "What is the first principle of this science?" asks the schoolmaster in "Hard Times." "To do unto others as I would they should do unto me," replies the model child; and we are expected to agree with this absurd answer. Hardhearted economists tell us that if a man's means only allow him to keep four children at a certain level of comfort, he has no right to have eight. Mr. Dickens immediately describes a man who has nine children, who is very poor and very happy, and extremely good; and he thinks he has settled the question. But lest any lingering doubt should remain, he clenches his argument by the reverse picture. "Thomas Gradgrind, sir. A man of realities—a man of facts and calculations—a man who proceeds upon the principle that twice two is four and nothing over, and who is not to be talked into allowing for anything over. Thomas Gradgrind, sir; peremptorily Thomas. With a rule and a pair of scales, and the multiplication table always in his pocket, sir, ready to weigh and measure out any parcel of human nature and tell you exactly what it comes to." Now, Mr. Gradgrind has two children only; he is rich and miserable. We can say no other of Mr. Dickens' political economy, and no worse, than that it is on a par with Mr. Ruskin's. Indeed, he is always impatient of scientific restraint.

Spontaneous combustion is just one of the subjects which might be expected to be attractive to a writer with a taste for melodrama. There is something suggestive and mysterious in the notion of a man setting fire to himself. The surrounding

circumstances are all of a kind which admits of effective grouping, and although we do not believe that the theory is now maintained by any single scientific authority, there is a popular feeling that it is an institution and a privilege which ought not to be taken from us. Accordingly, in "Bleak House," a man of the name of Krook is predestined to this form of death. Krook is an eccentric man, much addicted to brandy, living alone in a garret near Chancery Lane, and with a habit of keeping important papers in his cap. With him an appointment is made for twelve o'clock one night by an attorney's clerk of the name of Guppy. Mr. Guppy goes at the appointed hour, and finds the room full of smoke, the window panes and furniture covered with a dark greasy deposit, and some more of this deposit lying in a small heap of ashes on the floor before the fire. Krook has spontaneously burned himself. We are bound to admit that Mr. Dickens has introduced with great fidelity all the circumstances which have been actually observed in the cases in which this death is said to have happened, and he has made a powerful use of them. The instinctive horror of Mr. Guppy on finding a lump of grease on his sleeve, before he had any suspicion where it came from, is very finely conceived. Now all this would have passed without remark, had it not been that the author insisted on its scientific accuracy;* upon which Mr. Lewes pointed out that spontaneous combustion does not as yet rank among the accepted truths of science. In a preface to a later edition of "Bleak House," Mr. Dickens delivers himself as follows—

"I have no need to observe that I do not wilfully or negligently mislead my readers, and that before I wrote that description I took pains to investigate the subject. There are about thirty cases on record, of which the most famous, that of the Countess Cornelia de Bandi Cesenate, was minutely investigated and described by Giuseppe Bianchini, a prebendary of Verona, otherwise distinguished in letters, who published an account of it at Verona in 1731, which he afterwards republished at Rome. The appearances beyond all rational doubt observed in that case, are the appearances observed in Mr. Krook's case. The next most famous instance happened at Rheims six years earlier; and the historian in that case is Le Cat, one of the most renowned surgeons produced by France. . . . I do not think it necessary to add to these notable facts, and that general reference to the authorities which will be found at page 27, vol. ii., the recorded opinions and experiences of distinguished medical professors, French, English, and Scotch, in more modern days, contenting myself with observing that I shall not abandon the facts until there shall have been a considerable spontaneous combustion of the testimony on which human occurrences are usually received."

* "Bleak House," vol. ii. p. 27.

We think it evident that Mr. Dickens entirely misconceives the point in issue. The dispute is not as to the facts, but as to their explanation. No one doubts that certain persons have been burned to death under circumstances not perfectly accounted for. The testimony of Bianchini and Le Cat may be perfectly trustworthy as far as the appearances they actually observed are concerned, and it may be absolutely valueless as regards their explanation. On the latter point, indeed, it is not likely to be worth much, for the simple reason that they both lived several years before the theory of combustion was understood. And there is a simplicity which is very refreshing in the faith which is placed in the sixth volume of the "Philosophical Transactions."

It is hard to be obliged to find fault with Mr. Dickens. We owe him too much. He is a man of genius; in many respects rarely gifted. He has exceptional powers of observation and description, great imagination, and an intuitive tact in appreciating many of the more delicate shades of passion. On the other hand, his intellect is, we will not say ruled, but crushed and dwarfed by his emotional faculties. Partly from a defective education, and partly from a constitutional bias, he seems unable to take either an extensive or an intensive view of any subject; neither grasping it as a whole, nor thoroughly exhausting any single part. His writings show the same union of strength and weakness; his plots inartificial, his genesis of character rude and unphilosophic, his literary execution oscillating with tolerable evenness between the intensely vulgar and commonplace, and passages of the most striking beauty.

We cannot think that he will live as an English classic. He deals too much in accidental manifestations and too little in universal principles. Before long his language will have passed away, and the manners he depicts will only be found in a Dictionary of Antiquities. And we do not at all anticipate that he will be rescued from oblivion either by his artistic powers or by his political sagacity.

Art. IX.—The Laws of Marriage and Divorce.

1. *Commentaries on the Law of Marriage and Divorce, and Evidence in Matrimonial Suits.* By Joel Prentiss Bishop, &c. Boston: 1859.
2. *A Practical Treatise on the Law of Marriage, Divorce, and Legitimacy, as administered in the Divorce Court and the House of Lords.* By John Fraser Macqueen, Esq., of Lincoln's Inn, Barrister-at-Law. London: 1860.
3. *Notes on the Marriage Laws of England, Scotland, and Ireland, with Suggestions for their Amendment and Assimilation, in a Letter to the Rt. Hon. the Lord Chancellor.* By James Muirhead, Advocate, and of the Inner Temple, Barrister-at-Law. London and Edinburgh: 1862.

THE laws of marriage and divorce are those rules of civil conduct prescribed by the State for its subjects to observe in creating and destroying that species of union between persons of the opposite sexes which is implied in the term matrimony. Their object is to determine, first, what acts and what forms shall establish the conjugal relation; and secondly, under what circumstances and by what means it shall be avoided or dissolved. These provisions have obviously so direct and important an influence upon the physical and moral welfare and happiness of a people, that if there be one branch of municipal law which above others ought to be clear, plain, and explicit, it is that by which they are regulated and defined. In the United Kingdom, however, the laws relating to marriage and divorce differ and conflict more or less in each of the three great divisions of the empire. The law of England varies in some particulars from that of Ireland, although that is, in the main, derived from it; whilst the law of Scotland is, for the most part, widely unlike to either of them. Without enumerating all their points of dissimilarity and discord, we find, for example, that a woman cohabiting with a man in Scotland, and there enjoying the status of his wife, would on this side of the Border occupy the position of his mistress; a ceremony which in England would constitute a valid marriage, is a nullity across St. George's Channel; legal grounds for divorce in Scotland are no grounds for divorce in Ireland or south of the Tweed; and in England these and the necessary procedure are settled by statutes, the enactments of which extend to neither of the sister countries. A case was

recently tried before the House of Lords, which will be ranked for the future among the matrimonial *causes célèbres*. It occupied that tribunal for many weeks, and it is likely to attract public attention for a long while yet to come. In the Yelverton Case (although the decision of it was based upon facts, and the evidence of facts alone), we have an illustration of the confusion prevailing in the law touching upon the points at issue between the parties. The litigation, which it is said is not yet terminated in Scotland, but the last stage of which in England gave rise to so much elaborate argument (the judgment alone filling eleven columns of the *Times* newspaper), extended over nearly four years, and its purpose was on the one hand to prove, and on the other to disprove, a marriage between Maria Theresa Longworth and William Charles Yelverton. The cause came before the House of Lords in its supreme appellate capacity, on an appeal by Major Yelverton, seeking to reverse an *interlocutor* pronounced by a majority of the first division of the Court of Session in Scotland, in two conjoined actions: first, an action of "declarator of freedom and putting to silence," instituted by Major Yelverton, in which he sought to have it declared that he was free of any marriage with Miss Longworth, and that she ought to be put to silence; and secondly, an action of "declarator of marriage," brought by Miss Longworth (otherwise Mrs. Yelverton), praying that it might be declared that she was the lawful wife of Major Yelverton. In both actions the Lord Ordinary (Ardmillan) had originally decided in favour of Major Yelverton. On appeal to the Court of Session, the judgment in both actions was reversed in favour of Miss Longworth; and on appeal to the House of Lords, judgment was again and finally given in favour of Major Yelverton. It appeared that in 1852 a meeting, which led to an acquaintance, took place between the parties on board the steam packet then making the passage between Boulogne and London. In 1857 the appellant was quartered with a portion of his regiment at Edinburgh Castle, and at this time, according to the statement of the respondent, a ceremony, sufficient by the laws of Scotland to make them man and wife, was gone through. In the same year they met by arrangement in Ireland, and there, at a place called Rostrevor, they were again married according to the forms of the Roman Catholic Church. They made various tours together, representing themselves to be married, until, in 1858, the appellant united himself to another person. Miss Longworth, in 1859, petitioned the English Divorce Court for a restitution of conjugal rights, alleging that she was domiciled in England; but her petition was dismissed on the ground that the domicile of the wife was that of the husband, and that the domicile of Major Yelverton was not within the jurisdiction of the Court. In 1861 an

action for necessaries supplied to Miss Longworth was brought, by a third party, against Major Yelverton, in the Court of Common Pleas in Ireland, when it was collaterally found, as affecting the question of agency, that the marriage at Rostrevor was valid, and a verdict was consequently recorded for the plaintiff, charging Major Yelverton, as husband, with the debt contracted by Miss Longworth as wife. This decision was supported on appeal by the Irish courts above, and still remains unreversed. It does not, of course, establish the marriage, but it is sufficient to show how far from a reasonable certainty the present state of the law is.

The anomalies obtaining in the marriage and divorce laws, in component parts of the Queen's home dominions, are, indeed, unseemly in themselves, and often very distressing in their consequences. The experience of most of us will supply us with some at least, and perhaps many sad instances of the kind. In no advanced community less instinctively conservative than our own would such discrepancies be permitted to continue. In France, Austria, and Prussia, populations as different in character and in creed as those of the British Isles are brought within the authority of a homogeneous system of marriage laws, and it must be considered a reproach to the jurisprudence of any civilized country that a mere change of locality within its own area should render both the inception and termination of the most important of all social ties matters of doubt and incertitude. There are no sufficient reasons, either political or religious, which can necessitate or justify this. The English, Irish, and Scotch Laws regard matrimony from essentially the same point of view—as a civil institution, productive of the same rights, the same duties, and the same obligations; and their modes of constituting and dissolving it, springing from a common centre, have materially diverged only at a comparatively late stage in their onward course.

"Surely," says Mr. Muirhead, "if any one of those three systems is perfect in the country that is blessed with it, that most invaluable quality would not forsake it were it introduced into the two that are less fortunate. And even if all be open to criticism and amendment, one would think that it ought not to be an impossible thing to select from each what is most worthy of adoption, and make it the framework of a uniform and comprehensive measure. Complete assimilation is more perhaps, at present, than the prejudices and temper of the public permit one to anticipate. But I am sanguine that a more extensive acquaintance with the history of the law of marriage, and a more accurate estimate of the working results and comparative merits and demerits of the systems administered in the three divisions of the United Kingdom respectively, would go far to remove those prejudices, and pave the way for the ultimate introduction of an amended law applicable to one and all of them."

It was, perhaps, the most important mission of Christianity, in

the earlier phases of its development, to reorganize the domestic relations of life. The spiritual power, soon after its establishment in the western empire, usurped from the temporal government the entire control of matrimony. The Canon Law, which upon this subject gradually superseded all other authority in Christendom, although deeply tinctured by the ancient civil jurisprudence, was chiefly compiled from the opinions of the Latin fathers, the decrees of general and provincial councils, and the decisions and bulls of the Holy See. These, from the earliest times to the pontificate of Alexander III., were, about the middle of the twelfth century, collected by the industry of Gratian, an Italian Benedictine monk. The work which he produced consists of three books, and is commonly known as the Decretum of Gratian. This was followed, in the beginning of the thirteenth century, by another collection published in five books under the auspices of Gregory IX., to which Boniface VIII. added a supplement, containing, with various papal decretals, the canons of the two general Councils of Lyons, of 1245 and 1274. The next work in the series is formed by the bulls of Clement V., or the Clementine Constitutions, promulgated by John XXII. in 1317, together with twenty decrees of his own. These, with the determinations of later popes, terminating with those of Sextus VI., from 1471 to 1484, compose the *Corpus Juris Canonici*, or Body of the Roman Canon Law. The whole was subjected to expurgation and revision under Gregory XIII. in 1580, and is now usually contained in three folio volumes. In commentating upon this text, the lives of many pious ecclesiastics were consumed; and with regard to that portion of it which treats of marriage and divorce, their learned leisure enabled them to give to the world what Blackstone has pronounced to be some of the impurest writings that have polluted any age or language. By the Church matrimony was raised from the position of a legal bond into that of a sacrament: holy rites and solemn ceremonies were enjoined for its celebration, but the subtlety of the canonists reconciled the practice of consensual marriages with the more ambitious terms of religious theory. The appointed means for obtaining the Divine blessing upon the marital union were, indeed, considered necessary for the souls' good of those who entered into it; but the essence of the sacrament was said to lie in their mutual consent, whilst the sacerdotal benediction was merely a decorous observance attending its administration. Where a matrimonial pledge had been deliberately exchanged between a man and woman of physical and moral capacity, the sacrament had been received by both, and the Church, though neglected and indignant, would not permit the mysterious tie thus formed to be trifled with, or its indissolubility to be called in question. It multiplied impediments to the valid

interchange of consent; it extended beyond all reason the limits of the forbidden degrees of consanguinity and affinity; it increased beyond all justice the number of those pretexts upon which a supposed marriage might be declared void; but when once such an interchange of consent had been made between duly qualified persons, *very* matrimony was the immediate consequence, and the precept of the Gospel was triumphantly urged against the rash objector to its sufficiency, "those whom God hath joined, let no man put asunder."

This canonical doctrine was attended by a result sufficiently curious and important. In the earlier period of the Roman jurisprudence it was usual to initiate a marriage by formal *sponsalia*, or betrothals. By them the intended bride and bridegroom entered into a recognised relation towards each other, under the designations of *sponsa* and *sponsus*. The compact proceeded upon the mutual consent of the parties, and formed, until about the period of the *Lex Julia*, B.C. 167, the foundation of an action *ex sponsu*, equivalent to our action for breach of promise of marriage. But, in obedience to the maxim of the later law, *sufficit nudus consensus ad constituenda sponsalia*, the ancient rites attending the engagement were dispensed with, and the penalty for its non-observance was confined to the forfeiture of the rings which were commonly exchanged as tokens of fidelity. Under no circumstances did these betrothals operate as marriage; they were esteemed, as expressed by a modern canonist, only as *præambula et quasi initialia matrimonii*;* like the *fiançailles* still observed in some European countries. This also was the more primitive view of the Canon Law. By a decree of Nicholas I. in 866 *sponsalia* were defined to be binding promises for future marriage; and from the Decretum it may be gathered that the earlier canonists did not contemplate them in any different light from the civilians. Before long, however, we see a marked distinction drawn between *sponsalia de præsenti* and *sponsalia de futuro*; and at last, the former are always, and the latter are, under certain contingencies, considered to be *matrimonium ratum nondum solemnizatum*. In a rescript of Alexander III., of 1170, this doctrine of *sponsalia de præsenti* is clearly laid down in a decision upon a case submitted to him by certain clergy of the diocese of Lincoln; and in another rescript of the same pontiff, addressed in the same year to the Archbishop of Salerno, they are declared to be so truly matrimony as to nullify a subsequent public and religious marriage between the *sponsus* or *sponsa* and another person, whilst both of them remained alive; whilst

* Van Espen. Jus. Eccles. Univ., pt. II., sect., tit. 12, cap. 1, sec. 4.

Gregory IX. in 1236, in terms not less explicit, propounds the same opinion; but as regards the *sponsalia de futuro*, the law of the Church remained in its old condition, except where they were followed by cohabitation. In this case the parties were presumed to have ratified and given effect to their former promise, and that which was in form a consent for the future became in substance a consent for the present. So strong was this presumption of the Canon Law that no evidence could be admitted to rebut it. Except when followed by cohabitation, however, *sponsalia de futuro* could be dissolved by mutual consent, or by a subsequent marriage of one or both of the parties, either by a present verbal contract or by a public ceremonial in church.

This somewhat lax system produced in time frequent inconvenience, and often much hardship. In the fourth Council of the Lateran, therefore, Innocent III., following the example of some French and English bishops, enjoined the preliminary publication of matrimonial banns. From this period no marriage could be celebrated by a priest until a definite time had elapsed after its proclamation in church; but nonconformity with this rule did not affect the validity of the sacrament. A clandestine union only subjected the rebellious couple to the terrors of ecclesiastical censure, and in the case of a consensual marriage they could under pain of excommunication be compelled to proceed to a public celebration of their nuptials. So stood the Canon Law throughout Catholic Europe, until the Council of Trent, in its twenty-fourth session, in 1563, made marriage necessarily a religious ceremony,—a decree which was never received as authoritative within these realms.

The general Canon Law was no doubt the foundation from which that of every independent kingdom in Christendom flowed in separate streams. Its binding force in each community depended, however, not upon the simple sanction of the Universal Church, but upon the adoption of its ordinances by national authority. It was not the spring from which they all arose, but the particular channels through which they ran, which conferred upon them their legal character in every State. The foundation of the ecclesiastical law of England was laid by a statute of William the Conqueror, by which it was enacted that religious causes should no longer be tried as theretofore, "*sed secundum canones et episcopales leges.*" Under the Anglo-Saxon government the principle of a separate jurisdiction exercised by the Church had never been recognised. Ever since the introduction of Christianity the bishops had sat to hear causes in the county courts with the eorldermen or their sheriffs. But the Norman invasion brought an influx of learned foreign Churchmen into the

country, and the lay and ecclesiastical judicatures were then finally separated. Between the canonists and the common lawyers there grew up and long continued a memorable contest, in which each of them with varying success attempted to exalt their own province of jurisprudence and to depreciate that of their adversaries. To this may be attributed in some measure the confusion appearing in the books as to the precise weight attached to the Canon Law in the national ecclesiastical tribunals. At the Council of Cashel, in 1172, the ecclesiastical laws of Ireland were assimilated to those of England; and it is the opinion of a learned writer whose authority cannot be lightly neglected, that at one time the Canon Law of Scotland was in all respects the same as that of the two neighbouring countries.* From 1225 until the erection of St. Andrew's into a metropolitan see in 1472, the government of the Scotch Church was, under the Holy Father, entirely in the hands of annual synods of the Scottish bishops, and its laws were by them modified as occasion might require.

"In England," say the Ecclesiastical Commissioners, in a report cited by Mr. Bishop, "the Canon Law was at all times much restricted, being considered, in many points, repugnant to the law of England, or incompatible with the jurisdiction of the Courts of Common Law; so much of it as has been received, having obtained by virtual adoption, has been for many centuries accommodated by our own lawyers to the local habits and customs of the country; and the ecclesiastical laws may now be described in the language of our statutes, as laws which the people have taken at their free liberty, by their own consent, to be used among them, and not as laws of any foreign prince, potentate, or prelate. In addition to these authorities of *foreign origin*, must be enumerated also the *constitutions* passed in this country by the Pope's legates, Otho and Othobon, and the archbishops and bishops of England assembled in national councils in 1237 and 1269; and a further body of *constitutions*, framed in provincial synods, under the authority of successive Archbishops of Canterbury, from Stephen Langton in 1222 to Archbishop Chicheley in 1414, and adopted by the province of York in the reign of Henry VI. These English constitutions, as they may be termed, have been illustrated by the commentaries of English canonists of distinguished learning and experience, and principally by Lyndwood, an eminent canonist and statesman much employed in the public affairs of the country in the reigns of Henry V. and VI. These commentaries will be found to contain much valuable information on subjects connected with the history and government of the Church. To the foregoing enumeration must be added also the canons of the English Protestant Church, passed in Convocation in 1603,† and such

* Frazer "On the Law of the Personal and Domestic Relation," vol. i. p. 645.

† These canons were never ratified by Parliament, though they received the Royal assent, and are not held to be binding on the laity, though they are binding on the clergy and were upon the law officers of the Spiritual Courts.

acts of Parliament as make particular subjects matters of ecclesiastical cognizance, or regulate the course of proceeding with respect to the same."

In a leading case determined by the House of Lords, the opinions of the Common Law judges were asked upon certain points, and in delivering their views Lord Chief Justice Tindal pointed out the sources of the law administered in matrimonial causes by our Courts Christian:—

"The law by which the Spiritual Courts of this kingdom," he said, "have from the earliest time been governed and regulated, is not the general Canon Law of Europe imported as a body of law into this kingdom, and governing those courts *proprio vigore*, but instead thereof an ecclesiastical law of which the general Canon Law is no doubt the basis, but which has been modified and allowed from time to time, by the ecclesiastical constitutions of our archbishops and bishops, and by the legislature of the realm, and which has been known from early times by the distinguishing title of the King's Ecclesiastical Law. That the Canon Law of Europe does not and never did as a body of laws form part of the law of England, has long been settled as established law. Lord Hale defines the extent to which it is limited very accurately. The rule (he says) by which they proceed is the Canon Law, but not in its full latitude, and only so far as it stands uncorrected either by contrary acts of Parliament or the common law and custom of England, for there are divers canons made in ancient times, and decretals of the popes, that never were admitted here in England."*

When, however, we remember the great number of papal rescripts contained in the Decretals which are addressed to dignitaries of the national churches in all three countries in answer to interrogatories submitted by them to the Holy See, we cannot resist the conclusion that their Canon Law differed little, if at all, from that of the Catholic Church generally. Appeals from all parts of the world to the Popes in matrimonial causes were very common in the middle ages, and even as late as the time of Henry VIII., immediately before the Reformation, we may see from the pains which he took to obtain the opinions of distinguished Continental divines upon the validity of his marriage with Catherine of Arragon, that they were esteemed to be competent judges of the matter, which would not have been the case had our system differed in any important point from their own. In the case of Procter *v.* Procter, Lord Stowell observed—

"As to the binding authority of the Canon Law in causes matrimonial depending in these courts, I look without success for any principle on which I can hold that they can relieve themselves by any power of their own from a submission to that authority. The release,

* Reg. *v.* Millis, 10 Cl. and F. 534—678, &c.

if proper, must come from a higher authority than they possess. It is notorious that this country, at the Reformation, adopted almost the whole of the Law of Matrimony, together with all its doctrines of the indissolubility of contracts *per verba de præsenti et per verba de futuro*, of separation *à mensâ et thoro*, and many others; the whole of our matrimonial law is, in matter and form, constructed upon it."*

Under the ancient law of England there were, as in the rest of Christendom, three distinct methods of creating matrimony. The first method was by public solemnization in church or *in facie ecclesiæ*, as it is termed, of which the essentials were either the publication of banns, or obtaining a license to dispense with banns; the performance of a religious ceremony in the parish church between the hours of eight and twelve in the forenoon; and, when the parties were under age, the consent of their parents or guardians. These were the stipulations of the canons, and formed the groundwork of our present ecclesiastical requirements. The second method was by clandestine celebration by an ecclesiastic without banns or license, without regard to place or to time, and without the consent of parents or guardians.

"Prior to the middle of the last century," says Mr. Macqueen, "there was in the Fleet prison a colony of degraded ecclesiastics, who derived their livelihood from celebrating clandestine marriages, for fees smaller than those legally taken at the parish church. Already incarcerated for debt, or for delinquencies, the reverend functionaries were beyond the reach of episcopal correction. In some instances their profits were very great. Thus we are told that by one of them six thousand couples were married in a single year; whilst at the neighbouring parish church of St. Andrew's, Holborn, the number of marriages solemnized in the same period was but fifty-three. These clandestine connexions were also celebrated at Mayfair, at Tyburn, and in other parts of London; and through the instrumentality of hedge-parsons they were common all over the kingdom—in fact, greatly more so than marriages in the face of the church. It is difficult to explain this, consistently with even a moderate exercise of ecclesiastical discipline. The individuals who thus brought disgrace on their sacred calling, enjoyed, in some instances, pecuniary prosperity; but more generally, from their vices, fell into poverty and dependence—insomuch that a prosperous innkeeper would occasionally have a parson on his establishment for the accommodation of wedding-parties. The consequence was, that the bulk of the common people, less awake to the terrors of spiritual reprehension than mindful of economy, were joined in holy matrimony by outcasts, who, though base and profligate, were nevertheless, by virtue of their ordination, indelibly sacerdotal."

The most deplorable and unequal unions were effected daily and nightly by this agency. In the *Weekly Journal* of the 26th

* 2 Hag. Con. Rep. 292-301.

September, 1719, it is announced, *e.g.*, that "Miss Anne Leigh, an heiress of 200*l.* a-year and 6000*l.* ready cash, hath been carried away from her friends in Buckinghamshire, by Captain Pealy, a halfpay officer, and married at the Fleet, against her consent; the authors of the plot having used her so barbarously that she now lieth speechless." Again, in the *Daily Post* of the 4th of May, 1728, we find that "two Irishwomen were convicted at the Old Bailey for aiding one Russell in forcibly marrying a gentlewoman, the ceremony having been performed by a Fleet parson," and many similar cases might be quoted from the public prints of the period, and some are cited by Mr. Macqueen. The efficacy of the ceremony depended upon the ordination of the minister, and the mysterious attribute conferred by the imposition of episcopal hands. Sham marriages were the immediate consequences of this latitude and limitation, and how common these were in the earlier part of the last century may be gathered not only from authentic sources, but from their forming the staple of the plots in so many of our old novels and plays. A minister of the Kirk of Scotland or of the Presbyterian Church of Ireland was not competent; but a Romish priest was fully qualified to officiate, as having duly entered into orders.

"From the State Trials," Mr. Macqueen says, "we collect that the celebrated profligate Beau Fielding, who flourished in the reign of Queen Anne, entertained a project of repairing his battered fortunes by marrying a certain rich widow, whom he had never seen, but of whose pecuniary resources he had prudently informed himself by obtaining from Doctors' Commons a copy of her husband's will. To this lady the beau sent many tender and urgent messages, soliciting permission to throw himself at her feet, not doubting that if she were but once to behold his very handsome person, she must necessarily conceive for him a passion similar to that which had seized other women on their first seeing him. The widow, however, we learn, took no notice of his importunities. But one of his emissaries, a woman of the town, having sustained some slight at his hands, revenged herself by persuading another of her frail sisterhood to personate the widow, and to come in that character to his apartments. This done, a Spanish priest attached to a foreign embassy was sent for, and performed the ceremony of marriage in the beau's bedroom, according to the rites of the Roman Catholic Church. But it appears that, a few weeks after this clandestine marriage, the beau contracted a second, a regular public marriage, with the Duchess of Cleveland, the well-known mistress of Charles II. She, however, soon found him an inconvenient companion, and determined to get rid of him by an indictment for bigamy; of which capital offence (his other wife, the supposed rich widow, being still alive) he was convicted, but pleaded his clergy, and would have been burned in the hand had not the Queen graciously pardoned him."

The third method was by the mere consent of the parties, or as

the canonists called it, by *sponsalia de præsenti*, or *sponsalia de futuro subsecuta copula.* The interchange of consent might be immediate; that is, by words, whether written or spoken, importing a present contract, binding on both parties from the moment of the declaration, or it might be by words of future promise, followed by cohabitation. By the Ecclesiastical Courts, consensual marriages were regarded as complete in substance, though wanting in ceremony; whilst in the Courts of Common Law, no marriage was considered valid, either in substance or in ceremony, unless celebrated by a person episcopally ordained. But whenever a question arose in the King's Court as to the sufficiency of a marriage, or the legitimacy of a child, it was referred to the Spiritual Court, which alone was competent to determine it. In the case of Reg *v.* Millis, which came under the cognizance of the House of Lords upon a writ of error from Ireland, the old law was enlightened by six luminous but conflicting judgments of the law lords. Lords Brougham, Campbell, and Denman were of opinion that previous to the act of 1753, the interchange of matrimonial consent *de præsenti* was sufficient to constitute a valid marriage, and that the contracting of a second marriage while the former subsisted amounted to the crime of bigamy. Lords Abinger and Cottenham disputed both these propositions, and Lord Lyndhurst (then Chancellor) disputed the latter of them. On the former he concurred entirely with the three learned lords first named.

"A contract of spousals *de præsenti*, he said, was indissoluble; the parties could not by mutual consent release each other from the obligation. Either party might, by a suit in the Ecclesiastical Court, compel the other to recognise the marriage *in facie ecclesiæ.* The contract was considered to be of the essence of matrimony, and was therefore, and by reason of its indissoluble nature, styled in the ecclesiastical law *verum matrimonium*, and sometimes *ipsum matrimonium.* A contract *per verba de futuro*, if it were followed by cohabitation, was put upon the same footing as a contract *per verba de præsenti*, and was followed by the same consequences. If either of the parties afterwards married with another person, solemnizing the same *in facie ecclesiæ*, such marriage might be set aside, even after cohabitation and the birth of children, and the parties compelled to celebrate the first marriage *in facie ecclesiæ*:"*

The way in which the temporal courts guided their practice was this: suppose A married B by verbal contract, and afterwards married C in the face of the Church; they held the second marriage good, and took no notice of the first. But if B went to the Ecclesiastical Court and compelled A to celebrate the first

* Reg. *v.* Millis, 10 Cl. and F. 534.

marriage with her *in facie ecclesiæ*, the temporal courts would immediately adopt the first marriage, which they had previously repudiated, and reject the second marriage, which they had previously recognised. There was, therefore, always by our Common Law this distinction between the effects of regular and irregular marriages—that whilst the subsistence of the former rendered a subsequent marriage *void*, that of the latter only rendered it *voidable*.

The accumulated scandals produced by clandestine and consensual unions reached their height towards the middle of the last century, and a change in the law was urgently demanded. In 1753, a statute, the 26 Geo. II. cap. 33, commonly known as Lord Hardwicke's Marriage Act, passed the Legislature. It provided that marriages by minors, without consent of their lawful guardians, should be absolutely void; and in order that this consent might be more effectually secured, no marriage could be celebrated without licence or publication of banns, and the presence of two witnesses; under penalty of nullity, and the transportation of the celebrator. It further provided, with regard to consensual marriages, that no suit should, after the Act came into force, be entertained by the Ecclesiastical Courts, to compel the public solemnization of a matrimonial contract whether *de præsenti* or *de futuro*. By this statute a new principle was introduced into our law. Up to this time it was rightly held to be the consent of the contracting parties which was alone necessary to constitute a binding union, the concurrence of legal guardians and the solemnities of religion being merely adjuncts proper to be observed, indeed, but by no means indispensable. Now, however, these were converted into essential conditions to the validity of a marriage. The provisions of Lord Hardwicke's Act thus were in many instances productive of much evil and injustice, but it continued to be law until 1823, when, by the 4 Geo. IV. cap. 76, the penalty of nullity was confined to cases where persons *wilfully* consented to the celebration of marriage before the publication of banns, or before obtaining a licence, or by any one not in holy orders, or elsewhere than in a church or licensed chapel. The want of consent by guardians, with regard to minors, did not under this Act invalidate the marriage, but it provided that in the event of fraud the guilty party should forfeit all property coming from the marriage. This, though an improvement upon the illiberality of the other Act, left the power of celebrating marriages exclusively in the hands of clergy episcopally ordained, and naturally gave offence to the large and increasing body of Protestant Dissenters. But it was not until 1836 that the 6 & 7 Will. IV. cap. 85, enabled persons again to contract a valid marriage without any appeal to

spiritual authority. By giving notice to the registrar, and procuring the certificates prescribed by the statute, they may now be married by verbal declaration, or may solemnize their nuptials in the registered places, according to any form they please, always providing that they do so between the hours of eight and twelve in the forenoon, and in the presence of two witnesses at least.

The old law of Ireland was exactly similar to that of England, and the provisions of the 26 Geo. II. cap. 33, were extended to that country by the 58 Geo. III. cap. 81. We have no space to enter into the peculiarities of the existing system; it is of a piece with most of the legislation which has been made exclusively applicable to Ireland.

"It is," says Mr. O'Connor Maurice, in a passage quoted by Mr. Muirhead, "one at issue with all sound principle. As regards Roman Catholic marriages—that is, those of three-fourths of the nation—they may be as hasty and clandestine as Anglo-Scotch marriages used to be at Gretna Green; and no public register attests them. As regards those of Presbyterians and other Protestant Dissenters, the conditions of them are harsh and difficult to discover. How is a person, not a Presbyterian, who marries in a Presbyterian chapel, to ascertain the Presbyterianism of the co-contractor? And why should a Baptist and a Wesleyan be compelled to marry by a notice at the poorhouse? Further, every marriage in Ireland is exposed to a series of latent impediments, which very possibly may elude inquiry. Any marriage celebrated in her Established Church may be set aside by a secret ceremony performed by a Roman Catholic priest, if both the parties can be proved to have been Catholic. Any marriage celebrated in her Roman Catholic Church is avoided if one of the parties can show that at the time, or within twelve months, he or she was a professing Protestant. And any marriage in her Presbyterian Church may very possibly depend upon the fact that one or both of the parties at the time was or were Presbyterian Protestants. I think I may say that a code such as this—which divides itself into obscure *privilegia*, according to sectarian distinctions—which gives a latitude to one class of marriages which are a serious evil in themselves, and places a fetter on other marriages from which they certainly should be free—which is so lax, that it encourages seduction, and so intricate that it endangers matrimony—and which sets in hazard the greatest of contracts, by reason of undiscoverable connexions, of facts really collateral and immaterial, and of unintelligible and treacherous provisoes, requires, if possible, a thorough amendment."

Turning to the matrimonial law of Scotland, we find that the constitution of marriage is there governed by the principles of the ancient Canon Law, prior to the decree of the Council of Trent, and that it also corresponds with the law of England, as it stood before the passing of Lord Hardwicke's Act. It is usual at the present time to speak of Scotch marriages as if they were some-

thing quite behind the age, and hardly to be considered as consistent with ordinary morality. Only the other day a member of the House of Commons (though certainly not one of any eminence or authority) inquired of the present Prime Minister whether it was the intention of her Majesty's Government to introduce a measure for the purpose of bringing the marriage-law of Scotland into accord with that of *civilized* countries. We have, on the other hand, the distinct condemnation of the Marriage Act of 1753 (which formed the first great line of demarcation between our system and that of the Scotch) by some of the most distinguished of our statesmen and lawyers. Mr. Fox, for instance, characterized that measure as "tyrannical, unjustifiable, oppressive, and ridiculous;* and Sir James Mackintosh said—

"The Marriage Act had originally been intended to settle difficulties and prevent cruel retrospective effects. But, like many precipitate measures, it had created the evil it was intended to prevent. It had in its progress degenerated into a domineering law, highly injurious to various classes, and repugnant to the structure and general character of English society. It was more like a measure of the grandees of Castile, made to protect their moral and physical imbecility from the admixture of plebeian blood, than a measure in character with the mild and unoppressive dignity of English nobility."†

The regular mode of marrying in Scotland is (after a due proclamation of banns) by a clerical celebration in presence of at least two witnesses. There is no ritual, and the proceeding takes place sometimes in a private house, sometimes even in the open air, but never in a kirk. The consent of guardians is not necessary, and the knot may be tied at any hour in the four-and-twenty best suiting the convenience of the parties. Where banns have not been published, such a celebration becomes a clandestine marriage; but of this kind very few are to be found noticed in the Scotch law-books. Consensual marriages are either *per verba de præsenti*, or by promise *de futuro*, followed by cohabitation; but they differ from those once prevalent in England in this—that whilst the latter could only be cognizable as matrimony by the courts of law after solemnization had been enforced, the former are complete from the beginning and perfect in themselves. A remarkable case of marriage *per verba de præsenti* is that of Dalrymple *v.* Dalrymple. In 1804, John Dalrymple, then a cornet of dragoons, and afterwards Earl of Stair, was quartered, with his regiment, in Edinburgh, and there became acquainted with Johanna Gordon. The result of a short intercourse was a written declaration, signed by both parties, in these emphatic terms: "I hereby declare that Johanna Gordon is my lawful

* Parl. Hist., vol. xxii. p. 395. † "Hansard," vol. vii. p. 701.

wife; and I hereby acknowledge that John Dalrymple is my lawful husband." Another paper reiterated the declaration of marriage by the cornet, containing a promise that he would acknowledge Miss Gordon as his wife directly he had the power; to which she annexed an undertaking that nothing but the greatest necessity should force her to divulge the marriage. This took place without the knowledge of any third party, no cohabitation ensued, and at the end of three months from his first arrival in Scotland, Mr. Dalrymple was sent abroad. He did not return to this country till 1808, and shortly afterwards married in England another lady according to the rites and ceremonies of the English Church. Miss Gordon now instituted a suit in the Consistory Court of London, having jurisdiction over the defendant. The cause being brought before an English court, Sir William Scott (Lord Stowell) decided that it must be tried according to the principles of English law; but the only principle of English law which he considered to be applicable to it was, that the validity of the marriage must be determined by a reference to the *lex loci* where it was said to have taken place; and in 1811 the Scotch marriage was declared good, and the English one was pronounced null and void. Another instance of marriage by present consent, and without subsequent cohabitation, appears in the case of McAdam *v.* Walker, decided first by the Scotch courts, and ultimately by the House of Lords in 1813. An Ayrshire gentleman of great estate cohabited with a young woman, by whom he had two children. On a certain day, in the presence of his servants, whom he had summoned into the room for the purpose of witnessing the transaction, he desired her to stand up and give him her hand; and she having complied, he said:—"This is my lawful wife, and these are my lawful children." This done, he went forth into his grounds, where he wandered about for several hours, and, on his return to the house, committed suicide. There was no doubt that he was contemplating the act of self-destruction when he made the declaration of marriage; nevertheless there was sufficient evidence of present and mutual consent (although the woman said nothing) to satisfy the courts in Scotland, and, under the advice of Lords Eldon and Redesdale, that view was confirmed on appeal. Even where the matrimonial intent seems to have been merely unilateral, and it does not appear to have been disclosed to one of the parties until after the death of the other, the sufficiency of the marriage has been sustained. In the case of Hamilton *v.* Hamilton, the man wrote a letter in these words,—"MY DEAREST MARY,—I hereby solemnly declare that you are my lawful wife, though for particular reasons I wish our marriage to be kept private for the present. I am your affectionate

husband, A. HAMILTON."—This letter was addressed to "Mrs. Hamilton" on the back, but there was no evidence that she knew at the time that it had been written. Mr. Hamilton deposited the document with a friend, under a strict injunction that he should show it to no one, and that in the event of the depositary dying, care should be taken that it should come back to the writer's hands. Some time afterwards Mr. Hamilton himself died. His friend attended the funeral, and, at the opening of the testamentary papers, he produced the letter; upon the strength of which, the woman—Mary—forthwith assumed the character and asserted the rights of widow to the deceased. The Scotch tribunals sanctioned her claim, and the House of Lords confirmed their decision. But if the declaration expressing a present consent, though sufficient in form, is not made *boná fide*, but is intended for a different purpose, the relation of husband and wife will not be established by it. Thus, in the case of Stewart *v.* Menzies, which came before the House of Lords from Scotland, in 1841, it appeared that the defender, a person of some fortune in Perthshire, had made proposals of marriage, and had been accepted by a young lady of a neighbouring county. He became desirous of breaking this engagement, and the more effectually to do so, he set up a pretended consensual marriage between himself and one of his female domestics. Upon this he was released by his former intended, but the servant instituted a suit of "declarator of marriage" against him. His defence was that what had taken place between them was not intended to be a marriage, but a pretence, concerted to deceive a third party. This suggestion was adopted both by the Court of Session, and on appeal by the House of Lords. Consensual marriage *per verba de futuro subsecuta copula* is, perhaps, the commoner form, and, as it is founded upon cohabitation induced under a promise to marry, it is, perhaps, the most to be commended of the two. There is yet another kind of irregular marriage permitted by the Scotch law, namely by "habit and repute," which will, in certain cases, be taken as conclusive evidence of an exchange of matrimonial consent. A man will not be permitted deliberately to hold a woman out to the world as his wife, and then to discard her at the first dictates of his interest or caprice. In the case of Elder *v.* Elder, for example, an exciseman had for twenty-six years cohabited with a woman in such a manner as to create a belief among the great majority of his friends that he was married to her. He invariably addressed her as his wife, went with her constantly to kirk, and habitually treated her in the presence of others with the decent proprieties of the married state. The woman on these grounds sought to obtain a judicial declaration of the marriage, and the man attempted to rebut this evidence by showing that, in his official

returns to the Commissioners of Excise he had always described himself as unmarried; but the Court decided in favour of the pursuer and gave its sanction to the marriage.*

One of the consequences of Lord Hardwicke's Marriage Act was to bring into fashion the custom of getting married at Gretna Green. The performance of clandestine matrimony became as dangerous as it had formerly been lucrative. One parson bolder than the rest, the Rev. John Grierson, was in 1755 convicted of clandestinely marrying a couple at the Savoy Chapel, and was for that offence sentenced to fourteen years transportation. But at Gretna Green (the nearest point of Scotland) a valid interchange of consent could take place without risk to any one, and the village blacksmith soothed the pious scruples of runaway couples by performing for their edification the marriage-service of the Established Church. Lord Mansfield, in the Court of King's Bench, characterized such unions as frauds upon the law of England, and pronounced them void. But the Ecclesiastical Courts were more easily satisfied, and the Court of Common Pleas, following their example, they were supported as valid until 1856, when a statute was passed, under the auspices of Lord Brougham, rendering all irregular Scotch marriages nullities, where one of the parties had not resided in Scotland for at least twenty-one days next previous to their celebration.

The contract of matrimony gives rise to legal consequences so important (especially with regard to the possession and transmission of property), that it is but right that society should establish certain constituted methods of entering into it. The Legislature is therefore exercising a merely legitimate authority in requiring that those who intend to participate in the civil consequences of this kind of partnership should indicate that intention by complying with some well ascertained formalities. The principle, however, upon which these ought to be selected, is clearly that they be of such a nature that their neglect would warrant the immediate conclusion that it was not desired by the parties that their association should be accepted as marriage by the world. The validity of a connexion so solemn should never be permitted to rest upon facts trivial in themselves and not absolutely necessary for the protection of the parties concerned and of the community. The moral and economical interests of society would be fully consulted, if it were secured that the conjugal relation should be publicly created, distinctly formed, and that evidence of it should be permanently preserved. To us it appears to be almost an

* These Scotch cases are all cited from Mr. Macqueen's work, "On the Law of Marriage, Divorce, and Legitimacy.".

axiom, that the religious aspects of matrimony are beyond the sphere of governmental consideration, and with us, as in all other civilized countries, it is contemplated, at least by the State, only as a civil contract; whilst its sacred character is a matter for the private judgment of individuals. A near approach to the right limits of legislation upon this point was made in the Registration Act of 1836, the 6 & 7 Will. IV. cap. 85, and by rendering the permissive enactments of that statute, with slight modification, compulsory in all cases, a basis might be laid for a comprehensive consolidation of the marriage laws of England, Ireland, and Scotland. The objects to be attained by any State regulations for the celebration of marriages, are—first, that the purpose of the parties should be duly published for a certain time beforehand, in order that any valid objection may be taken to the union, or legal obstacle disclosed; secondly, that the contract should be so entered into that no doubt can arise as to what the parties intended at the time; and thirdly, that testimony of the existence of the contract should be perpetuated, so that proof of it may be effectively tendered on any subsequent occasion. By notice to the registrar of a district, and publication of such notice by him for a fortnight or three weeks before the proposed celebration, the first of these conditions would be fulfilled certainly more effectually than by our present system of banns and licences; the second would be fulfilled by an interchange of matrimonial consent, in the presence of the registrar and two witnesses; and the third likewise by a synchronous record of the union in the registration books, under the hand of the public officer, signed by him, the parties, and the witnesses. This proceeding should be made indispensable under pain of nullity of marriage; but it might be accepted by the parties, either as a final celebration, or treated by them as a legal preliminary only to the religious solemnities recommended by their creeds. It may be doubted also, whether there are not some cases in which it would be but just and politic that the law should accept certain preconstituted facts as conclusively implying the existence of a valid marriage, although the ordinary forms may not have been observed; where, for instance, cohabitation, and perhaps the birth of children, have followed upon an unfulfilled promise to solemnize a marriage; or where again a man and woman have cohabited together for a series of years with the reputation, sanctioned by themselves, of being legally husband and wife. There is also another question which must receive calm and rational consideration in the construction of any scheme for a measure approaching to an efficient marriage-law reform; namely, the legitimation of children born out of wedlock, by the after-marriage of their parents, when at the time of the birth there was no legal obstacle to their union. Legitimation

per subsequens matrimonium was the doctrine sanctioned by the Roman law, adopted in every country which has drawn its legal institutions from that prolific source of jurisprudence. It may be said that England and Ireland form the only exceptions to the rule in the whole civilized world, and that there alone, under existing modes of hereditary succession, it becomes (as was lately attempted in the Dundonald case) possible for a younger son to bastardize his elder brother of the whole blood, and build his fortune on his mother's shame. A possibility of this has always been looked upon as a scandal, and as early as the Parliament of Merton a reform was proposed, but it was on that occasion that the barons returned the well-known answer immortalized in the Noodle's Oration of Sydney Smith, *Nolumus leges Angliæ mutare.* Some curious customs have sometimes been observed in legitimating ante-nuptial issue.

"In 1560," says Mr. Muirhead, "the parents of one Janet Kennedy, some years after her birth, were lawfully married; the said Janet then being present at the completing of the said marriage, was recognised, and put by her said parents under the cair-cloth in verification that her said parents made her participiant of the said marriage as use was of before. Nor was this confined to Scotland. Selden mentions that when Parliament legitimated the adulterine children of John of Gaunt, they were put under the *pallium.* The same used to be followed in France, while in Germany they were put under their mother's cloak, and hence were called *mantel-kinder.*"

If the various methods adopted for constituting marriage have formed the subject of much discussion, those which from time to time have been established for the purpose of dissolving it have excited a still greater degree of controversy. "Le divorce," says Voltaire, jestingly, "est probablement de la même date à peu-pres que le mariage. Je crois pourtant que le mariage est de quelques semaines plus ancien, c'est-à-dire qu'on se querelle avec sa femme au bout de quinze jours, qu'on se batte au bout d'un mois, et qu'on se separe après six semaines de cohabitation." In all those nations where matrimony has been considered to be a connexion of a permanent kind, some artificial means have been adopted for bringing it to a termination, either on account of the wishes or conduct of the individuals concerned. This may be observed in every phase of social advancement of which we possess records in the ancient world; from the primitive rudeness of Palestine to the elegant refinement of Greece and the maturer civilization of Rome. The features of the matrimonial union in a polygamous community are so different from those which it presents where it can take place only between one man and one woman, that the customs of the Jews do not throw any light upon

the practice of divorce. The peculiar importance which the religious phenomena of later times have conferred upon some of the institutions and traditions of the "chosen people" has not been extended to their sexual relations. The Greeks, although they were monogamists, gave only a moderate share of their respect to the domestic virtues; and the womanly types presented by Lais and Aspasia obtained a large measure of their admiration. Thus the chains of matrimony hung but lightly on the male, whether in the land of prophets or the land of sages: the position of the female was always that of a slave who could be retained or discarded at the pleasure of the husband; but with the Romans, though servitude was the original lot of the wife, her status was progressive and her emancipation early.

"The causes of the dissolution of matrimony," it is said by Gibbon, "have varied among the Romans, but the most solemn sacrament, the confarreation itself, might always be done away by rites of a contrary tendency. In the first ages the father of a family might sell his children, and his wife was reckoned in the number of his children; the domestic judge might pronounce the death of the offender, or his mercy might expel her from his bed and house; but the slavery of the wretched female was hopeless and perpetual, unless he asserted, for his own convenience, the manly prerogative of divorce. When the Roman matrons became the equal and voluntary companions of their lords, a new jurisprudence was introduced, that marriage, like other partnerships, might be dissolved by the abdication of one of the associates. In three centuries of prosperity and corruption, this principle was enlarged to frequent practice and pernicious abuse. Insufficient remedies followed with distant and tardy steps the rapid progress of the evil. The Christian princes were the first who specified the just causes of a private divorce; their institutions, from Constantine to Justinian, appear to fluctuate between the custom of the Empire and the wishes of the Church; and the author of the Novels too frequently reforms the jurisprudence of the Code and Pandects. In the most rigorous laws a wife was condemned to support a gamester, a drunkard, or a libertine, unless he were guilty of homicide, poison, or sacrilege, in which cases the marriage, as it should seem, might be dissolved by the hand of the executioner; but the sacred right of the husband was invariably maintained, to deliver his name and family from the disgrace of adultery. The successor of Justinian yielded to the prayers of his unhappy subjects, and restored the liberty of divorce by mutual consent; the civilians were unanimous, the theologians were divided, and the ambiguous word which contains the precept of Christ is flexible to any interpretation that the wisdom of a legislator can demand."

The laws of the Western Empire continued to display a similar liberality, or licentiousness, long after the rule of the Cæsars had passed away. The freedom of the Roman jurisprudence was

transferred unabated to the Barbarian codes; and a form of divorce by mutual consent, in use in the seventh century, has been preserved in the work of Marculphius, a Frenchman and a Christian. The Church, however, quickly restored the dignity or the oppressiveness of marriage. Early in the eighth century it was endowed with supernatural attributes, and its sacramental character was generally accepted as a doctrine of infallible authority. From this premiss the conclusion was drawn that the marital tie was a bond only to be cancelled by the act of God—the death of one or both of the parties; and an absolute prohibition was fulminated against its termination by human means for any cause whatever. The Canonists lay it down as an indisputable principle, that marriage cannot be lawfully dissolved: "Sciendum est," it is said, "legitime contractum matrimonium dissolvi non posse; quippe a Deo conjuncti ab homine separari non debent nec valeat."* The Council of Trent gave the imprimatur of its sanction to this tenet, and anathematized all who should maintain the contrary view. This is still the established opinion in all Catholic countries, and was not very long ago propounded in a letter to the then King of Sardinia by the present occupant of the chair of St. Peter.

"It is a dogma of faith," says Pius IX., "that marriage was elevated by our Lord Jesus Christ to the dignity of a sacrament, and it is a point of doctrine of the Roman Catholic Church that a sacrament is not an accidental quality superadded to the contract, but that it is the very essence of marriage; so that the conjugal union between Christians is not legitimate unless in the marriage sacrament, out of which there is nothing but mere concubinage. A civil law which, in supposing the marriage sacrament divisible for Roman Catholics, by the civil contract pretends to regulate its validity, contradicts the doctrine of the Church, usurps its inalienable right, and in practice places on the same rank concubinage and the sacrament of marriage, by sanctioning both of them as equally legitimate."†

But the Catholic Church has ever been an indulgent mother to those faults and frailties of her children which could be turned by her into sources of ecclesiastical profit and revenue. The dispensing powers of the sovereign pontiffs in their official capacity, as the vicegerents of God upon earth, enabled them at their discretion, and for a consideration, not indeed to sever, but to untie the matrimonial knot. The Spiritual Courts also reserved over all Christendom the rights of annulling uncanonical unions, and of separating offending couples from the community of married life. Even in the midst of the ages of faith,

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* Inst. Jur. Canonici, lib. ii. 6.

† "Letter to the King of Sardinia," p. 77; cited by Mr. Inderwick, p. 8.

the mere confession of one of the numerous impediments which had been invented by the prurient ingenuity of the doctors would render a marriage void *ab initio,* or at any rate voidable, and an acknowledgment by an accused spouse of the delinquency attributed to him or her, would at once procure a divorce *à mensâ et thoro.* To such a height did the doctrine of the forbidden degrees at one time arrive, that we are informed by Lord Coke that a marriage was declared to be a nullity because the husband had stood godfather to the cousin of the wife; but the grounds for obtaining a separation from bed and board were restrained to the three causes of adultery, of cruelty, and of heresy.

In England the Reformation left the Ecclesiastical laws in full force, and the indissolubility of marriage was still maintained, although it was no longer reckoned among the sacraments. In 1549, a Commission, composed of sixteen ecclesiastics and sixteen laymen, was appointed under the 3rd and 4th Edw. VI. cap. 11, "to order and appoint such ecclesiastical laws as might to them appear meet and convenient;" but the death of the king, and the succession of a Catholic sovereign, rendered their recommendations abortive. In the report of this commission, *Reformatio Leges Ecclesiasticarum,* the adoption of divorce *à vinculo matrimonii* in the two cases of adultery and obstinate desertion, by either the man or woman, is recommended. Indeed, it was for some time believed that the Ecclesiastical Courts had authority to pronounce divorces *à vinculo,* and in several cases they did so; but in the 44th year of Elizabeth, the Court of Star Chamber decided, in the matter of Sir John Foljambe, that the only species of divorce which those tribunals could grant was that *à mensâ et thoro,* the marriage-tie still subsisting. We may observe that the Canon Law, however imperfect in the relief which it afforded, granted it equally both to the husband and the wife. They were placed by it upon exactly the same footing, and might obtain a decree of separation, or of restitution of conjugal rights, upon precisely similar terms. But the moral evils which arose from divorce *à mensâ et thoro* only, preventing as it did any reputable connexion between the divorced parties and other persons, and throwing them out upon the world (to use the words of Lord Stowell) "in the undefined and dangerous characters of a wife without a husband, and a husband without a wife,"* soon led to the introduction of the practice (confined, it is true, to the wealthy) of applying to the Legislature for private Acts of Parliament in matrimonial causes. At first the provisions of these were very special, but gradually their terms became settled on a general plan, and under the direction of the Chancellors and Law lords

* Evans *v.* Evans, 1 Hag. 35.

they were at last granted by the House of Peers in a spirit rather judicial than legislative. It is, however, a fact by no means indicative of an impartial administration of justice, that of the numerous Acts of this description passed at one time or another, only four were enacted at the prayer of an outraged wife.* In cases of female adultery, the husband could bring an action for damages against the paramour in one of the superior courts; and although actions for criminal conversation have been stigmatized with many hard names, it does not appear to be improper that a person who has undoubtedly suffered a wrong should have legal means for demanding redress. A late learned judge, in addressing a prisoner indicted for bigamy, gave a description of the prescribed mode for obtaining a divorce *à vinculo* under the old system, which has happily been abolished in England. The wife of the prisoner, after impoverishing him and embittering his home by her drunken and dissipated habits, had eloped with a neighbour. In the course of years the man had married again, and this time with a well-conducted, industrious woman. His wife, however, returned to the place of his residence, and giving information to the police, criminal proceedings were instituted against him.

"You have" said his lordship "committed a fatal and a grievous error. The law forbids you thus to be the arbiter of your own happiness, and has marked out a course which it requires you to pursue. You should, on proof of your wife's guilt, have consulted a learned doctor. You should have employed a solicitor and proctor, and instituted a suit in the Ecclesiastical Court. That you had no money to fee a proctor, a solicitor, or counsel, is no answer to the charge, for such is the course the law prescribes. You should then have brought an action against the adulterer in one of the superior courts, and have obtained a verdict with damages against him. It may be that he is a man poor like yourself, living upon the precarious earnings of agricultural labour; the law requires the verdict before granting you the relief. You should then have petitioned the House of Lords, and on proving for a third time your case before the House, the Imperial Parliament would, perhaps, have granted you a bill to enable you to marry again. True, that these proceedings would require an outlay of 1200*l.* to 1500*l.*, but such an outlay the law requires of you, before you can take to your bosom the woman with whom you live. With these forms of the law you have not complied, and it is now my duty to pass upon you that sentence which emanates not from me, but from the law which I administer."†

It must be borne in mind that this is still an accurate description of the law of Ireland. Under this condition of things, a frequent miscarriage of justice was inevitable. If,

* Inderwick, Pref. p. xix. † Cited by Inderwick, Pref. p. iv.

however, it frequently debarred a husband from legitimate relief, its effects upon a wife, when she was the injured party, were, and are now in Ireland, still more unfair and oppressive. In those cases where private divorce Acts were passed at the instance of the wife, the husband's offence had usually been incestuous adultery, where a subsequent cohabitation would have been in contravention of the Canon Law. But otherwise, however flagrant the man's conduct might have been, if he kept within the bounds of nature, religious considerations prohibited the destruction of the sacred tie. In the case of Dawson *v.* Dawson, for instance, which came before the House of Lords upon six different occasions, it was proved that the husband, a notorious adulterer, habitually beat his wife, sometimes with a horsewhip, and sometimes with a hairbrush; but a tender regard for public morals caused the rejection of Mrs. Dawson's petition for a divorce *à vinculo*, although so perseveringly prosecuted.

Several attempts were made at different times to effect a reform in the English law, and they derived additional force from the fact that the law of Scotland was in a condition very much more consonant with domestic equality and social progress. The Court of Session, shortly after the Reformation, established, by a judicial decision, the principle that divorce *à vinculo propter adulterium* was part of the common law of the land. From this time it was granted indiscriminately at the suit of the husband or the wife, and a little later an Act of the Scottish Parliament another cause for divorce, likewise open to both spouses, that of malicious and protracted desertion by one of them.

"Divorce," says Erskine, after mentioning adultery, "may also proceed on wilful desertion, *i.e.* where one of the spouses deliberately, and without just cause, deserts or separates from the other, and thereby defeats the chief purposes for which marriage was instituted. This ground of divorce is not only approved by St. Paul (1 Cor. vii. 15), but established by statute 1573, c. 77, which enacts that when one of the spouses shall divert from the other, without sufficient grounds, and shall remain in his or her malicious obstinacy for four years, the party injured may sue the offender for adherence before the Judge Ordinary, and if the defender disregard the sentence, the pursuer may apply to the Court of Session for letters of horning to enforce it."

These are the only two conjugal offences known to the law of Scotland, on which to found an action for divorce *à vinculo*; that *à mensâ et thoro* also exists in cases of cruelty and ill-treatment, but it is rarely resorted to. An experience of three centuries has fully proved the wisdom and expediency of this system so far as it goes, and the late Lord Lyndhurst added the weight of his testimony to its efficiency, by proposing its introduction among us. "I see," said he, "no reason why the system which operates

so well in Scotland might not be adopted in this country." Under it (as we have already remarked of the Canon Law), the two sexes are placed in a position of equality as to their power of availing themselves of the consequences of matrimonial wrongs, and may free themselves upon the same conditions from a connexion which can only be productive of private misery and public scandal. The French code, which is sometimes held up as a model for imitation, although it wisely permits mutual and permanent agreement to dissolve a marriage, as also the condemnation of one of the parties to an infamous punishment, insists, in cases of adultery by the husband, that it should be proved that his paramour has been introduced into the conjugal residence. In Prussia, to the legal reasons for divorce admitted in other Protestant countries is, we think most properly, added the confirmed insanity or idiotcy of either of the parties; but in England recent legislation has fallen far short of all of these. In 1857 the State resumed, by 20th and 21st Vict. cap. 85, the jurisdiction in all causes matrimonial which had formerly been delegated to the Church. The powers once vested in the Ecclesiastical Courts, and the parliamentary prerogative of granting divorces *à vinculo matrimonii* were transferred to the "Court for Divorce and Matrimonial Causes." Six successive statutes model this branch of the law, and define the duties of the new tribunal. These duties are partly derivative and partly original. The Court decrees judicial separations, restitutions of conjugal rights, and determines in cases of jactitation and of nullity, in its character of successor to the Spiritual Courts; whilst it entertains declaratory suits (as of marriage and legitimacy), and dissolves marriages, in its peculiar capacity under the statutes. We shall not enter here into the consideration of any part of the law which it administers, except that which controls divorce *à vinculo matrimonii*. This consists in such a final loosening of the nuptial tie as effectually concludes the conjugal relation, and leaves both parties at liberty to intermarry with others, and which (if should they see fit again to cohabit) necessitates a fresh celebration of marriage between them. It may be said that the only cause for thus completely ending the married state admitted by the English law is adultery, either simple or complicated by circumstances of aggravation. The husband of a guilty wife may, for this cause alone, petition the court for a divorce; but the wife is not permitted to free herself from an unfaithful husband unless he has committed incest, rendered himself liable to criminal prosecution for his sexual delinquencies, or unless his adultery be coupled with legal cruelty or with conjugal desertion for two years and upwards. Specious excuses are sometimes advanced for this difference with regard to men and women. No man, it is

urged, in whom remained any sense of honour could receive back to his embraces the violator of his marital confidence, but there are few cases in which an injured wife might not gracefully pardon an erring husband. The licentiousness of the husband, again, cannot impose a spurious issue on the wife, but that of the wife may render her adulterine children the inmates of her husband's home and the sharers of his fortunes. These appear to us to be matters with which the Legislature should not interfere, but which should be left entirely to the consideration of the individuals themselves. The law does not compel the husband to vindicate his honour; why, it may be asked, should it force the wife to exercise her clemency?

But although the law has clearly indicated the causes for which a divorce may be granted, it has created a long list of bars, either peremptory or discretionary, to the dissolution of a marriage for any of them. Contemplating the process in the mistaken light of a vindictive means of redress, it requires the dismissal of a petition where the petitioner has connived at or condoned the guilt of the respondent, and it permits, on the same principle, counter-allegations of delinquency or recrimination. Where the petitioner has committed adultery, or has, by his or her conduct, contributed to the criminality of the respondent, the Court will not entertain the suit; but surely when the marriage contract has not only been disregarded by one but by both of the parties to it, it is all the more meet and right that the mockery of a sacred tie should end, it would be but conducive to the interests of public morals, that persons should be separated who have proved themselves by their conduct quite unfit to live together in anything like comfort or credit.*

The prevalence of collusive suits, which necessitated a special interference from the State, in the 23rd and 24th Vict. cap. 144, proves pretty clearly that the present divorce code does not afford that relief which the circumstances of the public require. Collusive suits are, in fact, means adopted from time to time for effecting a reform of the law without the intervention of positive legislation. Such were the actions of *Cessio in Jure* among the Romans, and of Fine and Recovery among our own ancestors. They were contrivances for escaping from the harsh

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* In France the commission of adultery is punishable under the criminal law. A wife, on the prosecution of the husband, on conviction is liable to imprisonment for not less than three months or more than two years; the accomplice of the wife may be imprisoned for a like space, and fined from 100 to 2000 francs; and the husband who introduces a concubine into his wife's house may be fined an equal sum.—*Code Pénal*, Arts. 336—340. It is remarkable that although the French law has made adultery a crime, the French people have elevated it into an institution.

trammels of the land law, and in the collusive suits for divorce which still continue to be prosecuted in spite of the Queen's Proctor and the terrors of indictment for conspiracy, we see attempts of the same kind to get rid, without the aid of our lawgivers, of the not less burdensome incidents of the matrimonial law. But open to criticism as the present system is, we recognise it as a step in the right direction, and hail it as an earnest of future and more enlightened measures. Already an enormous amount of misery has been put a stop to by late and far from liberal reforms; but the sad catalogue of conjugal infelicities must, we are persuaded, continue to swell until a mutually voluntary separation shall be permitted to terminate a mutually voluntary association of the sexes.

"Marriage," says Mr. Story, "is treated by all civilized nations as a peculiar and favoured contract. It is in its origin a contract of natural law. It may exist between two individuals of different sexes, although no third existed in the world. It is the parent and not the child of society. *Principium urbis et quasi seminarium reipublicæ.* In civil society it becomes a civil contract, regulated and prescribed by law, and endowed with civil consequences. In many civilized countries, acting under a sense of the force of sacred obligations, it has the sanctions of religion superadded. It then becomes a religious as well as a natural and civil contract; for it is a mistake to suppose that because it is one, therefore it may not likewise be the other. The common law of England (and the like law exists in America) considers marriage in no other light than as a civil contract. The holiness of the matrimonial state is left entirely to ecclesiastical and religious scrutiny. In Catholic countries, and in some of the Protestant countries of Europe, it is treated as a sacrament."

Mr. Bishop regards marriage not as a contract, but as a status, and in this he is supported by many authors of repute and authority:—

"While the contract," says he, "is merely an executory agreement to marry, it differs not essentially from other executory contracts: it does not superinduce the status. and on its violation an action to recover damages may be maintained. But when it is executed in what the law regards a valid marriage, its nature as a contract is merged in the higher nature of the status; and though the new relation retains some similitudes reminding us of its origin, the contract in truth does no longer exist, but the parties are governed by the law of husband and wife."

Thus the bond ceases to be a contract, because when once entered into, although by mutual consent, its incidents and conditions are prescribed by municipal law, and not left for the selection of the contractors. The whole history of the law of persons discloses the general fact, that one most material element in its

development consists in the gradual evolution of the doctrine of contract from that of status. In ancient law, for example, we find that the only notion which obtains of legal servitude is that implied in the *status* of slavery; whilst in modern law, on the other hand, the theory is exclusively founded on the conception of a *contract* entered into between the master and the servant. This change has already been completely effected in almost all European countries, and we cannot but think that a like course will be run by those other relations of life which are the immediate results of voluntary agreement. Marriage being instituted for the mutual comfort and support of the parties to it, and also for the propagation of the species and the sustenance and education of the offspring, is an engagement susceptible of all the varieties of form which consent can establish, provided they be not contrary to these ends. It may, indeed, be considered merely as a partnership entered into for certain purposes by two persons of the opposite sexes; and although the stipulations which they may make with each other might properly be enforced by society, it does not appear to us to be so obviously distinguished from every other species of partnership that its terms, whether as to the nature or the duration of the union, should not be chosen and determined by the partners themselves. The purposes for which marriage exists are well ascertained, and when they are not fulfilled it is neither rational nor right that society should maintain that relation against the will and interest of those most nearly concerned. In attempting this, the State oversteps the limits of its simple duty of protection, and in seeking to promote the positive welfare of the citizen it does in this, as in other like cases, very much more harm than good. This train of thought, however, would lead us into a discussion far exceeding the limits we have imposed upon ourselves.

It may be long, but the time must come at last, when a thorough reconsideration of the principles which should govern the relations of the sexes will be necessitated, and a complete revision of the Laws of Marriage and Divorce will be forced upon the Legislature of these kingdoms.

"O passi graviora dabit Deus his quoque finem."

Contemporary Literature.

THEOLOGY AND PHILOSOPHY.

TWO posthumous publications of considerable interest are Schleiermacher's "Lectures on the Life of Jesus,"[1] and F. C. Baur's "Lectures on the Theology of the New Testament."[2] The lectures of Schleiermacher were delivered as long ago as the year 1832, and therefore before the great critical movement which dates from 1835. They are now printed from his written notes, completed from transcripts taken by his hearers, and in their present form read as a perfect work. Schleiermacher neither broke loose altogether, on the one side, from the orthodox dogma, nor, on the other, from the rationalism of Paulus. These lectures, therefore, have a peculiar value in the history of modern inquiry into the origin of Christianity; and although Schleiermacher's positions may be ultimately untenable, the speculations of a person so religious and conscientious may supply a halting-place to some who have recoiled from portions of the scholastic orthodoxy, and from the assumption of an infallibly inspired Scripture, but who stop short, as yet, of the conclusions arrived at by a Strauss or a Baur.

In attempting a "Life of Jesus," we are met with a preliminary question whether, from the nature of the subject, such a biography is possible? Can that life be adequately represented in time and place, and in consistency with human action? If we are bound beforehand by an external authority, as of the Church in its creeds, to accept the orthodox belief of the union of the Godhead and Manhood in the one person of Jesus Christ, any history which can only deal with the phenomena presented by his humanity must be so defective as to be almost worthless. Besides, those facts of his human life which would fall under the cognizance of history must receive their ultimate interpretation from a belief in things which transcend all observation, and are incapable of verification by any evidence. So that if the Nicene and Athanasian dogma be assumed, any historical inquiry, properly so called, becomes nugatory. Moreover, a hopeless entanglement is occasioned by the representations of the creeds which teach the union of the Divine and human natures in the One Person of Christ, so that in him should have been conjoined an infinite and finite intelligence, an almighty and a limited will. Nor, as Schleiermacher

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[1] Das Leben Jesu. Vorlesungen an der Universität zu Berlin im Jahr 1832, gehalten von Dr. Friedrich Schleiermacher. Aus Schleiermacher's handschriftlichem Nachlasse und Nachschriften seiner Zuhörer herausgegeben von K. A. Rütenik. London: D. Nutt. 1864.

[2] Vorlesungen über neutestamentliche Theologie von Dr. Ferdinand Christian Baur, weil. ordentl. Prof. de Theologie an d. Universität Tübingen. Herausgegeben von Ferd. Friedr. Baur, Dr. Ph., Professor am Gymnasium zu Tübingen. London: D. Nutt. 1864.

observed, is the entanglement removed on the hypothesis of the Divine Nature in him having been at times quiescent: for the quiescence of the Divine intelligence and will is their withdrawal. The Monothelites appear to have argued soundly that if Christ were but one Person there could be in him but one will. It was no sufficient answer that the Divine and human wills had in Jesus a common object—for that would constitute a moral union of distinct personalities, not a metaphysical unity of person; and it would thence follow that there could be only one "Person" in the Godhead—whereas, according to the Athanasian doctrine, there are three.

Hence, Schleiermacher repudiated the assumptions of orthodoxy respecting the Divinity of Jesus Christ; but he did not approach the investigation of his life without certain assumptions of his own. He assumed that the Divine Spirit wrought in Jesus to the full extent of which humanity is capable. He did not, perhaps, consider whether the conditions of that particular human life might not of themselves impose particular limitations on the operation of the Spirit both upon his intellectual and moral nature. But what is more—so far as the mode of critical investigation was concerned—Schleiermacher thus precluded himself from a perfectly impartial analysis of his material. While he claimed to be set free from the trammels of a strict orthodoxy, he set up a certain orthodoxy of his own; at least he started at the commencement of his investigation with views of the person of Jesus Christ which could only have been legitimately set forth if they had been arrived at as the result of it.

There is also another question which is preliminary to any attempt to set forth a "Life of Jesus;" the question of the estimate to be formed of the material from which it is to be derived. Here, again, Schleiermacher failed to apply consistently a thorough critical method. Undoubtedly he held himself free from the assumption that the Gospel histories are throughout the unerring "Word of God," which leaves no room for criticism properly so called, but only for reconciliations more or less forced. But he did not deal impartially with the Synoptics and the fourth Gospel: relatively to each other he depressed unreasonably the authority of the former, and unduly exalted the latter. There is an entire absence of external evidence as to the authorship of the fourth Gospel, which Schleiermacher nevertheless assigns to the Apostle John. Certain inferences concerning the indwelling of the Divine Spirit in Jesus are thus supported; but the historian of his human life is involved in the inconsistency of accepting narratives on the testimony of the fourth Gospel which he would reject if they occurred only in the Synoptics. The legendary accounts of the birth and infancy of Jesus in the first and third Gospels may thus be eliminated; but if the miracles of the fourth Gospel be accepted as certified by a competent eye-witness, there would be no sufficient reason to deny that the other miracles described in the Synoptics may have taken place. Indeed, those narrated in the fourth Gospel are among the most astounding of all. Schleiermacher, it may be observed in passing, points out, in reference to the resuscitation of Lazarus, that it is the only occasion on which Jesus preceded a miracle with a prayer,

and he endeavours to escape from the difficulties of the story by attributing the wonder not to Jesus, but to God himself through Jesus, and with the knowledge and foresight of Jesus (p. 214).

Distinctions which may be drawn between the various occasions and circumstances of the miracles of Jesus, and general observations concerning the different conceptions of the natural and supernatural in ancient and modern times, will not suffice to solve the problems presented by the Gospel histories, unless the records themselves are treated at the outset of the inquiry with the same freedom with which any other literary records would be examined. Partial interpolations of legendary matter are admitted by Schleiermacher in the Gospels, as we have seen particularly in the opening chapters of the first and third Gospels: in like manner, while accepting the Acts of the Apostles as an authentic narrative generally, he considers unhistorical the account of the visible ascension of the Lord into heaven. It need not be said in what great difficulties this partial acknowledgment of the unhistorical character of the documents entangles the author. At all events, he has not succeeded in presenting any satisfactory supposition as to the second disappearance, or close of the life of Jesus.

The present volume opens with an introduction, wherein it is set forth as the peculiar work of the historian of Jesus to describe his life without falling into a Docetism which evaporates his humanity, or an Ebionitism which ignores the divinity in him; the Life itself is then divided into three periods:—the first, from the birth to the temptation in the wilderness;—in this portion the legendary origin of the earlier history is acknowledged: the second embraces the ministry of Jesus to the time of his arrest;—it includes inquiries into the nature of his teaching, his conception of his own mission and of the kingdom of heaven, and discusses the miraculous manifestations which are interwoven in the Gospel narratives: the third treats of the passion and death, the resurrection and ascension.

The work of Baur is intended to set forth the theology of the New Testament as historically developed in the New Testament itself. He points out that it was a foundation principle of Protestantism that its doctrine should be defined by that which is contained in the Scripture. Protestantism lost sight of this principle, failed to observe that the Scripture is a growth, and that the books even of the New Testament are no more homogeneous than they are contemporaneous. The original and central doctrine of Christianity we should naturally seek in the teaching of the Founder himself: we should say his teaching would be primary, and that of his disciples secondary. But then we observe that he wrote nothing himself, so that we only have his words mediately, while we have the writings of the Apostle Paul immediately from their author. The most difficult point, therefore, in the New Testament theology concerns what Jesus taught respecting his own person and Messiahship. Yet, allowing for the secondary character of the writings which transmit to us his words, it is fair to conclude, from many parables, that his conception of the kingdom of heaven was a moral one.

It is true there is a great difference between the words of the Lord

as related in the fourth Gospel and in the Synoptics, but not everything which Jesus says of himself, even in the Synoptics, can be taken as his genuine utterance. And therefore, intimately connected with the inquiry concerning the doctrine of Jesus respecting himself, are those of the relations of the Gospels *inter se*, and the origin of them severally. If the Lord's doctrine consisted especially in what is recorded in the Sermon on the Mount and in the Parables, his conception of his own Messianic mission must have been defined by the realizing the moral principles therein laid down. And this conception being in opposition to the popular one, would account for the hesitation with which he appears to have put forth his own claims. The more he was convinced of his Messiahship, the more he must have understood the suffering close which awaited him. What, however, must be said of passages in which he speaks not only of his death, but of his resurrection? In the first place, it is very possible that tradition may have given in a definite form vague anticipations of his own, or have clothed with the attributes of a corporeal resurrection his own expectation both of continued individual life and of continued spiritual influence, by means of his doctrine, upon the world. And secondly, it does not seem possible that he should have distinctly prophesied his own death, otherwise the despair of the disciples at its occurrence is unaccountable: according to the narratives, they blindly anticipated his deliverance to the very last; and there is no sufficient reason for supposing, says Baur, that Jesus had a supernatural knowledge of the future, or esteemed himself of a divine nature, in the Nicene or Athanasian sense. His predictions concerning the judgment of the last day are partly referrible to a misunderstanding of his expressions concerning the kingdom of heaven, partly are late interpolations after the destruction of Jerusalem, and even, as Baur thought, after the Jewish war of Hadrian. Especially is to be remarked, how inextricably the last judgment is connected in Matt. xxiv. with the destruction of Jerusalem; while in the Apocalypse, supposed to be the work of the Apostle John, there is no mention of a destruction of Jerusalem at all. It is not conceivable that, if Jesus had really predicted the ruin of the holy city, no such destruction should have been depicted in any part of the Apocalypse.

Although the Gospels themselves belong to a later date, there must be supposed to lie at their basis some actual teaching of Jesus himself touching human brotherhood and touching the fatherhood of God, never so fully declared by any other teacher. But immediately that we pass to the teaching of the Apostles, we find the Person of Christ himself become the object of doctrine; are we then to suppose these Apostolic doctrines concerning him to be essential to Christianity, and to be implied in any way in the original teaching of the Master himself? There had intervened his death, and there had grown up conceptions of his resurrection more or less materialized; the minds of his followers naturally fastened upon these facts, which had only been obscurely spoken of by himself.

The most striking contrast between the teaching of Jesus and that of his followers meets us at once in the Apostle Paul. The genuine

writings of this Apostle (which Baur limits to the Epistles to the Romans, Corinthians, and Galatians) are the earliest in the New Testament. The only book which can be put on the same chronological line with them is the Apocalypse. A peculiar significance is attached by the Apostle to the Cross of Christ, while he breaks openly with the Law which Jesus said he was not come to destroy but to fulfil. On the other hand, the Apocalypse holds fast to Jewish ideas, representing a war and triumph of Messiah. To the second period belong the Epistle to the Hebrews and the smaller Pauline Epistles, excepting the Pastoral Epistles. This second period reaches, according to Baur, from the destruction of Jerusalem to the close of the first century; and his general view of the development of the Christian doctrine would not, as he maintains, be impaired even if some of the smaller Epistles, as 1 Thess., Philem., Philipp., were traceable to Paul himself. Within it also falls the composition of the Synoptic Gospels, of the Acts, of the Epistle of James and of 1 Peter. To the third period belong the Pastoral Epistles and the Johannean writings, all of them showing traces of Gnostic influences. Of course internal evidence, however acutely elicited, is often insufficient, when unsupported by external testimony to prove satisfactorily the date of a book, the exact place which belongs to it in a literary series, or its significance in investigating the history of doctrine or opinion. This much, however, may be considered a fair conclusion—that the New Testament writings present the appearance of a natural growth, and that the doctrines contained in them are a natural product.

With these Lectures of Baur may very well be compared the "History of Christian Theology" by Professor Reuss.[3] The object of both authors is nearly the same—namely, to ascertain in what form the Gospel teaching issued from the mouth of Jesus himself, and how it formed itself in the conceptions of the Apostles. The documents reviewed in each case are the same, except that M. Reuss differs from Baur as to the dates and genuineness of many of the books. Aware of the Tübingen criticisms, he does not see sufficient reason to question the authorship of any of the Epistles usually attributed to St. Paul, except that to the Ephesians and that to the Hebrews. Nor does he throw any of these Epistles, nor the fourth Gospel, into the second century. For the purpose of a history of the Christian theology of the Apostolic period, it is essential to establish the dates of the documents, but not essential to decide upon their authorship.

The order pursued by M. Reuss is, 1. To treat of the state of Judaism at the commencement of the Christian era;—this was a necessary and is a well-executed part of the work, although much remains to be done in the same field. 2. To ascertain what can be relied on as the actual teaching of Jesus himself. The importance of these two studies consists in that together they supply the material and the form of the doctrines of the Apostles in their differences as well as in their agree-

[3] Histoire de la Théologie Chrétienne au Siècle Apostolique. Par Edouard Reuss, Professeur à la Faculté de Théologie et au Séminaire Protestant de Strasbourg. 3me ed. 2 tomes. London: D. Nutt. 1864.

ments. 3. A picture is drawn of the earliest Christian society releasing itself with struggles from the bonds of Mosaism, and not without controversies within its own bosom. M. Reuss is far from sharing the commonly received opinion, that immediately on the day of Pentecost the Apostles were supernaturally led into a uniform perception of the truth. 4. The rest of the work is occupied in drawing out the theology of the Apostolic writings. This is treated of in its several phases; the Judæo-Christians, presented in the Apocalypse and the Epistle of James; the Pauline; the transitional, illustrated by the Epistle to the Hebrews, also by those of Barnabas and Clement, which M. Reuss thus places boldly in the first century; and lastly, the theology of the Johannean writings.

The discussion concerning the fourth Gospel and the first Epistle of John is marked with great originality, care, and completeness. Any question concerning the second and third Johannean Epistles M. Reuss considers unimportant, on account of their small theological contents. The Epistle, contrary to the more usual opinion, but with much reason as it appears to us, is held by him to be anterior in date to the Gospel, and to have been occasional in its origin, while the Gospel sets forth a theology according to a deliberate plan. Besides other differences between the Synoptics and the fourth Gospel, it is observable that the principal portion of the latter consists in discourses, or rather in conversations, having Jesus for the chief speaker. It is frequently difficult to say where the words of Jesus cease, or pass into those of the Evangelist; it is equally difficult to say what becomes of the other interlocutors in these colloquies—as, for instance, of Nicodemus (John iii.) They are formally introduced, but disappear no one knows whither. Even the narratives of miraculous occurrences have little of the objective character which they exhibit in the Synoptics, and serve principally as framework to some mystico-theological statement concerning the person of Jesus.

"Le récit de la multiplication miraculeuse des pains n'est ici que l'enveloppe transparente de l'idée de la nourriture spirituelle offerte par Christ, et l'auteur a tellement hâte d'arriver à l'exposé de cette idée qu'il reste en arrière des autres Evangélistes quant à l'exactitude de la narration des détails. La guérison de l'aveugle-né se traduit immédiatement en un fait d'une portée et d'une application beaucoup plus générale. Lazare sortant du tombeau, est un hiéroglyphe vivant pour désigner celui qu'avait dit,—'Je suis la resurrection et la vie.' Nous ne disons pas ceci pour ébranler la vérité objective des faits, et nous sommes loin de prétendre que Jean lui-même, comme un autre Philon, a sacrifié la réalité à l'idée. Mais il restera toujours vrai que, dans le contexte de son évangile, les miracles apparaissent comme les actes symboliques des anciens prophètes ou comme des images rayonnantes du miracle permanent de la manifestation de Christ."—p. 386.

It is well drawn out by M. Reuss how, in the cases of both Paul and John, their theology was rooted in their own personal experience or feeling. Paul, oppressed with a sense of sin, and of the impossibility of becoming just in the sight of God by works of any law, conceived that he had found the source of a justice which could belong to him, though not his own, in the grace of Jesus Christ. John, yearning for

union with Him who is Life, Light, and Love, beholds Him manifested in the only-begotten One who took flesh in the person of his Lord. In neither Apostle does the objective reality come first, but is inferred—nor is it inferred by intellectual demonstration, but by mystical assumption or intuition. Arguments are employed by St. Paul to meet adverse objections, but the truth itself which he delivers is revealed to him; in other words, it is the reflection of his own impressions. Still more subjective is St. John. It is true that John employs terms belonging to a more developed theology than that of Paul, but they are terms which he has appropriated. His mysticism has attached itself to imaginary realities. The conviction which accompanies the mystical sentiment is no proof of the real existence or character of its object. In describing the theology of St. John as the product of the mystical sentiment, M. Reuss justly observes (p. 422) that a mystical piety presupposes the presence of a certain substratum of theological propositions, not necessarily due themselves to the mystical sentiment; mystical contemplation may take for its object ideas either borrowed from the rudest popular theology, or from the transcendant conceptions of theological speculation. But he has not sufficiently indicated the antecedent sources of those conceptions which are assumed in the mystical system of the fourth Gospel, nor tested their adequacy to become the foundation of the theology which is superposed upon them. He has, however, very well pointed out (p. 591) the delusion under which the Reformers of the sixteenth century laboured when they persuaded themselves that their own theology was a direct product of the simple exegesis of the Apostolical Epistles. It was derived from patristic speculation, from the formulas adopted by Councils and the distinctions drawn out by the Schoolmen. The Apostles, in fact, stayed their speculations at the limits where they would cease to be of practical utility to their churches; and none of the dogmas which orthodoxy esteems fundamental were developed in their complete form until after ages of philosophical and theological controversy. As St. Paul's system starts from an anthropological assumption of an ethical defect in man, it is to be expected that his theology would be more practical and more humane than that of St. John. So it is found to be. Though St. Paul sets the standard of the Christian life sufficiently high, he comes down, as it were, to the needs and deficiencies of mixed masses of men. The church of St. John remains an ideal. St. Paul is indisposed to draw a sharp line of severance between the church and the world; it seems to cost St. John little to say, "We know that we are of God, and the whole world lieth in wickedness." Nevertheless, although theological speculation began to form itself even in the Apostolic age, it did not, according to any of the Apostolic writings, become a substitute for that divine life in the soul of man which it was the purpose of the Master himself to quicken.

The miscellaneous essays of M. Schérer,[4] collected from various periodicals, have all more or less a bearing upon the religious and philosophical controversies of the present day. They are charac-

[4] Mélanges d'Histoire Religieuse. Par Edmond Schérer. London: D. Nutt. 1864.

terized by thorough independence, clearness of thought, and purity of diction. M. Schérer is entitled to sit in judgment upon the works of the greatest men, and is capable of grappling successfully with the highest themes. He has long been an apostle of the most advanced and uncompromising Protestantism. Recognising distinctly that each individual is ultimately responsible for his own convictions, he entirely repudiates any obligation to believe, on the authority of others, otherwise than in accordance with the balance of evidence as it appears to ourselves. Authority attempts to impose upon the future the verdict of the past. It can properly do no more than supply a starting-point for further inquiries. Hence a certain opposition between the present and the past; for the present must review the past, and, furnished with new light, must oftentimes reverse its decisions. But doctrines of former ages long keep, by an inert force, possession of the ground they have once occupied:—

"Le dogme suit l'inspiration comme la mort suit la vie. Dès qu'une doctrine devient doctrine, nons connaissons à cela seule qu'elle n'est plus ce qu'elle était. Elle a fait son temps; elle va se survivre. Liée et embaumée comme une momie, elle prend place dans nos nécropoles, elle traversera des siècles avant de tomber tout-à-fait en poussière; mais déjà elle n'est plus que l'image de ce qu'elle a été."—p. 387.

When, however, we speak of Protestantism, we must remember that there is no such thing as a Protestant Church in the same sense as there is a (Roman) Catholic Church. Protestantism is only a principle by which certain churches or communions have professed to be guided, to which they appeal in controversy with Rome, which, with great inconsistency, they severally repudiate when in controversy with those who are more negative than themselves. And for the most part they have substituted for the infallibility of the Church, speaking through its organs, Bishop, Pope, or Council, the Infallibility of Scripture. This principle has not been definitely or expressly stated in the confessions of these Churches; and since it is absent from the Articles of the Church of England, it now causes considerable alarm in certain minds to learn on the highest authority that no such declaration is to be found there. But so far as the cause of Protestantism is bound up in the dogma of the infallibility of Scripture, it is inconsistent with itself; the churches, or parties in churches, which assume it are preparing their own defeat. The authority of the Saxon or Helvetic Confessions can no more lift into the regions of eternal truth for all men, and all time, the dogma of the infallibility of Scripture, than the authority of the Council of Trent can demonstrate the reality of transubstantiation, or the perdition of all who are not of the communion of the Roman Church. The infallibility of Scripture can neither stand by virtue of its prestige as a dogma, nor by reason of its agreement with observed facts. This constitutes what M. Schérer, in his article on the "Essays and Reviews," termed the "Crisis of Protestantism." Will Protestants attempt to underpin their falling structure, or courageously set to work on a new edifice? Will they still cling to the principle of authority which they deny in words, or, having disowned it, will they, according to the advice of Arnold, throw themselves in full faith upon Reason and Inquiry?

Biblical criticism, as our author observes in his review of the Bishop of Natal on the Pentateuch, is only one branch of the science of historical criticism: it is the application of historical criticism to the records of the Jewish people, and of the early Christians, and therein to the history of the religion of the Jews and its developments. Immediately that we acknowledge the Bible not to have fallen from heaven in its entirety, but to be a literary growth, we are impelled into an inquiry concerning the origin and the value of the books separately, and in their several parts. For historical criticism divides itself into two branches; the criticism of the documents and the criticism of the facts related in the documents. The criticism of the documents is almost entirely a modern creation. It must start, no doubt, from existing tradition or opinion; but its business is to investigate by means of internal indications whether the writings can have originated as supposed. And it should be observed, where a great structure of credenda has been reared upon a certain tradition concerning the books, a criticism which shows the phenomena presented by the books to be inconsistent with it, makes a most valuable contribution to history even though it be merely negative, and incapable of substituting in its place any other hypothesis concerning their origin. The criticism of the facts turns upon such a knowledge of the world and humanity at the time they are said to have occurred as shall reveal to us whether they could or could not have found a seat in the surrounding history. We should remember that truth of fact is to be distinguished from truth of idea; thus it may be true in idea that Jesus is the spiritual Redeemer of the human race, and yet he may not so set forth himself. He may have claimed for himself that he was Messiah, according to the Messianic expectations of his contemporaries, but have been proved to be a Prince of Peace in a sense far above his or their conceptions. M. Schérer, in his review of M. Renan's work, expresses himself thus:—

"En résumé deux choses sont certaines: la première c'est que Jésus a fondé sa mission et son œuvre sur l'idée du Messie avec tout l'accompagnement des notions apocalyptiques que cette idée emportait; la seconde, c'est que, en definitive, et à prendre les choses d'un peu haut, cette croyance Messianique n'est pas l'essence de la doctrine de Jésus; elle n'en est que la manifestation historique, la forme accidentelle. Le fond de son enseignement, c'est ce qui est éternel, c'est la parole de pardon, la pitié pour le pécheur, l'amour du petit et du pauvre, la foi en Dieu qui est le père des hommes; le secret de sa puissance, c'est le spectacle d'une vie innocente et dévouée, le sacrifice volontaire de sa propre personne à la cause du bien et du vrai. Voilà ce que chacun sent aujourd'hui, et voilà ce qui marque profondément la distance qui nous sépare des siècles précédents."—p. 119.

M. Colani,[5] on the other hand, denies that the Messianic ideas of the Jews of his day exercised any marked influence upon Jesus and his work. He derived, no doubt, from them and their Scriptures the idea of a kingdom of God, which he spiritualized, and applied even the title Messiah to himself, but in another sense from that in which his

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[5] Jésus-Christ et les Croyances Messianiques de son Temps. Par T. Colani. 2de edition, revue et augmentée. London: D. Nutt. 1864.

fellow-countrymen used it. He had no expectation of returning shortly in the clouds, to set up on earth the kingdom of heaven.

"D'après les Synoptiques, personne n'est à la fois plus juif et moins juif que Jésus; d'après le quatrième évangile, Jésus n'est plus d'aucun peuple. Il n'a pas d'histoire, pas de commencement, pas de développement; il et accompli dès le premier jour, immuable comme une abstraction. Le portrait de Jésus tracé par les Synoptiques étant beaucoup plus vivant, est aussi infiniment plus vrai. Si Luther préférait l'évangile 'unique et délicat' de Jean aux trois autres parceque le Christ lui semblait y être mieux dépeint, nous avons le droit de préférer au contraire les Synoptiques au quatrième, précisément en vertu du principe posé par Luther. Le grand réformateur cherchait dans les évangiles le Christ du dogme, nous y cherchons le Christ de l'histoire."—p. 233.

Besides the articles in M. Schérer's volume on the Essayists, Bishop Colenso, and M. Renan, should be particularly referred to, though we have no space to analyse it, a most lucid and thorough critique on *Hegel et l'Hegelianisme*, and two less elaborate essays entitled *Le Bonheur*, and *Le Progrès*.

M. Guizot has undertaken a somewhat difficult task, namely, to vindicate the doctrines of Evangelicalism before a freethinking French public.[6] From his position as a Protestant, he cannot avail himself of the argument from authority: he is obliged to rely upon the Bible, with nothing to rest the Bible upon. He is not encumbered, it is true, with sacramental theories; but then he cannot alarm his readers into his conclusions by exciting their fears that they may not be truly incorporated into the mystical body of Christ: he is under no obligation to make out an Episcopal succession, but then he cannot avail himself of the plea of historical tradition or transmission of the truth through a supernaturally constituted channel. While undertaking to fight the battle against Rationalism on behalf of all Christians, he seems to forget that others would only grudgingly allow to himself the name of Christian; that the Holy Roman Church, and even high Anglicans, would consider him to be far downwards on the *facilis descensus Averni*, and that it is impossible for him to show logically why he should not descend even to the bottom. When he comes forth as the champion of the *essentials* of Christianity, he must know that many would include as essential much which he has omitted, and that others, on his own principles of Protestanism, comprehend considerably less. The claim, however, which he sets up for Biblical Christianity, as he represents it, is that it solves the great problems concerning which the human mind has always anxiously inquired, but has never been able to solve without the help of the Bible. Now whether the solution of these great questions is to be found in the Bible is one question, whether the Bible itself solves them is another. According to M. Guizot, the Bible has been the supernaturally provided instrument of solving questions which man could never have solved for himself; but, according to another view, the Bible is the result or deposit of those solutions which the most highly gifted men have been divinely

[6] Méditations sur l'Essence de la Religion Chrétienne. Par M. Guizot. London: D. Nutt. 1864.

though not miraculously enabled to attain. These main problems concern, according to M. Guizot, the origin of the universe and of man, the mixture of good and evil in this world, and the uncertainty as to retribution in another. These, and their connected difficulties, our author conceives to be removed by means of the Christian dogmas of Creation, of Providence, of Original Sin, of the Incarnation and Redemption. Therein lies the essence of the Christian religion, and, for M. Guizot, whoever believes these dogmas is a Christian (p. 17). Now we should rather say that these dogmas, so far from solving any of the problems of natural religion, complicate and increase their difficulties. We cannot see how the account of a creation in Genesis, as having taken place 6000 years ago, *solves* the general or abstract difficulty of conceiving a creation out of nothing at all—nor how a history of Adam having been expelled from Paradise, and an inference of our having inherited moral corruption from him, *solves* the difficulty as to the origin of evil in the universe, or the problem why the Almighty must permit it to be. Indeed, if the Evangelical dogmas had *solved* the difficulties of natural religion, they would long ago have been universally accepted by all to whom they were propounded—the hypothesis would have embraced all the phenomena, and we require nothing more. Moreover, it is a very common thing for the apologists of a miraculous revelation to urge, in answer to objections against these very dogmas, that the Gospel was not intended to solve the difficulties of natural religion, but that it left them where they were. M. Guizot in his apology softens as much as possible the aspect of his essential dogmas. He lets us see as little as possible of the new difficulties introduced by the Trinitarian doctrines of the Incarnation, the Atonement, and everlasting perdition as the consequence of sin, as met with in the Confession of the "Evangelical Alliance." A considerable portion of the book is occupied with meeting objections to miracles, and in modifying slightly the doctrine of the verbal inspiration of the Bible. It is observed indeed, that this theory of a verbal inspiration is not supported by the text 2 Tim. iii. 16, 17, which defines the object of the inspiration, "pour enseigner, pour convaincre, pour corriger, pour instruire dans la justice;" but M. Guizot does not state where else he can find any foundation, which he requires to be miraculous and not merely providential. We are promised in a future volume the results of an inquiry into the genuineness and authenticity of the books of the New Testament. Meanwhile, in the eighth Meditation a portraiture of Jesus Christ is given as derived from the Gospels. It is only just to transcribe a passage:—

"On peut contester la nature et la puissance surnaturelles de Jésus-Christ; on ne peut pas contester la perfection, la sublimité de ses actions et de ses préceptes, de sa vie et de sa loi morale. Et en effet non seulement on ne les conteste pas, mais on les admire, on les célèbre avec effusion et complaisance; on semble vouloir restituer à Jésus-Christ simple homme la superiorité qu'on lui enlève en refusant de voir Dieu en lui. Mais alors que d'incohérences, que de contradictions, quelle fausseté, quelle impossibilité morale dans son histoire telle qu'on la raconte! Quelle série d'hypothèses inconciliables avec les faits qu'on admet. Cet homme parfait et sublime est tour-à-tour un rêveur ou un

charlatan, dupe lui-même et trompeur aux autres; dupe de son exaltation mystique quand il croit à ses propres miracles, trompeur volontaire quand il arrange les apparences pour y faire croire. L'histoire de Jésus-Christ n'est plus qu'un tissu de chimères et de mensonges. Et pourtant le héros de cette histoire reste parfait, sublime, incomparable, le plus grand génie et le plus grand cœur entre les hommes, le type de la vertu et de la beauté morale, le chef suprême et légitime de l'humanité."—pp. 325, 326.

Mr. John Perowne is a person of considerable ability and of considerable acquirements: he is a much better Hebrew scholar than most among the few who set up for Hebraists in this country, and he has a tolerable acquaintance with the works of continental writers on the subject which he undertakes to illustrate.[7] He even ventures to speak with honour of, and to express his obligations to "De Wette, Tholuck, Stier, Delitzsch, Ewald, Hupfeld, and Bunsen;" and we cannot doubt his assurance that "Truth has been his one object." It is a great impediment to the finding of Truth to seek for her in shackles, and Mr. Perowne appears to us to have sought for truth in the shackles of "Evangelicalism." Moreover, Truth may present herself even to those who seek for her in shackles, but it rests with them whether they impart it; we do not think Mr. Perowne has always fully imparted that which he has found. No doubt there are persons to whom Mr. Perowne will appear not untainted with "neology." Thus he thinks some of the Psalms, as the xliv., lxxiv., lxxix., belong to the Maccabean period; he sees nothing in this supposition contradictory to the manner of "the formation of the Canon, which was a very gradual work," and in arguing this point as to the above-named psalms with Ewald, he seems inclined to believe with him, that "a large number of books were added to the Canon under Judas Maccabeus; the Proverbs, the Song of Songs, Ecclesiastes, Job, Daniel, Esther, the Chronicles." A certain modification of the Messianic theory also meets us in the chapter on the Theology of the Psalms. Mr. Perowne indeed says, the whole history of the Jewish nation would become an unintelligible enigma, "apart from the hope of Him who was to come." This may be true to a certain extent as to the hope—but it does not follow that this Jewish hope of *a* Messiah was equivalent to a true foresight of the advent of a particular person in history. The "promise given to David" requires of course to be substantiated, and not assumed as being more than a Jewish opinion, a reflection of the popular hope. Nevertheless, Mr. Perowne will not go so far as to maintain that Messianic psalms are Messianic throughout; he cannot think that in all these psalms "the writer is consciously uttering a prediction"—"rather the reverse;" "he is speaking of *himself*, of *his own* sufferings, of *his own* deliverance, apparently without thinking of another:" then comes the saving clause for the author's orthodoxy, although "he is led to use unconsciously words which, in their highest and truest sense, are applicable only to Christ." Thus

[7] The Book of Psalms: A New Translation, with Introduction and Notes Explanatory and Critical. By J. J. Stewart Perowne, B.D., Vice-Principal and Professor of Hebrew in St. David's College, Lampeter, &c. &c. Vol. I. London: Bell and Daldy. 1864.

prophecy becomes the mechanical utterance of a riddle. Mr. Perowne further contends, against the extreme Canon of Messianic interpretation of the Psalms, that it has analogy against it;—

"For no one thinks of expounding the prophetical books in this manner. Thus no one pretends that because part of a prophecy is Messianic, therefore every portion of it must be Messianic. No one, for instance, would argue that the whole of Isaiah's prophecy delivered to Ahaz on the invasion of Rezin and Pekah, must be applied down to its minutest details to Christ, because St. Matthew leads us to see a fulfilment of one portion of his announcement in the birth of Jesus of Nazareth."—p. lix.

Mr. Perowne's own solution of the difficulty concerning the incomplete applicability to Jesus Christ of the so-called Messianic psalms, turns upon what he calls the typical character of the authors of those psalms, and a type may represent its antitype in any conceivable degree of imperfection. This interpretation of the Messianic psalms by analogy and type resembles very much Dr. Williams's exposition of Is. liii. in a similar manner. Nor unless the necessities of a dogmatic system required it, would a critic introduce a miraculous agency to account for the succession of like and analogous *παραδείγματα* on the scene of history, so that the past becomes prophetic; *τῶν μελλόντων ποτὲ αὖθις κατὰ τὸ ἀνθρώπειον τοιούτων καὶ παραπλησίων ἔσεσθαι.* Nor would the setting aside of miraculous agency in these typical successions exclude God from history, or deny its development by a divine force, and according to a divine plan. These successive manifestations of like types, whether of persons or events, are never altogether like, never more than *παραπλήσια*, and the details of the comparison are not to be pressed. So, on Ps. xli. 9, *who did eat of my bread*, Mr. Perowne says—

"Part of this verse is quoted by our Lord in John xiii. 18, as applicable to the treacherous conduct of Judas, but with the significant omission of the words, 'mine own familiar friend *whom I trusted*,' for our Lord knew what was in Judas from the beginning, and therefore did not trust him. Nothing can be more decisive than the way in which quotations were made, and also as to the proper interpretation of the apparently strong phrase, *ἵνα ἡ γραφὴ πληρωθῇ*, with which the quotation is introduced. First, it is plain that *particular expressions* in a psalm may be applicable to events which befel our Lord, whilst the whole psalm is not in like manner applicable. And next it is evident 'the Scripture is fulfilled' not merely when a prediction receives its accomplishment, but when words descriptive of certain circumstances in the life of the Old-Testament saints find a still fuller and truer realization—one not foreseen by the Psalmist, but one no less designed of God—in the circumstances of our Lord's earthly life."—p. 192.

But if the most striking feature of a so-called prophecy or type may thus be set aside as unessential, and as having received no fulfilment, it is evident that such prophecy is a mere *nose of wax:* where a parallel can be drawn between the ancient utterance and the Gospel passage, there we have a prediction and an "evidence" of the truth of Christianity; where there is obviously no parallel, or, as in the above instance of the "familiar friend whom I trusted," it is not allowed to hold, out of dogmatical considerations, then the escape is provided that the type cannot in all respects represent its antitype. Professor

Hey gave the key to the Messianic applications of Old-Testament phrases in the New, when he said that "it might be fulfilled," was equivalent to the French *apropos*. Mr. Perowne only ventures to give a remote hint to the like effect. We might have made some observations upon other passages where Mr. Perowne shrinks from the purely critical conclusion in a dogmatical interest; as in his note on the imprecations, Ps. xxxv. 22; on David seeing corruption, and Christ seeing no corruption, Ps. xvi. 10; Acts ii. 27; on the discrepant accounts in Matthew, Mark, and John, of the potion or potions upon the cross, in reference to Ps. lxix. 21. We must, however, be thankful that a person in the position of the present Vice-Principal of Lampeter College has given us so much, though we may regret he has not given us more.

Mr. Rodwell, of St. Ethelburga's, a distinguished Orientalist, and well known by his translation of the Koran, presents a translation of the "Book of Job,"[8] executed with great judgment and delicacy. His object has been to present the book to the English reader in such a form as might give an accurate idea of the striking phraseology of the original. He has not encumbered his version with unnecessary notes or dissertations. He abolishes, of course, the division into chapters, and has retained throughout the Hebrew designations of the Supreme Being. As to the age of the poem, he says the data are insufficient for more than an approximate judgment; at all events there are no grounds for supposing it to belong to the Mosaic or pre-Mosaic period. Probably, Mr. Rodwell says, the book belongs to the beginning of the seventh century before the Christian era. The argument of the book is then stated to concern the problem of the Divine government of the moral world; but though it indicates an effort of Jewish thought to pass beyond the limits of the Mosaic system, "there are no traces in it of those recompences of a future life, and of a time when the balance of retributive justice will be fairly struck, which it is the special province of Christianity to reveal" (p. 7). Whether or not the author himself entertained the hope of immortality, such hope does not manifest itself in his book. The passage which is frequently alleged as proving the contrary, Mr. Rodwell translates as follows (xix. 25):—

> "I know my Goel lives,
> And that He shall arise, the last, upon the earth,
> Yet after my skin has thus been pierced,
> Even in my flesh shall I see Eloah,
> Whom I shall see for myself,
> And mine eyes shall behold, and not those of another."—p. 44.

Mr. Wright's edition of the "Book of Ruth,"[9] is intended for those

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[8] איוב The Book of Job: Translated from the Hebrew. By Rev. J. M. Rodwell, M.A., of Gonville and Caius College, Cambridge; Rector of St. Ethelburga's, London; Author of a Translation of the Koran, &c. &c. London: Williams and Norgate. 1864.

[9] The Book of Ruth in Hebrew, with a critically revised Text, various Readings, including a new Collation of Twenty-eight Hebrew MSS. and a Grammatical and Critical Commentary; to which is appended the Chaldee Targum, with various

students who wish to be thoroughly grounded in the language. The commentary enters into the niceties of grammatical construction, and learners are also properly encouraged to familiarize themselves with the details of the Masoretic accentuation. The "Book of Ruth" has seemed peculiarly suitable on which to found a Hebrew Praxis, from its brevity, the interest of its story, and the simplicity of its diction. Moreover, there is no temptation, as in the case of many of the psalms, to force a particular meaning into the words out of dogmatical prejudices. Among the questions touched on in the preliminary matter is an important one concerning the genealogy given at the close of the book—Nahshon, Salmon, Obed, Jesse, David—which corresponds also with 1 Chron. ii. 11, 12, and with Matt. i. 5; Nahshon is mentioned as prince of the tribe of Judah at the setting up of the Tabernacle (Numb. i. 7), so that we have a period of 450 years spanned by four generations. Mr. Wright feels himself driven to conclude that "the period of 450 years assigned to the government of the Judges is nearly 200 years in excess of the fact;" and thinks that the statement in the sermon of Paul at Antioch (Acts xiii. 20), "he gave unto them judges about the space of 450 years" can easily [?] be explained on the natural supposition that the Apostle, in matters unimportant to his argument, followed, for convenience sake, the common opinion of his countrymen (p. xlvi.). If the Apostle knew better, and the statement of the period was unimportant to his argument, why need he have mentioned any number of years at all? Whether he knew better, and followed the common opinion, or whether he knew no better, what becomes of the confirmation lent by the writers of the New Testament to the historical statements in the Old?

The Leyden divines are known to be among the foremost of the present day in the higher criticism of the Biblical writings. Professor Dozy furnishes an example of most acute analysis of scattered passages bearing on the obscure history of the tribe of Simeon, the migration of the greater part of it into Arabia, the loss of thirteen of its cities, the absorption of the rest in the tribe of Juda.[10] He compares these indications from the Hebrew Scriptures with traditions preserved in the Arabian authors concerning the foundation of the worship at Mekka, and he shows there is great reason to think that it synchronized, about the last years of Saul's reign, with the migration of the Simeonites, who carried with them the worship of Baal into Arabia. Dr. Dozy has shown a very probable point of contact between the Israelites and the Arabians, and a very probable source of a monotheistic worship existing already before the mission of Mohammed.

Some of the clergy of the Church of England are disposed to exercise

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Readings, Grammatical Notes, and a Chaldee Glossary. By Charles H. H. Wright, M.A. of Trinity College, Dublin, and Exeter College, Oxford; British Chaplain in Dresden. London: Williams and Norgate. 1864.

[10] **Die Israeliten zu Mekka von Davids Zeit bis ins fünfte Jahrhundert unsrer Zeitrechnung. Ein Beitrag zur alttestamentlichen Kritik und zur Erforschung des Ursprung des Islams. Von Dr. R. Dozy, Prof. der Geschichte u. d. Morgenl. Sprachen a. d. Universität Leyden. Aus dem Holländischen übersetzt. London: D. Nutt. 1864.**

the liberty which has been solemnly declared to belong to them of criticizing not only the text, but the purport and meaning of the Biblical writings; of applying to them, in fact, when they profess to contain a message from God, the "verifying faculty," and of using the Bible, as Dr. Temple says, "not to override, but to evoke the voice of conscience"—making conscience the supreme interpreter. Mr. Voysey in his sermon,[11] appeals in the most forcible manner to this voice of conscience in his congregation, as capable of leading them to discern between things good and evil even in the Bible. The historical books of the Old Testament contain a history of the religious conceptions of the Hebrews at various periods. But those conceptions were in many things extremely gross and impure. Indeed, throughout their history, we find a struggle between a conception of the Divine Being as of one holy, just, and true, and a representation of him in characters which properly belonged to the Baal worship of the Canaanites. He is sometimes set forth as entangling men in sins for which he afterwards punishes them, as punishing guiltless people with famine and pestilence for other men's transgressions, and as appeased not only by animal sacrifices, but even by the immolation of human victims—as in the hanging up of seven men of Saul's sons, "after which the Lord was entreated for the land." No doubt the Bible would not be the valuable record which it is of the growth of the religious idea among the Hebrews, unless the earlier and lower stages of it were commemorated, as well as the later and more refined. Mr. Voysey's object is to point out that we are not to confound the record of false and defective conceptions of God with true revelations of him. He is perfectly right, we apprehend, in saying that "we trace the evil influence of some of the Old Testament stories, no less than the good influence of others, on the minds of the New Testament writers themselves." (p. 5.) We trace that evil influence in current doctrines of the present day. The representation of Jehovah as appeased in his wrath by the slaughter of the seven sons of Saul, familiarizes Christians with the notion that he was satisfied in like manner with the blood shed upon Calvary. Mr. Voysey will no doubt suffer the inconveniences which attend a social persecution for speaking out; we do not think his ecclesiastical superiors will venture, after recent defeats of the Bibliolaters, to set any other machinery in motion against him.

Compared with Mr. F. W. Newman, M. Renan is orthodox and conservative. The latter undertakes by force of imaginative hypothesis to find a seat in history for the Founder of Christianity,[12] to justify the honour paid him, to prophesy the perpetuity of his spiritual reign over the human race. The former desires to tear away the robe with which the instinct of civilized humanity has invested him, and which even the

[11] Is every Statement in the Bible about our Heavenly Father strictly True? A Sermon, preached on July 10th, 1864, in special reference to the two Old Testament Lessons for the Day. By Charles Voysey, B.A., Incumbent of Healaugh. London: Whitfield. 1864.

[12] A Discourse against Hero-Making in Religion, delivered in South Place Chapel, Finsbury, April 24th, 1864. By Francis W. Newman. Printed by request, with Enlargements. London: Trübner and Co. 1864.

calm criticism of a Strauss, or the vehement iconoclasm of Parker, have left untouched. Of the two great ones, Jesus and Paul, Mr. Newman gives the palm to Paul, and he says :—

"Let it be granted that the nobler as well as the baser side of the Jerusalem Church came direct from Jesus himself. Whether any of the actual virtues of European Christians have been kindled from fires which really burnt in Jesus, it appears to me impossible to know. The heart of Paul gushed with the tenderest and warmest love, and he believed Christ to be its source. But the Christ whom he loved to glorify was not the Christ of our books, which did not yet exist; nor a Christ reported to him by the Apostles, to whom he studiously refused to listen; but the Christ whom he made out in the Messianic Psalms, in parts of Isaiah, in the apocryphal book called Wisdom, and perhaps also in the book of Enoch. With such sources of meditation and information open, the personal and bodily existence of Jesus was thought superfluous by a number of Christians considerable enough to earn denunciations in the Epistles of John."—p. 26.

Nevertheless, the human and natural link is not wanting, by which Paul may have had knowledge of what Jesus was or appeared to be to his disciples. Paul, we know, not only from the exaggerated descriptions in the Acts, but from his own writings (Gal. i. 13; 1 Cor. xv. 9), was a persecutor of the first Christians; he could not have persecuted them without learning their true opinions and feelings concerning their Master. However these opinions may, in many cases, have been ill-founded—however Paul himself may have made delusive inferences from what he heard, it would be too much to say that there is no element of truth, no trace of reliable human evidence, in the presentation of Jesus as given us by St. Paul—that the apostle was not justified in regarding him as One greater than himself.

The "History of the Prayer Book,"[13] by Mr. Stoddart, not only retraces the several parts of the existing Liturgy to their originals, but gives a concise account of various attempts made to procure some modifications of objectionable passages, and some greater liberty to officiating ministers. The Royal Commission on Subscription and the Acts of Uniformity, has made no report, and it seems to have been a great neglect on the part of the friends of relaxation, that no question was asked on that subject in the House of Commons before the close of the last session. The party of obstruction may be well satisfied to have gained a year. Nearly the whole Evangelical party, we should imagine, would be favourable to such modifications as Mr. Stoddart recommends; but for the present under a feeling of alarm, it has surrendered itself to do the bidding of those who hate it only less than they do the neologians, and despise it more. If it were worthy of the name of a party, it would obtain the concessions pointed out by Mr. Stoddart in a single session.

The "Remarks" of the Bishop of Natal[14] upon the recent pro-

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[13] The History of the Prayer-Book. The Derivation of most of its Formularies from previous Liturgies, and the Dates of the Composition of others of them. With a Sketch showing how they might with some Alterations be advantageously Re-arranged in various Services. By the Rev. G. H. Stoddart, B.D. of Queen's College, Oxford. London: Longmans. 1864.

[14] Remarks upon the Recent Proceedings and Charge of Robert Lord Bishop of

ceedings of his brother of Cape Town, have rather an ecclesiastical than a theological interest.* A document more presumptuous in its hierarchical claims, more offensive in its personalities, and more illogical in its arguments, we have never met with, than the Charge of Bishop Gray. That prelate has well earned for himself the *sobriquet* of the South African Hildebrand. But he has no standing ground for his claims, except that which he has obtained from the English Crown, of which he now defies the supremacy. His demand to exercise jurisdiction over the Bishop of Natal is founded upon the title of Metropolitan, given him in the patent which he holds from the Queen. His jurisdiction, therefore, whatever the extent of it, must, we apprehend, be exercised in conformity with English ecclesiastical law, and be subject to revision by her Majesty's Privy Council. If he be but the head of a voluntary association calling itself the Episcopal Church of South Africa, none can be bound by his decisions except those who have expressly acknowledged themselves members of such voluntary association, and him as its head. Thus his character of metropolitan disappears; he is no longer a territorial bishop at all; he is reduced to the mere personal episcopacy of the clergy who submit to him. It is even a question whether, as the affairs of the Wesleyans in any of our colonies are subject to revision by the Conference in England, and the voluntary jurisdiction of Roman Catholics in the colonies subject to revision at Rome, the proceedings of any Anglican bishop abroad must not be subject to revision by the Queen in Council at home. At all events, upon the least civil injury accruing to the Bishop of Natal from the proceedings of the Bishop of Cape Town, the courts both abroad and at home would reinstate him, if the Bishop of Cape Town, supposing him to have a voluntary jurisdiction, has not exercised it *analogously* to the legal jurisdiction of the Ecclesiastical Courts in England, that is, subject to the interpretations put by them upon the Articles and Formularies of the Church. There is, however, one point of controversy raised between these opposing bishops, which has more than a mere ecclesiastical interest. Bishop Gray, desirous of entangling Bishop Colenso in an heretical inference, charges him with denying, by implication, the divine nature of Jesus Christ. The implication arises in this way. The Bishop of Natal says the whole Pentateuch was not written by Moses, neither is it all true, nor all good. The Bishop of Cape Town asserts that this is to charge Jesus with being mistaken, and that to charge him with being mistaken is to deny his divinity. The Bishop of Natal replies—1. That it is not quite certain we have a correct report of what Jesus did say; 2. That his words, if rightly reported, do not amount to an affirmation that the whole Pentateuch was written by Moses, or that it is all true, and all good. Indeed, there are words attributed to him which imply exactly the contrary (Matth. xix. 8). 3. That it is perfectly consistent with orthodoxy to allow that in his humanity, consisting of a reasonable

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Cape Town and Metropolitan, at his Primary Metropolitical Visitation of the Diocese of Natal. By the Right Rev. John William Colenso, D.D., Bishop of Natal. London: Longmans. 1864.

soul and human flesh, Jesus may have been ignorant of some things, or mistaken (Mark xiii. 32); and he retorts with great effect upon his accuser, that in asserting the contrary, he is falling into the heresy of Eutyches, namely—"that the divine nature of Christ has absorbed the human, and that consequently in him there was but one nature" (p. 35). These contests, beyond the personalities and ecclesiastical questions which they raise, must lead ultimately to a discussion of the basis of the orthodox creed. Hitherto, though contrary to reason, it has been supported by a supposition of the infallibility of the Church, or of the infallibility of Scripture. When each of these is given up, it must come to the ground. In the Appendix to the Bishop of Natal's "Remarks," will be found some curious correspondence between himself and the Bishops of Oxford and Cape Town, who, it appears, desired to induce him—and characteristically enough, the former with smooth words, the latter with sharp ones—to submit himself and the discussion of his errors, to a convention of his episcopal brethren. There was enough of apostolical wisdom in Bishop Colenso to warn him against accepting this kind invitation. In the Appendix likewise, are some letters from his coloured friends which will be read with interest.

Dr. Pusey appears to have been long fluctuating as to the effects of the recent judgment of the Privy Council[15] in "Fendall *v.* Wilson." At one time it amounts to nothing, because a Declaration on the part of the "faithful" that "the Church" really holds the Bible to be *simpliciter* the "Word of God" and the sufferings of men in hell-fire to be endless, will save it from any complicity in an unrighteous decision of a court of law; at another, overcome with terror at the possible ramifications of heresy which the decision may encourage, the Hebrew Professor rushes to Counsel learned in the law, to quiet his doubts with their opinion. He appears to meet with consolation. The result was "contrary to his anticipations," "the legal effect of the judgment in regard to the inspiration of Holy Scripture is very narrow indeed." If, however, Sir Roundell Palmer and Sir Hugh Cairns rightly expound the effect of the decision, which we see no reason to doubt—it has declared that the formal and dogmatic teaching of the Church of England does *not embody the proposition*, "that every part of every book of Holy Scripture was written under the inspiration of the Holy Spirit, and is the Word of God.". Whether this be a "very narrow effect indeed," may well be judged of by putting the supposition of the decision having been the other way, namely, that every part of every book of Holy Scripture *was* written &c., and *is* the Word of God. On the other point Dr. Pusey comforts himself that the law does not allow the judgment to go one iota beyond its very letter, and has "not made it lawful for any Clergyman to teach his people dogmatically that there is no hell." But the great Jeremy Taylor could say "neither does all hell, or states in hell, infer all those torments which

[15] Case, as to the Legal Force of the Judgment of the Privy Council in re Fendall *v.* Wilson; with the Opinion of the Attorney-General and Sir Hugh Cairns. And a Preface to those who love God and his Truth. By the Rev. E. B. Pusey, D.D. J. H. and J. Parker, Oxford; Rivingtons, London. 1864.

the school men signify by a "pœna sensus," and, "neither they, nor we, nor any man else, can tell whether hell be a place or no. It is a state of evil, but whether all the damned be in one or twenty places we cannot tell."* And now we learn by the interpretation put on the judgment by Counsel in nowise unfavourable to the highest claims of the "Church," that it is not impious or heretical in the Church of England to entertain or express a hope that "even the ultimate pardon of the wicked, who are condemned in the day of judgment, may be consistent with the will of Almighty God." The damnation of hell may, with Jeremy Taylor, be a condition of no suffering. We are now told on the best authority, that a clergyman may express a hope there may come an end, even to its penalty of loss. But if these effects be narrow, *unde lacrymæ?*—whence this whining interspersed with threats, these sobs of outraged orthodoxy, which remind us of Lord Eldon and his pocket-handkerchief? Why these appeals to the Church of the Fathers, to the Church ideal, to the Church of the Colonies, to the Church of Dr. Pusey's own imagination—but not to the Church actual of England? Orthodoxy, alas! is ruined, but will not die of it. Yet if Dr. Pusey has not yet made up his mind whether the effects of the judgment be narrow or broad, whether the consequences will be stupendous or none at all, he is obviously extremely vexed, and he insists upon everybody knowing that he is angry. It is excusable. Former friends and dignified Roman ecclesiastics twit him with his position, and consequently the Lord Chancellor receives an outpouring of spleen unparalleled since the days of the great Irish Agitator. It is "an unhappy judgment," currently attributed to him, on which "people of bad consciences congratulated themselves"—he "twisted Dr. Williams's words"—he "went out of his way to affirm that the Church of England does not teach what it does plainly teach." "What the Lord Chancellor pronounced to be legal, denies the faith"—he has shown "a *pure love of heresy*"—he has "reversed the decision in the Oxford theatre," (in the case of Mr. Ward)!—"*poisoned the springs of English justice,*" "*ascribed trickery with words to our Redeemer himself,*" "*profaned justice,*" "enunciated unprincipled principles," and the like. But why should the Lord Chancellor receive all the outpouring of Dr. Pusey's wrath? What of the other lay lords—two ex-chancellors, and another lawyer whose acuteness and judicial calmness are unsurpassed in the whole realm? In the Gorham case, the lay lords did not all agree, while the bishops were divided—in the present case the bishops were divided, but the lay lords were unanimous. They could not be otherwise. For the Chancellor in the name of the Committee enunciated no new principles. He recited those which had been laid down in the Gorham case, repeatedly reaffirmed in the Arches Court, which run back at least to the authority of Sir William Scott, which are identical with those which regulate the proceedings of other courts. "What the law does not forbid, it permits," is a maxim lying at the basis of all jurisprudence—liberty is presupposed in all cases where it has not been expressly taken away.

* "Wilson's Speech," p. 139.

Otherwise a code of written law would give no security. Neither civil nor ecclesiastical society could long exist if unenumerated acts and unenumerated opinions were not free. And therefore it was set forth by the Judicial Committee in the Gorham judgment—"This Court has no jurisdiction or authority to settle matters of faith, or to determine what ought, in any particular, to be the doctrine of the Church of England. Its duty extends only to the consideration of that which is by law established to be the doctrine of the Church of England, upon the true and legal construction of her Articles and Formularies." Upon that principle, and upon no new principles, was the late judgment founded. It is no doubt a principle distasteful to ecclesiastics who would like to determine from time to time what *ought to be* the doctrine of the Church of England; it is a principle which ecclesiastics with their leaning the other way, can be ill-trusted to apply. But when the Primates consented to act upon the Committee, they should have reflected that it was a principle by which they were to be bound; whether they meant to be bound by it, or felt themselves bound by it, whether they had consciously before them the distinction between "what ought to be" and "what is" the doctrine of the Church of England is best known to themselves. We have not heard that any lawyer has impugned the recent decision as at variance with the principles which should guide the ecclesiastical courts of this country.

It appears, however, that Dr. Pusey is desirous of improving the present occasion, when English mothers are to be alarmed at being robbed of the Hell which is so efficacious in the education of their children, for the purpose of obtaining a Court of Bishops for declaring the faith of the Church. "Why should politicians fear entrusting the bishops with declaring what is the faith of the Church?" We apprehend for these reasons—because they would confound "declaring" with "enacting," "what is" with "what ought to be," "the Church" ideal, or the Church of Dr. Pusey, with the Church actual, an institution of this realm of England. An agitation similar to the present was set up on occasion of the Gorham judgment, which was distasteful to the hierarchical party in the Church of England, and it was attended with a certain success in obtaining a modification of the Judicial Committee for ecclesiastical appeals. At the Gorham judgment the bishops summoned were only assessors without votes; the bishops now summoned, who can only be the two Primates and the Bishop of London, or some of them, for they are the only privy councillors on the Episcopal bench, are "integral members of the Committee." Whether this has been an improvement in its constitution may very well be doubted, when we have seen the two clerical members who were the small minority, blurting out the fact and the reasons of their dissent from the decision of the majority, by which they were bound, in contradiction to the usual understanding, as we believe, of the obligation of their privy councillor's oath. Statesmen will not be inclined, we think, to make any further concession in this direction. If Samson's hair is really grown, he must not be suffered to get his arms round the pillars of the social edifice. But, indeed, Dr. Pusey must be well aware that his agitation is hopeless. He is merely repeating

the exhibition which we witnessed on the occasion of the Gorham judgment. It was then feared, alas! that the Church of England had abandoned the catholic doctrine of the sacraments, and that there was danger lest her truest sons should be driven forth into another communion; but it was prudently found on reflection that the doctrine of the sacraments was still *in the words* of the Church, and that her true sons might still remain in her high places. And now, a heretical judgment about hell-fire may drive colonial bishops into founding free churches—but we can have no free Church of England because there are no bishops at home to go forth with the Canon of Christ Church. The most loyal ministers of the Church of England must feel themselves at times puzzled with the text, *Render unto Cæsar the things which are Cæsar's, and unto God the things which are God's.* But for those who, like Dr. Pusey, are dissatisfied with its legal constitution, and who consider its altars and sacraments desecrated by the ministration of heretics, there is a scripture still more pungent, *Ye cannot serve God and mammon.*

Turning for a moment to the impression which the judgment of the Privy Council is calculated to make upon other minds, we take an extract from an excellent preface of the Rev. J. Llewellyn Davies, to his "Sermons on the Manifestation of the Son of God."[16]

> "The clergy of the Church of England are free, then, to an extent which has proved startling to the general public. The idea of a State-Church had become associated in some minds with a necessary and peculiar bondage of persons ministering in it. To be subject to the law of the land seemed to be a more crushing restriction than to be subject to opinion of a congregation or an ecclesiastical body. But it is now made plain that the Church of England is the freest religious communion in the country. Freedom in the direction of a Romanizing theology—freedom in the direction of Evangelical dissent—had already been asserted with practical success. The doctrinal cord had stretched without breaking for Dr. Pusey and Archdeacon Denison on one side; for Mr. Gorham on the other. Tractarians and Evangelicals have now found, to their united horror, that the same cord will stretch in another direction. Judicial investigation has ascertained that the Church of England has not forbidden her ministers under penalties to say that the Bible may contain errors, and to express a hope that the curse upon those who die impenitent may not be irreversible. We clergymen are free either to maintain that there is no error of any kind in the Bible, or to confess that there is error, according to our judgment and belief of what is true. We are similarly free either to teach that God's forgiveness can never come to a sinner in the future state, or to give utterance to a hope that those who repent after death may not find repentance rejected."

The great work of Dr. Draper is intended to demonstrate *a posteriori*, from the facts of human history, how human life in society, as well as in the individual, is subject to the dominion of law.[17] In the first place,

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[16] Sermons on the Manifestation of the Son of God; with a Preface addressed to Laymen, on the Present Position of the Clergy of the Church of England, and an Appendix on the Testimony of Scripture and the Church as to the Possibility of Pardon in the Future State. By the Rev. J. Llewellyn Davies, M.A., Rector of Christ Church, St. Marylebone. London and Cambridge: Macmillan. 1864.

[17] "History of the Intellectual Development of Europe." By John William Draper, M.D., LL.D., Professor of Chemistry and Physiology in the University of New York; author of a "Treatise on Human Physiology," &c. In two volumes. London: Bell and Daldy. 1864.

human life, physiologically, intellectually, and socially, is determined in its varieties by antecedent and concomitant conditions; and secondly, passes through stages more or less definitely marked, which the author terms—1, the Age of Credulity; 2, the Age of Inquiry; 3, the Age of Faith; 4, the Age of Reason; 5, the Age of Decrepitude. We are thus put in mind of Mr. Buckle, of M. Comte, and of Dr. Temple's "colossal man." The operation of the former law is thus shown:—

"All over the world physical circumstances control the human race. They make the Australian a savage; incapacitate the negro, who can never invent an alphabet or an arithmetic, and whose theology never passes beyond the stage of sorcery. They cause the Tartars to delight in a diet of milk, and the American Indian to abominate it. They make the dwarfish races of Europe instinctive miners and metallurgists. An artificial control over temperature by dwellings, warm for the winter and cool for the summer; variation of clothing to suit the season of the year, and especially the management of fire, have enabled man to maintain himself in all climates. The single invention of artificial light has extended the available term of his life; by giving the night to his use, it has by the social intercourse which it encourages, polished his manners and refined his tastes—perhaps, as much as anything else, has aided in his intellectual progress. Variety of natural conditions gives rise to different national types; artificial inventions occasion renewed modifications. Where there are many climates, there will be many forms of men. Herein lies the explanation of the energy of European life, and the development of its civilization."—vol. i. pp. 25, 26.

The law of human development through distinct stages is open to much more exception. Not only do these stages slide into each other, but in traversing the field of human history we do not find that different nations pass through them in the same manner. The author, however, says:—

"History justifies the assumption of such periods. There is a well-marked difference between the aspect of Europe during its savage and mythologic ages; its changing and growing and doubting condition during the Roman republic and the Cæsars; its submissive contentment under the Byzantine and Italian control; the assertion of its manhood, and right of thought, and freedom of action which characterized its present state—a state adorned by great discoveries in science, great inventions in art, additions to the comforts of life, improvements in locomotion, and the communication of intelligence."—vol. ii. p. 381.

Dr. Draper allows that one nation may come to an end prematurely, and another reach maturity, or linger on in old age. But it seems to us that he has interpolated unnecessarily his age of faith in the scale of social or national life. The age of faith in Europe during the Byzantine and scholastic periods was not an advance upon that which had preceded it; rather it was at once an age of decadence for that which had gone before, and an age of infancy and credulity for that which was to follow. It was to be succeeded by the Inquiry of the Reformation period, and by the Reason of our own. This age of Reason may be perpetuated indefinitely by a rightly organized education keeping pace with the new conditions which increasing knowledge will supply. Without adopting the author's "ages," as he has distinguished them

in detail, we think the work a valuable contribution to the study of the philosophy of history.

Mr. Bleek's translation of the sacred books of the Parsees removes a reproach which the student of the religions of the East might very naturally have made against English scholarship. For while, in the middle of the last century, an enthusiastic Frenchman—Anquetil du Perron—endured the greatest hardships in order to procure manuscripts of the sacred books of the Zoroastrian religion, and give to the world, what he at least thought to be, a French translation of them; while in this century, French, Danish, and German scholars have commented on, and edited, the original texts of these books, and while German scholarship has produced a translation as well of Anquetil du Perron's attempt, as of the original Zend works themselves, this country alone, though more immediately interested in a knowledge of the religion of the Parsees than any other, has hitherto remained without any translation of the Avesta which it could call its own.[16] The liberality of the eminent Parsee merchant, Mr. Cama—already so well known to Englishmen by his princely munificence in the promotion of charitable objects and scientific pursuits,—and the zeal and energy of Mr. Bleek, have at last enabled us to read the scriptures of the Parsees, in so far at least at they are now available to the learned world, in the English tongue. We say, in so far as they are now available; for of the twenty-one Nosks, or original divisions of the Parsee scriptures, one only, the *Vendidad* is completely preserved; whereas the Parsee priests of our days look upon some as canonical, though they seem not to have been comprised in the original Nosks—viz., the *Vispered* (or *Visparad*), the *Yaçna* (or *Izeshne*), and the *Yashts*. A small fragment of a second Nosk, the *Vishtasp Nosk*, seems, indeed, also to be extant; but being confined to the library of a Destoor, it has not yet had the chance of being known in Europe. Amongst the four books just named, the *Vendidad*, in twenty-two chapters or fargards, may be called the "code of the religion, civil and criminal laws of the ancient Iranians." The *Vispered* in twenty-seven, according to others, in twenty-three chapters—is a collection of prayers referring to the ceremony of preparing the sacred water and consecrating certain offerings, such as sacred bread, the branches of homa, with the branch of a pomegranate tree, &c. The *Yaçna*, likewise, is in part a collection of prayers relating to the same ceremonies as those comprised by the Vispered; but it also contains five *Gâthâs*, hymns or songs, which are more of a philosophical and mystical nature.

These *Gâthâs*, however, are of especial interest, for they are expressly designated as "the five Gâthâs of Zarathustra (Zoroaster)," and there is a strong probability that they are the work of the reputed founder of the old Iranian religion, Zarathustra Spitama himself, and of his disciples; whereas other portions of the extant Parsee Scriptures

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[16] "Avesta: The Religious Books of the Parsees." From Professor Spiegel's German Translation of the Original Manuscripts. By Arthur Henry Bleek. In three volumes. Hertford: Printed for Muncherjee Hormusjee Cama, by Stephen Austin. 1864.

do not seem to be of his or their immediate authorship. This, it need scarcely be observed, is the conclusion arrived at by European research; for Parsee tradition ascribes all these sacred books to divine authorship, Zoroaster having received them from God to impart them to mankind. The *Yashts* are the main element of the *Khordah-Avesta*, or Little Avesta; they are invocations addressed to one divine being only, or to a certain class of divine beings, the good genii, such as the Amchaspants or archangels, the heavenly water, the sun, the star Tistrya, &c. Their chief difference from the prayers of the Yaçna and Vispered consists in the circumstance that the Yashts are devoted exclusively to one or the other of these genii, whereas in the latter works these beings are invoked promiscuously. But besides, the Yashts contain legendary matter relating to the pre-historic time; and, on the whole, they constitute, therefore, our chief source of information respecting old Iranian mythology. In this fourfold collection of the Parsee Scriptures, linguistic and internal evidence has induced European scholars to assign to the *Gâthâs* the highest antiquity, to look upon the younger portion of the *Yaçna* and the *Vispered* as anterior to the *Vendidad*, and to consider the *Khordah-Avesta* as the most recent of the four. To enter, in this short notice of the important work which has called forth these summary remarks, upon anything like a detailed description of its contents, is of course as impossible as to state the reasons which have caused so deep a schism amongst the most prominent Zend scholars of our day, that if one of them—Dr. Haug, at present superintendent and professor of Sanskrit at Poona—were right, scarcely one single chapter of the present translation, which is a translation from the German translation by Professor Spiegel—would give us the real sense of the Parsee Scriptures. For, according to him, Professor Spiegel, starting from wrong principles of interpretation, has been almost entirely mistaken in the sense which he attributes to the various portions of the Avesta. Nevertheless, we believe that Mr. Bleek was quite judicious in not withholding from us, on the grounds maintained by Dr. Haug, the laborious results of Professor Spiegel's investigations. For Professor Spiegel, in his rendering of the Avesta, has mainly followed that interpretation of the text which, from immemorial time, has been put upon it by Parsee tradition; and which, in consequence, is the historical basis on which the actual Parsee religion has arrived at its present stage. This tradition, Professor Haug asserts—and, as it seems, he is supported in his views by some modern Parsees—is open to the gravest objections, if not wrong throughout. Apart from minor detail, therefore, he does not so much impugn Spiegel's rendering as he does tradition itself; and in some specimens he has begun already to show the learned world how he would arrive at a proper understanding of the Avesta, chiefly in eliciting the sense of Zend words by a comparison of them with their Sanskrit relatives. Whatever then be the ultimate result of Dr. Haug's learned labours, it is clear that it will be speculative; but, even if unimpeachable, that it could not supersede the historical right represented by Professor Spiegel's translation. We hold that both ought to exist; and as the latter does already exist, Mr. Bleek deserves our gratitude for having

made it accessible to the English public. With these remarks, we of course do not deny that there are errors and shortcomings in Professor Spiegel's version; some, indeed, are acknowledged by himself, and others are, with his own assistance, corrected in Mr. Bleek's work. Yet, in spite of them, we should have much regretted if even the proof that the Parsee tradition is mistaken throughout, should have debarred us from a knowledge of this tradition itself; or if such knowledge had not preceded our acquaintance with what the Parsee religion ought to have been, had it not gone astray. Of Mr. Bleek's translation we will merely say, that in comparing many portions of it with the German original, we have found it not only correct, but in some respects even more clear and intelligible than the German text. The notes of the original are partly increased and partly curtailed by him. The omission of explanatory matter contained in the German original, and of the elaborate preface to the latter, is justified by Mr. Bleek on the ground that "many of the subjects [discussed in both] can be discussed more advantageously in the forthcoming commentary." We are glad, then, to learn from these words, that the able translator will also add Professor Spiegel's Commentary—announced by the author—to the important volumes he has completed, and which we hope will stimulate the scientific interest of this country in the ancient religious literature of the Parsees.

POLITICS, SOCIOLOGY, VOYAGES AND TRAVELS.

IF, as the ultimate sanction of morals, the principle of utility stands in need of those large and legitimate extensions of its signification which have been so well given to it by Mr. Mill, the same cannot be said to be the case when it is invoked as the ultimate standard to which all legal enactments ought to be referred. Here no confusion can possibly arise between the notions of morality as a human attribute and morality as a quality of actions considered in themselves. It may be contended by those who think it worth while to do so, that Bentham's notions on morals were false, because inadequate and narrow; but no one now-a-days can fail to acknowledge the immense value of his influence on the progress of legislation. Perhaps no greater proof can be offered of this than the wonder which comes over any one fresh to the perusal of that version of his "Theory of Legislation" which Mr. Hildreth has just translated from Etienne Dumont.[1] That principles once so declaimed against are now read with the fullest approval is one of the greatest proofs of the advance made by public opinion in this direction. It almost requires an historical acquaintance with the progress of Bentham's doctrines to realize that they should ever have aroused

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[1] "Theory of Legislation. By Jeremy Bentham." Translated from the French of Etienne Dumont, by R. Hildreth. London: Trübner and Co. 1864.

such violent opposition. No trace of this opposition is to be found in the works themselves. That singular disregard of hostile opinion, which was one of Bentham's chief peculiarities, keeps his works free from all reflexion of the conflicts they aroused, and adds to our wonder that such calm and convincing statements should at any time have aroused such a storm of hatred and abuse. In this respect, the fortune of his doctrines greatly resembles that which has waited on the principles of political economy. The adversaries of the latter science, always found among those least acquainted with it, could not be expected to realize the limits within which those principles are true, and thought themselves sure of an easy victory over the results of the science when they could discharge themselves of brilliant diatribes against the universality of its necessary postulate. As in the study of political economy it was necessary to discharge from consideration every human quality except those which subserve the production of wealth; so in legislation no true progress could be made until men patiently set themselves to determine the character of actions apart from the judgment they were inclined to pass on those by whom they were performed. It is not a little singular that it should have been reserved to the same man both to vindicate political economy and to enlarge and firmly lay the foundations of the Utilitarian Philosophy in the region of morals as well as of legislation. Mr. Hildreth's translation, which has caused us to make these remarks, will be very welcome to all who have been repulsed by the caprices of Bentham's later style. Here they will find his theory of legislation set forth with that clearness of statement and illustration for which French writers have always been celebrated. Many who would not take up the laborious perusal of the original author are thus afforded an opportunity of studying with ease and comfort to themselves the first statement of a body of doctrine than which perhaps no other has in so short a time been fruitful of such great and beneficial results.

It is somewhat singular that so able and well-informed a person as Lieut.-Gen. Mansfield, while throwing the fullest light upon all the collateral points connected with the subject, should completely ignore, or at any rate make so light of the difficulties which stand in the way of the introduction of a gold standard into India.[2] The main argument on which he relies is the increasing price of silver, which since 1849 has risen 5 per cent. This rise, however, is not an absolute one, as he contends, but only relative to that metal in which the price is quoted, viz., gold. If the purchasing power of silver is less now than in 1849, it can be explained only by taking into account many other circumstances, as well as the influence exercised on that power by the increased production of the rival metal since 1849. The fitness of either silver or gold as the material for a national currency is to be determined not by the magnitude of the trade of the particular nation in question, but rather by the number of transactions which are im-

[2] "On a Gold Currency for India." By Lieut.-Gen. Sir W. R. Mansfield, K.C.B. London: J. Murray. 1864.

plied in it, and is largely affected by the social condition and habits of the population who are to use it. Perhaps there is no country in the world where so great a difference exists between the wants of the general population and those of merchants at the chief centres of trade as India. The arguments of the Bengal Chamber of Commerce do not look beyond the special need of merchants of that Presidency. In this they resemble the advocates of a decimal system of notation among ourselves. The convenience of the million is lost sight of in the face of an improved system which would be convenient to the millionaire. The importation of gold into the Presidency, on which the memorial of the Bombay Chamber of Commerce relies as forming an evidence of the native demand for a gold currency, will not support any such conclusion when closely looked into; it takes place in bars, which are made in this country of the utmost purity that they may the more readily be used for the purposes of ornament to which they are ultimately destined. It is only by making light of the evils of a double standard that the arguments of those who wish to introduce a gold coinage into India can be at all supported. Gold coins can only be introduced into circulation at some settled proportionate value to the silver ones. Hitherto, gold has always been overvalued in the Indian mints, and has consequently entirely disappeared from circulation. No ratio can be established between the two metals which would not be immediathly subject to disturbance by all the vast variety of circumstances which affect their demand and supply. The introduction of a gold currency into India would in effect be but the introduction of a new trade in *agiotage* between the metals it was endeavoured to use together as coin. It may be contended that the element of uncertainty which a double standard introduces into every contract has been somewhat exaggerated in extent; but it cannot be denied to exist, and is certainly to be avoided where possible. The main and, in our opinion, conclusive objection to any change in the monetary system of India is to be found in the circumstances of the population at large. What per-centage of the natives could aspire to convert their little hoards into gold? and of that inconceivably small number, how many, except in times of trouble like the days of the Mutiny, would desire to do so? How many female ornaments in which the Indian peasant prefers to capitalize his small savings are now made of gold? and what a long period of prosperity must be enjoyed by them before he can find his silver accumulations any trouble to him from their bulk. The general poverty of the population absolutely calls for a silver circulation; it can penetrate down to the lowest ryot, and can offer a not too distant object of desire capable of stimulating his thrift by the immediate possibility of its acquisition. To those accustomed to the refined contrivances of modern commerce, it may seem a great waste of capital that so much silver should be sunk in the office of providing a means of exchange; but the poorer the country, when estimated, as it should be, by the average possessions of each inhabitant, the greater the need of such a sacrifice of capital. The rate of wages, and the possible earnings of the poorest classes, where, as in India, they so vastly outnumber all the others, are more

to be considered in determining the metal which ought to be used among them as coin than any other circumstances whatever. Gold is, no doubt, in itself more economical and convenient as a medium of exchange; but the question in India is not answered by general considerations drawn from the physical qualities of the metals themselves, but by quite different ones, drawn from the social condition of those who have to use the coins in detail, however the answer may affect the convenience of those who have to manipulate them in large sums.

When we say Middle Class Education, we seem to convey a clear idea; but the closer we look at it the more vague it becomes. As it comprehends all education which is given to those who, on the one side, do not rest satisfied with the instruction to be had in National Schools, and on the other, do not aspire to complete their studies at either of the Universities, it virtually comprehends nine-tenths of the population who make any pretension to education at all. The very terms slip through our fingers so soon as we attempt to give them a definite signification; where does the "Middle Class" begin and end? and can any demarcation of the class be set up which shall at all correspond with the power its members possess of giving their children a good education? It is obviously impossible. Many members of the middle class are not only able to give, but do give, their sons and daughters a far better education than it is in the power of many members of what are loosely called the aristocratic classes. The foppish definition of the middle classes which Mr. Arnold gives in his well-intentioned book on middle-class education,[3] as consisting of those whose notions of life are confined between the two ideas of business and Bethels, is obviously incomplete, and goes far to obstruct much of the good his little work is calculated to effect. It would not be difficult from his own pages to show the latent consciousness he can hardly disguise, that the whole working efficiency of the nation depends on the class he so flippantly circumscribes. There is indeed something indescribably offensive in the tone Mr. Arnold adopts towards what he calls the middle classes. What messenger of the superior gods is it that thus speaks with the authority of the whole conclave?—

"In the sphere of religion where feeling and beauty are so all-important, we shrink from giving to the middle class spirit, limited as we see it, with its sectarianism, its under culture, its intolerance, its bitterness, its unloveliness, too much its own way. Before we give it quite its own way, we insist on its making itself something larger, newer, more fruitful. This is what the recent Church-rate divisions really mean, and lovers of perfection, therefore, may accept them without displeasure: they are the voice of the nation crying to the *untransformed* middle class (if it will receive it) with a voice of thunder—'The future is not yours!'"

From what Olympian height is the denunciation launched against the very class who have most contributed to the improved tone in which this very question of Church-rates is now discussed? But we have not yet learned, either from Mr. Arnold or any one else, to consider

[3] "A French Eton, or Middle Class Education and the State." By Matthew Arnold. London: Macmillan and Co. 1864.

truth and conviction less important than feeling and beauty in the sphere of religion. It is greatly to be regretted that so able a writer as Mr. Arnold should impair his usefulness by such cloudy affectation. The distinctions so commonly drawn between upper, middle, and lower classes, are only true in the most general sense; and perhaps this very subject of education will give a basis for a more solid demarcation between them than can be had from any other source. The length of time devoted to education of course primarily depends on the means of the parents, and the start in life with which a youngster enters on the world may, other things being equal, be estimated by the years which have been devoted to his preparation for it. Whatever use he may afterwards make of his opportunities, the mere fact of his leaving school at twelve, sixteen, or twenty, determines the class from which he starts perhaps better, though of course vaguely, than anything else whatever. There is no doubt that the majority of those who are called the middle classes, and are contented to be so called, appear to think that if they keep their sons at school till they are sixteen, they have done their duty to them. There is still less doubt that those who entertain this opinion are generally very ill-qualified, and even where qualified much too busy and occupied, to take the means of ascertaining whether they have received money's worth for the limited expense to which they—either from taste or necessity—put themselves; mostly however from necessity, for they, of all people in the world, are best aware how little is learnt in offices and commercial establishments during those four other years which had better been spent at school. The routine of business which would be learnt in a year by any one entering on it at twenty years of age, is perhaps never intelligently mastered by a boy who encounters it with the uninformed judgment of sixteen. Those years are somewhat worse than wasted in an office in the City, and middle-class fathers, who are the best aware of it, are debarred only by the expense from giving their sons a longer education, which would enable them to start intellectually on an equality with those who, from this start alone, are considered their superiors. This difficulty of expense, however, is fatal, and has to be surmounted. In this respect, as in all others, capital will and must make itself felt. The purpose of Mr. Arnold's book is to come in aid of the admitted incapacity, from whatever cause it has arisen, of the members of the middle class adequately to judge of the quality of the limited education they are able to give their children. His means of persuasion are derived from the observations he made in the Lyceum of Toulouse, and of the private seminary at Soréze, lately superintended by Lacordaire. In both these establishments, a good and complete education is given for a sum in the one case of 36*l*., and in the other of 46*l*. per annum. They are of course both under the strict supervision of the Minister of Public Instruction, and in the case of the Departmental Lyceums also subsidized by the State. This feature of State support is the one which Mr. Arnold thinks absolutely necessary to the success of a similar system in England; by this only could, in his opinion, be secured that authentic warranty of efficiency which would result from the inspection without

which no Government grant could be expected. This *deus ex machinâ* of State support is one of the worst pitfalls to which a wholesome national life can be exposed. In France, the liberal party are already calling attention to the effect which the Imperial system has produced upon the tone of those who have left the various Lyceums during the last ten years. Far better was the old rallying cry of *Aide toi et Dieu t'aidera,* and this is one to which the English middle class has never been deaf. If the term itself, Middle Class, is not made to cover a retreat from an untenable position, it cannot be controverted that all the peculiar features of improvement in English education which have marked the last thirty years, are to be attributed to the aroused interest in the subject which that very class has felt and displayed. Without State aid the midlle class has ever found that self-help was the only source from which any valuable results could be expected, and even on this very question, amid its thousand engrossing occupations, it has helped, does help, and will help itself.

A far better, because much more practical, book on the subject has been just published by the Rev. E. Thring, head master of Uppingham School.[4] In a very valuable little volume he displays the opinion he has formed in the course of an active pursuit of a profession to which he has given the closest and manifestly the most conscientious attention. Here the middle class may learn what a good school should aim at; and we are only afraid that they will be led by the enthusiastic author to expect too much. The sound and fundamental distinction between training and cram lies at the bottom of all the means recommended; but we greatly doubt whether it is wise to expect that a closeness of attention to the individual powers and character of each pupil in a school of two hundred boys, on which mainly reposes the effectiveness of the distinction for practical purposes, is possible. A good system and thorough instruction is all that can reasonably be expected at the hands of a staff of teachers, however numerous and well qualified. That patient attendance on the peculiarities of individual character, on which alone the ideal of education as opposed to instruction depends, cannot be hoped for by every boy in a great school. Its advantages are found in the manly tone which may be and often is fostered in a large community of boys; and we hope that many of the good things which invite his readers can be attained by parents at a less expense than is manifestly involved in the somewhat grandiose arrangement which Mr. Thring is perhaps too absolute in declaring to be indispensable to the well-being of a large school. It is, however, a great pleasure to read the reflections of a man so well qualified to form opinions on the subject; and we do not think that there exists a book which gives so much insight into the desires and wishes of those who have turned their attention to education as a profession, or which will contribute more to elevate the profession itself in the eyes of those who have ultimately to supply the material conditions of its existence. Mr. Thring contends that a great school

[4] "Education and School." By Rev. Edward Thring, M.A., Head Master of Uppingham School. Cambridge: Macmillan and Co. 1864.

must be very costly. On this point only do we wish to see his conclusions invalidated. We think they are open to discussion, and only regret that in this place it is impossible to notice the various points on which some economy might be compatible with the many good and excellent things at which he aims. We cannot too strongly recommend this book; in it will be found an intelligent discussion of almost every detail connected with the management of a great school, and out of such discussions only can the true compromise between economy and efficiency at last result.

There is perhaps nothing which displays more forcibly the difference between a political and a social advance, than the fact that in the present generation an Abolitionist should be called upon to give a reason for the faith that is in him. The victory gained for us by a generation hardly past seems, at least as far as popular feeling is concerned, but a doubtful one; and many are now not ashamed to talk as though our fathers had been over hasty in the great witness they bore against the utter wrong of slavery. If the system is now denounced as it once used to be, it is more than probable the speaker will be asked whether he has drawn his facts from "Uncle Tom's Cabin," and at the same time he will very likely have it intimated that he does not know what he is talking about. No answer of this kind can be given to a person brought up among slaves, a prospective owner of them, educated in a Slave State, and subjected to the direct personal influence of the most able among its statesmen. If such a person's evidence is discarded, there can be but one reason for so desperate a course. This evidence is now before us in a little book by Mr. Conway,[5] a native of Virginia. The dreadful curse that slavery had become to the Southern States, and the desperate courses it has doomed them to adopt for its continuance, is set forth in his pages with a fulness of evidence that is unanswerable. It is true that all the cardinal facts have been long since known; but in Mr. Conway's narrative we are brought face to face with one who has a close personal acquaintance with every circumstance connected with the system. He shows in the most convincing manner, because by examples drawn from his immediate experience, what every consistent thinker has long known, that the consequences of the domestic institution are, if possible, more deplorable to the masters and their families than to the slaves themselves. The system penetrates to every thought and debases every detail of daily life, even where it is untroubled from without and left only to produce its natural consequences. The interest of the master as much calls for the suppression of slavery as that of the slave. There is no need to refute the special pleadings of the physiological advocates of an inherent inferiority in the negro; these points, however, are well treated by Mr. Conway, and the full and sufficient answer given to them. The simple fact, that slavery must cease as much in the interests of the human race as of that unfortunate portion of it who are subjected to its chain, is brought out with a clearness of external evi-

[5] "Testimonies concerning Slavery." By M. D. Conway, Native of Virginia. London: Chapman and Hall. 1864.

dence worthy of its inherent truth. In so small a compass we do not know where so effective an argument is to be found. The whole book is pervaded by the clearest conviction on the part of the author, and we think cannot fail to carry with it some of the same feeling into the minds of every candid reader. There is no exaggeration of statement; every fact is either fully authenticated from the public prints of the Southern States, or vouched for by the author's personal knowledge. We heartily hope it may meet with the wide circle of readers it deserves; of its effect on them we can have no doubt.

Mr. Morris's "Rambles in the Rocky Mountains,"[6] is a very agreeable book, in spite of a certain affectation of cleverness and a tendency to fine writing which smack somewhat of the style of the country he describes. The country, however, is well worth describing, and few, we think, have given a more lively picture of the rough-and-ready, but energetic progress which America is making in the Far West. A very fair naturalist, an ardent sportsman, and having a thorough determination to make the best of everything, Mr. Morris possesses, in no slight degree, many qualifications requisite in a traveller. The life in the prairie and in the elevated woodland districts of the Rocky Mountains are most excellently described in his pages. Indeed his account of a trip to what are called The Parks, though they are eighty miles long by forty across, is one of the most lifelike we have read. These districts have been assigned by the United States' Government to the Aripahoe Indians, and abound in every kind of game peculiar to the continent. A more agreeable trip than could be made to these lovely woods can hardly be imagined. Five months and 200*l.* are all that Mr. Morris thinks required by any one who wishes to see a new and very interesting society, and to kill the greatest variety of game that can be anywhere found within such confined limits. Opinion, which in the Western States lately ran as high against England as elsewhere, seems now to have considerably changed. The effervescence which so lately boiled against England is now turned against France, and that with far more earnestness and meaning. Mr. Morris reports no tendency to those divisions between East and West—which have been so frequently prophesied by those whose wish was father to the thought; and, as far as he can see, it appears to him much more probable that Mexico rather than Canada would be the first object of American thought, in the event—it must be confessed a somewhat improbable one—of a compromise and union between the exasperated Northern and Southern States. We ought to say that Mr. Morris does not forget to give those who may be inclined to follow in his footsteps the advantage of very full directions for all that can conduce to their comfort on the journey; and this is the more necessary as the traveller is very often thrown upon his own resources, and has to meet small difficulties on the spot, which, if he cannot at once overcome, are apt to become very great ones indeed. But these things to a tourist in search of novelty and

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[6] "Rambles in the Rocky Mountains, with a Visit to the Gold Fields of Colorado." By Maurice O'Connor Morris, late Deputy Postmaster-General of Jamaica. London: Smith, Elder, and Co. 1864.

sport do but add to the pleasure of his trip. There are few contingencies which are not anticipated by Mr. Morris, and if he could give as ready a receipt for the good temper and genial spirit of enjoyment which he manifestly took with him, he would confer a still greater benefit on such tourists as he may tempt to the Rocky Mountains and Colorado.

Completely free from all missionary or mercantile prepossessions, and full of every requisite knowledge for arriving at just conclusions, Mr. Burton's narrative of his visit to Abeokuta[7] is the very best account of the condition of the natives of the interior of Africa beyond the Bight of Biafra which we possess, or are likely soon to have equalled. The picture which he draws of the barbarian society among the Egbas is full of ethnographical interest, and has that internal coherence which always carries with it conviction and the full assurance of its truthfulness. It is not hopeful to those who look upon Africa as a promising field for missionary exertion, and affords the most important corrections on many points connected with African trade. Not a few of the social speculations which he brings before his readers will meet, in many quarters, with less indulgence than they deserve; but it will be found impossible to deny that they are supported by a large body of facts, both in Africa and elsewhere. From Fernando Po, he, with a few friends, accomplished for the first time the laborious ascent of the Cameroons Mountains, on the opposite shore. Mount Victoria, as he named, by the right of the first explorer, the highest peak of these mountains, is but little short of the height of Mont Blanc; but its ascent, if not in itself more difficult, is a very different matter when the appliances are considered which facilitate the exploits of the Alpine Club. Experienced guides are, of course, out of the question, and the necessary porters are only to be had by taking Krumen from the coast, and constantly watching them, stick in hand, to see that they do not steal the goods confided to them, or desert the party at the most critical moment. Mr. Burton's object in exploring the mountain was to ascertain the practicability of founding a Sanatorium on its sides. In this respect he was completely successful, and has laid down several stations where an almost European climate may be enjoyed by all the whites on the coast, who stand so greatly in need of such a resource. The expedition was rewarded by the discovery of several new plants, animals, and shells, a detailed account of which is given in the appendix. It is difficult to dismiss a book like this without noticing the great variety of appropriate topics on which it touches; but our limits here render it impossible: its only fault is a certain allusional style of illustration which often calls for an amount of information in his readers which Mr. Burton too confidently assumes them to possess; but a fault so much the consequence of a fulness of knowledge is one which, perhaps, too many would envy to be much repented of by the author. These volumes leave little doubt to whom we were indebted for those

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[7] "Abeokuta and the Cameroons Mountains." An Exploration by R. F. Burton, F.R.G.S., &c. London: Tinsley Brothers. 1863.

other two called "Wanderings in West Africa by an F.R.G.S.," to which we lately called our readers' attention.

In July, 1860, Herr Werner Munziger joined the expedition in search of Dr. Vogel, and while Herr Von Heuglin and Dr. Steudner, proceeded to the south of Abyssinia, he and Herr T. Kinzelbach examined the independent tribes which skirt that country on the north, from Massua on the Red Sea, to Khartoum and Kordofan. The volume[8] which he has published on the inhabitants of the northern borders of Abyssinia is a model of its kind. No space is wasted on personal adventures, or on unimportant anecdotes of the barbarians whose manners and customs he so well describes. But of greater value even than these excellent monographs, some of which contain the first information on their subjects, is the remarkable introduction to his work, in which he lays before his readers not only the general relations in which these countries stand to Egypt, on the one hand, and Abyssinia on the other, but treats most fully on every point connected with European influence in Africa at large. Anything more philosophical and intelligent than the views he here develops will not easily be met with. Whether the interest in Africa be supported by a desire to convert, or to clothe its inhabitants, no true progress in either enterprise can be made without a patient study of their physical condition or their mental peculiarities. It is seldom that either trader or missionary has the patience to acquaint himself with the necessary groundwork of success in either of their undertakings. Our religion perplexes the African by its controversies, and our trade alarms him by the pretensions of our Consuls, who expect barbarians to understand a contract as it is understood among civilized nations, instead of looking upon it as a ready way out of an immediate difficulty, to be forgotten as soon as it has answered its purpose. Before we impose our notions and ideas upon such grown-up children as the African races, it would be as well if we acquainted ourselves with the degree in which they are capable of understanding them. But this is a task which demands the greatest labour and patience at the hands of men who are either hastening to be rich, or too anxious for immediate success, to be very critical upon the nature of conversions they so much desire. A more candid estimate of the prospects of the Roman Catholic and Protestant Missions, of the condition of Abyssinian Christianity, and of the inroads made on it by Mohammedanism than that given by Herr Munziger cannot be desired. This introduction, which would itself make a small volume, should be in the hands of every African explorer or missionary.

There is, perhaps, no corner of the earth so little known as those countries which stretch between the Malayan peninsula and the Chinese Empire. The relations of the late M. Mouhot have done good service, both to science and to the memory of their estimable relative, by the publication of his letters and journals.[9] This enterprising French

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[8] "Ost Africanische Studien." Von Werner Munziger. Schaffhausen: F. Hurter. 1864. London: D. Nutt.

[9] "Travels in the Central Parts of Indo-China, Siam, Cambodia, and Laos, during the Years 1858, '9, 60." By the late M. Henri Mouhot. 2 vols., with illustrations. London: J. Murray. 1864.

naturalist, aided by the London Geographical Society, penetrated, during the years 1858, '59 and 1860, into the interior of these countries (Cambodia and Laos) to an extent that no European had ever done before him, and at last fell a victim to fever in the extreme north of Siam. It is impossible not to feel a lively regret, after reading these two most interesting volumes, both that M. Mouhot was prevented from giving the results of his investigations as they ultimately presented themselves to his mind, and that he should not have lived to enjoy the deserved reputation which he would unquestionably have reaped from them. As the volumes stand at present they have all the attractiveness of the first vivid impression made on the writer by the strange scenes and society which came under his observation: they are full of suggestiveness, and open ethnographical questions of the greatest interest. From no place could such important results be gathered by a properly qualified body of scientific investigators, and such a party would find in M. Mouhot's journals the most valuable assistance. The Society to which he owed so much encouragement and support could hardly find a more promising field for renewed investigation. Everywhere in the interior M. Mouhot came upon the evidence of an ancient civilization which has been destroyed. The temples which still remain at Ongcor, the ancient capital of Cambodia, now ruined and deserted, are more extensive, elaborate, and beautiful than anything which can be found in the East. In general effect they are simpler, more grand, and show a far higher feeling for architectural proportion than any even of the finest Indian temples. In ornamentation they are equally elaborate, and it is only to be regretted that we have not more of their details; such, however, as M. Mouhot has given indicate a purer style of imitative art, and if his estimate is to be fully accepted, they would yield to a proper investigation a new link in the history of architecture which should not be allowed to perish. The remains of the ancient race which constructed these stupendous works are now fugitives in the inaccessible woods of their native country, and looked upon by their conquerors as savages, to which condition want and oppression have nearly reduced them. In his journeys among the Stiens, as they are called, M. Mouhot was greatly aided by the Romanist Missionaries, who lead a dangerous, precarious life among them, making a very small number of converts, but esteemed and protected, by those who become Christians, with an amount of self-devotion equal to that of him who, in Judæa of old, fed the prophets of his religion by fifties in a cave. At first M. Mouhot was inclined to accept the theories of these self-devoted, but not highly instructed men, and to recognise in the natives the descendants of the dispersed tribes of Israel. This theological craze, which has so often opened the way to better knowledge, did not long maintain its influence over M. Mouhot. The few coincidences of customs and superstitions which they display in common with the ancient Israelites are equally characteristic of many Eastern nations to whom the hypothesis is otherwise too inapplicable. These questions were, however, but collateral ones to M. Mouhot, whose first purpose was to add to our knowledge of the native productions of the country; in this respect he was very suc-

cessful, and he has associated his name with new insects and plants in a manner that will give, at any rate, a permanent if not popular reputation to his name. Both with the pencil and the camera he was most industrious, and not the least of the many attractions of these volumes will be found in the numerous illustrations which they contain; these carry with them a great air of truth. But as they were found in his portfolio in a dispersed condition, they cannot be said so much to illustrate the volumes which contain them, as to throw a valuable light upon the general subject. They are very judiciously given with the text, but sometimes have no direct reference to it. Into a consideration of the material advantages which would result from a closer commercial connexion with these countries, we cannot here enter. Their mineral and vegetable wealth is great, various, and unquestionable; but the wretched system of Eastern despotism under which the people live, cuts at the very roots of the material development of the resources of the country. Without security no progress can be expected, and there seems but little immediate prospect of improvement in this direction, in spite of the exceptional intelligence of the present reigning family in Siam. Since Sir John Bowring's account of his mission to that Court, we have had nothing comparable in interest to these volumes, and they touch upon many points quite inaccessible to any ambassador, however acute and intelligent.

It is difficult to do justice to the efforts of the Russian Government to introduce a better state of things in its domestic policy, in the face of its triumphant wrong in the matter of Poland; but if there are any who have patience to hear both sides, and who are not too exasperated to listen to an intelligent advocate of the ruling powers in Russia, they will find in Mr. Tilley's "Eastern Europe"[10] a fair statement of the difficulties with which the Russian Government have to contend, and a clear and dispassionate estimate of its chance of success in contending with them. Mr. Tilley is very favourably known to the English public by the interesting and intelligent accounts which he published some time since of the state of Japan and the Pacific, which he visited on board the Russian corvette the *Rynda*, in 1858. The connexion he thus formed with the Russian marine seems to have resulted in a prolonged stay in Russia, and it will not be contested that he could hardly see that country under more favourable auspices than those which would be presented to him by the officers of that branch of the Russian service. Since the time of Peter the Great, Russia has displayed all those features which are too little attended to, and which are perhaps among the most instructive of political phenomena; those, namely, which attend upon a social development in which the governing powers are too far ahead of the subject classes. The corruption which is inseparable from too great a haste in the efforts to be nationally great, is the exact parallel to that which attends an over-eagerness to become rich. The overstrained energies of the country suffer from a reaction

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[10] "Eastern Europe and Western Asia: Political and Social Sketches of Russia, Greece, and Syria, in 1861, '62, '63." By H. A. Tilley. London: Longman and Co. 1864.

which is more difficult to control than the original evils, which time and patience would have inevitably cured. Russia has more to contend with in counteracting the effects of its centralized administration than could possibly have fallen to it had not so violent an effort been made to hasten its progress towards the advantages of Western civilization. In Mr. Tilley's pages will be found the views of the more moderate Russians on the rise of the Russian power and the social organization of the country, with full but favourable accounts of the progress made in the emancipation of the serfs. The chapter he devotes to the consideration of the Polish question will be satisfactory to none but his hosts; and were it not that we can remember the time when many among ourselves thought that the best, if not the only remedy for the ills of Ireland, was that the whole country should be sunk beneath the sea for twenty-four hours, we should be inclined to exclaim against what would seem a policy so "thorough," to use a word coined two hundred years ago for the benefit of that same Ireland. There is but little comfort or conviction to be drawn from views which are thus summarized:—"The last we shall hear of the Polish question will only be when there remains not one single Catholic priest or one single Polish woman in Poland." If this were indeed true, there could be no greater condemnation of Russia. No assertion that the Polish insurrection is the work of the Romish priests, who have set it in motion by their power over the minds of Polish women, can for a moment maintain itself when confronted with the masterly analysis to which the Russian Ukases of 1864 have been subjected by Joseph Garnier, in the *Journal des Economistes*, or by Leonce de Lavergne, in the *Revue des Deux Mondes*. The mask of humanity which is held before the regulations established in these Ukases is torn away, and the Machiavellian double sense displayed with the most convincing clearness. The promise to the ear is shown to be utterly without value when the detail of the Administration which is to carry them out is once investigated. It is the more necessary to insist upon this point, as there is such a manifest candour about Mr. Tilley's statements, and such a directness of information on many other subjects, that he engages a confidence well deserved in other directions, in this one also, where he has not, from amiable motives no doubt, been inclined to look too narrowly into the sources on which he relies for his conviction. His account of Greece before, during, and after the Revolution, though minute and sensible, betrays the same tendency to assume that a nation ought to be coerced for its own good, and that those only are entitled to judge what is good for it who have the coercitive power in their hands. Mr. Tilley's books are always agreeable, instructive, and unaffected, completely free from the pestilent intrusion of his own personality which spoils the books of so many foreign travellers; and we have only to regret that his long connexion with the Russian service has gone so far towards Russianizing him.

Mr. Elton[11] has added another to those descriptions of Norway,

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[11] "Norway: the Road and Fell." By Charles Elton, late Fellow of Queen's College, Oxon. London and Oxford: J. H. and J. Parker. 1864.

which its popularity as a summer touring-ground has lately rendered so numerous, and which have made most of us so familiar with its wild uplands and beautiful lakes. The chief peculiarity of the present volume is the care with which the author notices the sites of incidents connected with Norwegian history and tradition. The wild energy of the ancient Norseman, seems now to sleep in the tempers of his descendants; not so the spirit of adventure, for Mr. Elton found a longing to emigrate to America was so general among the peasants, that they were willing to turn the most curious heirlooms of jewellery and plate into ready money, to gratify the desire. Many a curious piece of medieval metal-work may yet be thus picked up among them. Krakens, sea-serpents, and gigantic crabs, receive all the attention which is their due at Mr. Elton's hands, and resolve themselves, as usual, into very moderate dimensions. The prevalent habit which makes an account of a summer tour also in some sort a guide-book to the district visited, recommends Mr. Elton's book to Norwegian travellers, who will find in it many a hint tending to their comfort and convenience.

The endeavour of the French Procureur Impérial to connect the name of Mazzini with the abortive conspiracy of Greco, and the consequences which have followed that attempt in England, have made many Englishmen desirous of coming to a clearer conception of the life and character of the great Italian patriot, of whom such various and contradictory accounts have been brought before them. The first volume of an edition[12] of his works, which is also to contain an account of his life, has just been published. It is perhaps to be regretted that so much of the former should encumber a clear summary of his life and principles. There is so great a difference between the social condition of Englishmen and Italians, and so small a chance of the political prophesyings of Mazzini's writings finding a congenial public among us, that their appearance in an English dress can do little more than justify his claim, which has not been anywhere denied, to be looked upon as one of the most efficient causes of that impulse towards national unity which has put to shame the political prophets of a few years since.

The emotional politics of the south of Europe have but little in common with the more practical and scientific frame of mind in which alone political questions are discussed among ourselves. The appeal to abstract ideas, the faith in a national mission, the allurements which surround the hopes held forth by Mazzini, that Italy shall once again become the intellectual leader of Europe, as she has twice already been, are all of them topics too grand and vague greatly to influence an English public. That they are the offspring of a pure, noble, and self-sacrificing mind, there is no question, and that they have exercised a vast influence on the present generation of Italians, cannot be denied. The point on which we are most strongly interested, is that which trenches upon the means thought justified by the ends

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[12] "Life and Writings of Joseph Mazzini." Vol. I. Autobiographical and Political. London: Smith, Elder, and Co. 1864.

thus preached. It is to be regretted that Mazzini cannot thoroughly exonerate himself from all complicity in regicidal plots. His works certainly contain no direct incitement to such a crime, but many assertions of its folly as well as wickedness. His knowledge of Gallenga's intended assassination of Charles Albert, and his consent and furtherance of his purpose, will ever remain a stain upon his memory, and the more so because in direct contradiction with his principles. Excuse may be found in the full confessions which he makes in the volume, but an excuse so far short of justification, that nothing but a high allegiance to the simple truth could have led him to make them. Conspiracy, like adversity, makes a man acquainted with strange bedfellows, and often draws noble and enthusiastic natures into a close connexion with many from whose society they would otherwise have recoiled. The common allegiance blinds all hostile judgment, until there is nothing left but disappointment and regret. In a foreign country and language, the reproduction of Mazzini's works can be expected to have but little use. In so far as they have an interest as political documents, they are sufficiently accessible in their original form. That individual biography which seems to him as insignificant as a taper lighted in the presence of the rising sun, will yet one day have to be written, and those autobiographical notes which he has contributed to this edition of his works, will make every one regret that he has declined the request of his friends, to give a full history of his life as it presents itself to his own mind.

A very clear idea of the false position of the English Government in the Ionian Islands may be gained from a "History of the British Protectorate," edited by Viscount Kirkwall.[13] The attempt made by Lord Seaton in 1848, to liberalize the Constitution of the Ionian Parliament necessarily failed, from the conflict which was sure to arise between the principles invoked, and the limitations which the Treaty of Paris put upon their application. Nothing but rare self-control, which can only be expected as the best fruit of a long-enjoyed liberty, could have obviated those collisions between the Ionian Parliament and the protecting Power, which have eventually brought about the relinquishment of the Protectorate. The pleasure, however, with which the early chapters of this history will be read is not likely to be continued through the last of them. The author is too evidently under the influence of a personal hostility to the last High Commissioner, to allow of much weight being attached to his denunciations of the faults and errors of his government. There can be but little difficulty, to those acquainted with the local politics of the islands, in determining the authorship of these volumes; least of all, can Sir H. Storks be ignorant who is his assailant. Under these circumstances, the appearance of the writer's name on the title-page would have been more appropriate than that of his friend the editor. The second volume hardly deserves the title of a political and social report on the

[13] "Four Years in the Ionian Islands: their Political and Social Condition, with a History of the British Protectorate." Edited by Viscount Kirkwall. 2 vols. London: Chapman and Hall. 1864.

condition of the islands, being little more than a very desultory and sometimes trivial journal kept by the writer during his stay among them. A daily chronicle of personal experiences in any foreign country cannot be without some indications of the condition of the people among whom it is written; but in the present case the reader will have to draw his general conclusions for himself, and will not be much assisted in forming an opinion on the policy of the cession, if, indeed, he has still an opinion to form.

The Hon. Auberon Herbert has given us a very pleasing little book on the defence of Dybbol by the Danes.[14] He writes of them like a lover, and indeed he himself displayed something of a lover's devotedness. It will not be forgotten that on one occasion he rescued a wounded Dane who had fallen in front of their defences, and brought him within the lines under a severe fire. It is not surprising that he was popular among his hosts, or that he returned the liking he so well earned at their hands. There can be but one opinion of the constancy and heroism of the small Danish force which, with inferior arms and numbers, so long held a scarcely defensible position against the overwhelming power of the Prussians. The ultimate discouragement of the Danish army is accounted for in the clearest manner. The exhaustion consequent on such a hopeless defence could not fail to bring about such a result sooner or later; and that it was contended against for so long a time is a far greater credit to the Danish army of raw recruits than any victory over them can possibly be to their practised and well-appointed enemies. It is very natural that the author's feeling for his friends should lead him into denunciations of English policy in this much-vexed question; but even those who differ most with his political opinions cannot but be charmed by the engaging account he has written of his adventures in the Danish camp.

Another and more detailed account of this war has been published by Mr. Dicey.[15] It consists of the letters he sent home as "Special Correspondent" of the *Daily Telegraph*. By no means an ardent champion of the Danish cause, he at first attempted to follow the Prussian and Austrian armies; but the presence of an English critic being but little desired among them, he was obliged to change his point of observation and leave the Continent for the more hospitable Danes in the Island of Alsen. Here the courtesy of its defenders soon produced on him some of the effects that their other good and congenial qualities did on Mr. Herbert. Substantially he gives the same account of the opposing forces. It may be questioned whether his constant complaints of the intermitting bombardment by the Prussians as cruel and useless are thoroughly justified. It is surely justifiable in war to exhaust and tire your adversary to the utmost of your ability, before you deliver the final and decisive blow. However great the superiority of the invading force in number and equipment, they cannot be condemned for sparing themselves in every possible way.

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[14] "The Danes in Camp. Letters from Sonderborg." By Auberon Herbert. London: Saunders, Otley, and Co. 1864.

[15] "The Schleswig-Holstein War." By E. Dicey, Author of "Rome in 1860." 2 vols. London: Tinsley Brothers. 1864.

Mr. Dicey's letters, though written under every imaginable disadvantage, form together a very satisfactory account of the daily progress of the war, and its features are discussed as they arise, with a fairness and, on the whole, with an impartiality which fully justifies their collection in the present shape. We observe he in one place asserts that the German poet who discovered the black, red, and gold of the German colours to be symbolical of a race of fire-eaters feeding on powder and blood, is at present a prosperous merchant in New York. As this is not the case, he should hardly have given a piece of epigrammatical gossip as fact without better knowledge.

A volume just published in Paris on England and Self-Government, is rather a panegyric on England at large than a scientific study of the principles of self-government.[16] The author, struck with the great variety displayed by English society, finds the secret of English liberty in the free intercourse between all classes, and, most attracted by that which is least represented in his own country, attributes to the English aristocracy the chief merit in the maintenance of that liberty. It is undoubtedly true that the highest form of liberty is incompatible with an uniformity of conditions. The more various the forms of a nation's life the greater will be the toleration of each. Individual freedom can only support itself either against the overwhelming power of a despot on the one hand, or of an unreasoning public opinion on the other, by a constant toleration of the freedom of others, and an unsleeping wakefulness in the protection of a free agency with which it does but partially sympathize. In so far as the English aristocracy may be looked upon as the crown of a complicated social system, its existence may be said to be a guarantee for all that variety of life and pursuit by which an entrance into its ranks can be obtained. In this sense only can the liberty of England be directly connected with the continuance of its aristocracy. The exceptional position of the English nobility has been often attributed to the rare political sagacity of its members; but any reference to the Peerage will show, in the very dates of their titles, how much that nobility itself is the creation of the last few centuries, and how few are those ancient families in whose minds could arise that spirit of caste which has always been so fatal to the aristocracies of other countries. Growing as it has done from the general body of English society, the aristocratic class in England has never during the last two centuries been able to dissociate itself from the interest of the classes from which it has been recruited; unable from its origin to pretend to that exclusiveness which has been the ruin of the French nobility, it has been forced to recognise those more permanent sources of influence on which it is now so securely based. This volume is much more calculated for a French than an English public; it is throughout descriptive rather than philosophical and analytic. It is deformed by more than an usual French carelessness in the orthography of English names and places; and, in our opinion, forgets too much, in an admiration of

[16] "L'Angleterre: Etudes sur le Self-Government." Par M. * * *. Paris: M. Lévy. 1864. London: D. Nutt.

English laws and customs, how much there is in French opinion and social circumstances which must make a direct imitation of England impossible among the writer's compatriots.

If nothing succeeds like success, it is also certain that nothing so intoxicates. It was under some such feeling that the French Minister of State, M. Rouher, at the opening of the late session of the French Legislative Assembly, when comparing the Constitutional with the Imperial system, declared that eighteen years of parliamentary government in France had been barren of all result, that they had left the country without power or dignity in its foreign relations, and that the constant anxiety to maintain their position had so weakened the king's ministers, that they could effect *nothing* for the internal benefit of the country. This insult to a fallen Government has called forth a reply from M. Montalivet,[17] so long a minister under Louis Philippe. Neither age nor sickness have prevented him from entering his dignified protest against such unjust exaggeration, and his review of the executive and administrative reforms which were carried out under the ministries in which he took part, is an exhaustive refutation of the oratorical taunt which has so justly outraged him. He contents himself with a complete answer, and only in an indirect manner attacks the adversary who had so thoughtlessly wounded all that is left of the intellect and energy of the last generation of his countrymen.

If the military power and material wealth of France have been greatly advanced under the Empire, he does not contest the fact, and he chooses to pass by what all Frenchmen of his school but too well know, that the intellectual liberty of the nation has undergone a degradation which fully equals its increased power and material prosperity.

A very interesting selection from the files of the *Calcutta Gazette* has been made by Mr. Seton-Karr.[18] These extracts run over the five years which immediately followed the final departure of Warren Hastings from Calcutta. They are full of characteristic traits of the manners of the Anglo-Indians eighty years since: perhaps the most striking features of English society in the East at that time are to be found in the section devoted to advertisements. The number and variety of the public amusements is almost as surprising as their costliness; while the private adventures of East India captains, which were almost always disposed of by raffle or lottery, show the tendency of taste among the residents perhaps better than anything else. The extracts from the literary columns and the gossip of the town display all that free personality which is to be expected in any small community. To the present inhabitants of Calcutta there must be many things infinitely amusing. Home readers have constantly to recall as best they may the manners of their grandfathers, before they can reconcile themselves to a state of society so different from their

[17] "Rien, Dixhuit Années de Gouvernement Parlementaire." Par M. le Cte de Montalivet. Paris: M. Lévy. 1864. London: D. Nutt.

[18] "Selections from the *Calcutta Gazette* of the years 1784, 5, 6, 7, 8." By W. S. Seton-Karr, C.S., President of the Record Commission: London: Longman and Co. 1864. Calcutta: Military Orphan Press.

own. An excellent map of the town, reduced from one the result of a survey in 1792, adds to the value of the volume by fixing many localities which have long since changed their outward appearance.

"St. Hubert's Club," by Captain Bulger,[19] is a collection of hunting, hawking, and fishing stories which, if reduced to reasonable compass, may be very good after-dinner talk; but in their present condition they are so diffuse and overwrought, that few, we fancy, will wade through the mass of ponderous description in which they are enveloped. The bulk of the book is most unnecessarily increased by extracts from such very accessible volumes as Knight's "Cyclopædia of Natural History" and Blaine's "Rural Sports;" in fact, it would appear that the Captain has thought a notice of his reading as important as a description of his hunting experiences, which are themselves neither novel nor striking.

SCIENCE.

THE eighth issue of M. Louis Figuier's "Scientific and Industrial Annual,"[1] exhibits, if anything, an improvement upon its predecessors, and furnishes a good abstract of the more important investigations and discoveries of the year 1863; and although a certain desire to magnify the results obtained by Frenchmen may be detected here and there, and a decided Anti-English sentiment pervades all M. Figuier's references to political affairs, these constitute but slight blemishes in a book which is otherwise deserving of praise; and it must be confessed that justice is generally done by the author to the researches of foreign savants, even when these have the misfortune to be inhabitants of that *Albion perfide* for which, as a Frenchman, he naturally feels a profound detestation. The most important articlesin the present volume are those devoted to the recent investigations of falling stars, to the progress of meteorology, especially as manifested in the prediction of storms, to the discussion of the authenticity of the human jaw from Moulin-Quignon, and the general question of the antiquity of man, and to the description of the first voyage of the French armour-plated squadron. From the latter, which is derived from unpublished documents, it would appear that, the French plated ships have performed more satisfactorily than some of ours; "the trial trip from Cherbourg to the Canaries was a voyage of triumph." Besides the articles on the progress of the sciences and industrial arts, M. Figuier furnishes his readers with a useful summary of the prizes granted by some of the French Academies, and with a "Scientific Necrology," containing

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[19] "Leaves from the Records of St. Hubert's Club; or, Reminiscences of Sporting Expeditions in Many Lands." By Geo. E. Bulger, F.L.S., Capt. 10th Regt. London: L. Booth. 1864.

[1] "L'Année Scientifique et Industrielle." Par Louis Figuier. Huitième Année. Paris: Hachette. 1864.

a list of other scientific men who died during the year 1863, with short memoirs of those who were members of the Academy of Sciences of Paris.

We have received the first volume of a French Dictionary of the Sciences,[2] which promises to be a useful work of reference for the general reader. Forming a large and closely printed octavo volume of 650 pages, it covers only the first three letters of the alphabet, so that the contributors have ample space for giving a very complete dictionary of the ordinary scientific terms, and a good popular view of the general principles and applications of such of the sciences as fall within this portion of their labours. The articles are generally exceedingly well executed, and the arrangement is good, although from the French terms being necessarily employed as its foundation, the English student will probably be puzzled occasionally in referring to it.

The doctrine of the "Plurality of Inhabited Worlds," has found a warm and earnest advocate in M. Camille Flammarion, who thinks that in his work on this subject, lately published,[3] he has not only demonstrated its truth, but also shown it to be perfectly compatible with the most orthodox Christianity. After a historical notice of the progress of the doctrine amongst the philosophers of ancient and modern times, he proceeds to an astronomical comparison of the conditions presented by our planet with those prevailing in other members of the solar system; and from this and from a consideration of the physiological laws governing the existence of organized beings upon the earth, he arrives at the conclusion, that in no respect has the earth any "marked pre-eminence over the other planets," and therefore that "other planets are habitable like the earth." And he holds, that what is true of organized nature in general must apply equally to man; and therefore that it is quite possible that humanity may be represented on other planets, as well as the animals and plants with which we are familiar. M. Flammarion is not even content with this, but goes on to show that our earth is not to be regarded even as the most perfect theatre for the existence of man, presented in our planetary system; the obliquity of its ecliptic, in his opinion, constitutes a great defect, and those planets (such as Jupiter more especially) whose equatorial and orbital planes more nearly coincide with each other, must, from the absence of those seasonal vicissitudes to which we unfortunate Tellurians are exposed, afford more favourable conditions for the moral and physical development of creatures analogous to man, than can be met with anywhere on the poor little planet to which we are condemned. It can hardly be said, however, that M. Flammarion has arrived at a "demonstration" of his problem; for, probable as it may be that the planets and other heavenly bodies have not been left as barren solitudes, but that they may possess inhabitants more or less analogous to the organized beings that people our earth, there can be no doubt that many elements of the climatology of the planets are quite unknown

[2] "Dictionnaire général des Sciences théoriques et appliquées." Par MM. Privat-Deschanel et Ad. Focillon. Première Partie, A—C. Paris: Garnier Frères. 1864.

[3] "La Pluralité des Mondes Habités." Par Camille Flammarion. Paris: Didier. 1864.

to us, and that our ignorance of these must detract greatly from the force of any argument from probability in this case, and certainly prevent us from speculating upon the nature of the manifestations of life (if any there be) upon those distant orbs. Our author, however, assumes that the planetary organisms will be equally well adapted for the conditions of existence under which they are called upon to live as those of our own planet, and he even holds that "the absence of an atmosphere, and consequently the absence of liquids at the surface of certain worlds, does not *necessarily* imply the impossibility of life." This life would certainly be manifested after a peculiar and unknown type, and such indeed is the author's opinion; for in his summary of conclusions, he states that the living creatures would be organized "in correlation with the physiological condition of each of the inhabited spheres," and that "the men of other worlds differ from us as much in their internal organization as in their external physical type." M. Flammarion's book is elegantly and forcibly written, but with perhaps too great a tendency to put declamation in place of argument. It contains, however, a great deal of curious information, and many speculations that will be read with interest. In his treatment of the theological side of the question he is inclined to take the same view as Sir David Brewster, from whose book entitled "More Worlds than One," he quotes at considerable length.

One of the most singular books lately produced, especially when we consider it as the work of a man holding an acknowledged position in the scientific world, is Professor Piazzi Smyth's account of "Our Inheritance in the Great Pyramid."[4] Following the path chalked out by the late Mr. John Taylor, the Astronomer Royal for Scotland has come to the following series of conclusions. That the Great Pyramid of Cheops was constructed by the Egyptians under the compulsion of a ruler who had overthrown their ancient idolatry, and for whom, in consequence, they entertained the direst feelings of hatred; that the measures employed in its construction were different from those generally adopted by the Egyptians; that in its design, and the adoption of these peculiar measures, the architect was guided by a direct inspiration from Heaven, leading him to make his edifice of such proportions that its total height should be to double its base as the diameter of a circle to its circumference; to place it in such a position that its sides should look directly towards the four cardinal points of the compass; to give it certain astronomical and geometrical significancies which could only retain their truth in the precise latitude in which it is built; and finally, to place within it a peculiar stone coffer of such dimensions that, with the aid of the measurements of the pyramid itself, we may obtain from the whole structure a complete system of weights and measures, both of capacity and space, marvellously correlated with some of the most important properties of our planet. This metrological system constitutes, according to Professor Piazzi Smyth, "our inheritance in the Great Pyramid."

[4] "Our Inheritance in the Great Pyramid." By Professor C. Piazzi Smyth, F.R.S.S. L. and E. London: Strahan. 1864.

He seeks to establish its inspired authority by demonstrations of the most varied coincidences between the measurements of the Great Pyramid and the results of modern science, and then brings this inspired authority to bear upon those reckless innovationists who are, according to him, endeavouring to introduce the French metric system into this country for the further grinding down of the poor, and the subversion of morality and patriotism. Without going more deeply into the curious list of results here presented by Professor Smyth, we may briefly describe the means by which he arrives at his metrological conclusions. The first and most important of these relates to measures of length, and is deduced from the linear measure of the base of the Pyramid. The length of the base being estimated at 763·81 feet, and twice its base-line being to the height in the proportion of the circumference of a circle to its diameter, if we divide this "circumferential representative" of the Great Pyramid (*i.e.* twice its base) by 366, we obtain a measure of about 50 English inches, which constitutes $\frac{1}{10,000,000}$th part of the earth's axis of rotation. The half of this, = 25 inches, is the sacred cubit of the Jews: its 50th part, = $\frac{1}{500,000,000}$th of the earth's axis of rotation, gives a "Pyramid inch," equal to 1·00099 English inches. Upon this foundation Professor Smyth proposes a new system of measures of space, which, notwithstanding its inspired authority, if it could be adopted would present nearly as many inconveniences, whilst its novelty lasted, as the uninspired French measures which it is intended to drive out of the field. Passing now to measures of capacity, we are referred to that wonderful and problematical porphyry coffer, which alone occupied the so-called "King's Chamber," when the Caliph Al Mamoon broke into the pyramid more than 1000 years ago. Of this coffer the most extraordinarily divergent measurements have been given: out of twenty-five sets of dimensions published by various authorities, Professor Smyth rejects twenty-two as quite unreliable, and even with the remaining measurements (as indeed throughout his investigations) he is obliged to adopt a mean value for his calculations! In the case of the coffer, the mean dimensions, which are arrived at in a rather arbitrary manner, give it a capacity of 70,982·4 English cubic inches, or only $\frac{256}{1000}$ths of a cubic inch more than four English quarters, "in terms of which British wheat is measured, and sold at this very hour!" By a little piece of fanciful arithmetic, however, our author not being quite satisfied with this result, makes the theoretically accurate capacity of the coffer 70,970·2 cubic inches, which, as he states, would "give the Pyramid measure of capacity and weight," a connexion with the capacity and mass, as well as with a single linear feature, of the earth." For the astronomical relations of the Great Pyramid and its qualities, we must refer the reader to the book itself, in which many interesting points will be found discussed in an able and forcible manner, disfigured unfortunately by the ultra-orthodox tone, and the theory of the Divine Inspiration of this great stone book, which the author has chosen to adopt. By taking means of confessedly inaccurate measurements, and occasionally modifying them arbitrarily when they are peculiarly obstinate, there is hardly an

edifice on the earth, from the Pyramid of Cheops to the humblest hovel, that might not be brought to furnish analogous results; but to conclude therefrom that the respective architects were guided by direct inspiration from on high is surely going a little too far. Here, if anywhere in a scientific inquiry, the question *Cui bono?* may justly be put. We may undoubtedly require a reason for the direct intervention of the Deity in the affairs of this world otherwise than through the ordinary laws of Nature, when we are called upon to admit its occurrence; but it is hard to see with what purpose the builder of the Great Pyramid of Gizeh could have been led to prepare an inspired standard of weights and measures, unintelligible without the lights of modern science, to stand for more than 4000 years a useless mountain of stone in the midst of a sandy desert. Would not the power that inspired the ancient architect to prepare such a record have taken so much care of it as to prevent the removal of the casing stones from the outside, so that the true angle at which the sides rose from the ground can now only be imperfectly determined by means of two which were fortunately left in position at the base? When the special intervention of an omnipotent and omniscient Being is invoked, we are at least justified in requiring that the results of the action should be worthy of the agent—a condition which is certainly not fulfilled in the present case. But while we differ from Professor Smyth with regard to the authority attaching to the pyramid metrology advocated by him, and doubt greatly whether, if introduced in this country it would be much more satisfactory to the mass of the people, than the continental system now permissively legalized by Act of Parliament, we must admit that many of his arguments in its favour are of considerable weight. His remarks on the present state of British metrology are also very valuable.

Whether the advocates of the Continental metric system of weights and measures will succeed, notwithstanding Professor Smyth and King Cheops, in carrying the compulsory adoption of that system in this country, is still very doubtful, but, under any circumstances, there is no question that a knowledge of the relation of those quantities to our standard weights and measures is of the highest importance in many cases, and especially to the student of science. Mr. Dowling's "metric tables"[5] are intended to furnish this knowledge in the most condensed but at the same time complete form, by showing in a series of columns, the equivalents of the metric system of weights and measures in terms of the British standards and *vicè versâ*, the numbers introduced being carried so high that the student or man of business will rarely have to go beyond this ready reckoner. Besides the ordinary tables, there are a few which will be of especial use to engineers, showing the equivalents of pressure on the metric and British systems respectively, and others of scientific interest, giving a comparison of the three different thermometers in common use, and of the British and metric barometers.

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[5] "A Series of Metric Tables, in which the British Standard Measures and Weights are compared with those of the Metric System at present in use on the Continent." By C. H. Dowling. London: Lockwood. 1864.

At the present moment, when the introduction of the sciences as a portion of general education is the subject of warm discussion, Mr. Wood's little essay on "The Study of the Physical Sciences,"[6] comes very opportunely to give the general public a notion of the value of scientific instruction, both as a mental training and as a means of directly augmenting the happiness and usefulness of mankind. In it he shows how the study of science disciplines the mind, leading to habits of observation and correct reasoning: he indicates the refining and elevating effects of the acquisition of scientific knowledge, its power of dispelling superstition and prejudices, and the advantages which must accrue to its possession, even in the ordinary affairs of life. Mr. Wood's book is written in a pleasing style, and his scientific facts are generally well selected to illustrate his treatment of the subject. He has, however, failed in what he evidently intended to be one of the most telling portions of his book, namely the stories of a raindrop and two pebbles, in his sixth chapter, which are unfortunately rather confused.

The title of Dr. Phipson's new work, "The Utilization of Minute Life,"[7] can hardly be regarded as expressing the true nature of its contents, for very few of the animals described in it are either minute or utilizable in the ordinary acceptations of those terms. It is in reality a treatise upon those invertebrate animals which are in any way useful to man, with special reference to those which may be advantageously brought under human management, either for the enhancement of their useful qualities or the furtherance of their reproduction. Commencing with insects, he describes the silk and colour producers, the collectors and producers of honey and wax, and the insects employed in medicine or even as food among various nations. In this section the accounts of the various kinds of silkworms, of the cochineals, and of the bees, will be found most interesting. The class of crustacea naturally occupies a prominent place, and Dr. Phipson gives a tolerable account of the metamorphoses of the crabs and some other forms, and of the habits of the land-crabs, accompanied by suggestions for the artificial propagation, as it is called, of the more useful species. The mollusca are next passed in review, and here we find a good discussion of the nature of the purple of the ancients, and of the recent experiments in the culture of oysters and mussels. The natural history of the common leech forms the chief part of the chapter on worms, and that on polypes treats of coral-fishing and of the formation of coral-reefs and islands. Sponges and animalcula (animalculæ, according to the author) form the subjects of the last two chapters; but under the latter title Dr. Phipson has thought fit to include the diatomaceæ, these being, indeed, the only so-called infusoria to which he can ascribe any direct utility to man. Among the details properly pertaining to his subject, Dr. Phipson has scattered a good deal of

[6] "The Study of the Physical Sciences: their Value in Education, and the part they play in Advancing the Civilization of Mankind." By George D. Wood. London: Calder. 1864.

[7] "The Utilization of Minute Life." By Dr. T. L. Phipson, F.C.S. London: Groombridge. 1864.

general information upon zoological matters; unfortunately, however, his statements are not always to be implicitly relied upon, and this circumstance, together with frequent errors in the spelling of names, and a looseness in the application of such systematic terms as "family" and "tribe" detracts somewhat from the value of what in other respects is an exceedingly interesting book.

The practical cultivation of useful animals advocated by Dr. Phipson is being carried on vigorously in our Australian colonies, each of which seems to possess an active Acclimatization Society of its own. The attempt to introduce salmon into the waters of New South Wales has failed, but from the "Third Annual Report" of the Acclimatization Society of that colony,[8] it appears that efforts are being made with better prospect of success to stock its rivers with fishes from other parts of the Australian continent, whilst it is even hoped that the gourami may be introduced from the Mauritius. Many other species of animals are mentioned as in course of naturalization, including several game-birds from European and other countries; but the most important in an economical point of view are the silkworms of various species, and the alpaca. The report contains an interesting paper by Mr. Ledger, on the habits of the llama and its allied species in their native country. Among the birds subjected to the operations of the society are some the introduction of which may seem at first sight a very doubtful proceeding, such as sparrows, starlings, &c.; it is also proposed to attempt the naturalization of the secretary-bird or serpent-eater of the Cape of Good Hope, a bird which may be expected to prove serviceable by diminishing the multitude of snakes with which the colony is infested in consequence of the reckless destruction by the colonists of the native snake-eating hawks. Many plants are also mentioned as having been acclimatized under the auspices of the society, among others the English dandelion and buttercup, and the bramble; of the latter, two bunches of fruit were exhibited at one of the meetings of the society.

Among the numerous guides for beginners in the study of botany, we know of none to equal the "Elementary Lessons"[9] just published by Professor Oliver. These lessons follow the method adopted with such remarkable success by the late Professor Henslow, and indeed the little work is founded, to a considerable extent, upon the materials prepared for "a similar purpose by Professor Henslow himself. The principle of this mode of teaching consists in the selection of certain well-known types of plants, and by guiding the learner to a thorough investigation of their structure; giving him a general notion of the organs of which plants are composed, and of their different modes of combination, thus furnishing a foundation of general but precise knowledge, from which his further progress is easy." Thus, in his "Lessons" Professor Oliver commences by describing in detail all the parts of a buttercup, and the functions which they perform in conducing to the life of the plant, and then, having familiarized the reader with

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[8] "Third Annual Report of the Acclimatization Society of New South Wales." Sydney: Cook and Co. 1864.

[9] "Lessons on Elementary Botany." By Daniel Oliver, F.R.S., F.L.S., &c. London and Cambridge: Macmillan. 1864.

the general structure of one typical plant, he proceeds to compare with the notions thus acquired, the structure of several other common vegetable organisms belonging to other Dicotyledonous orders. A general notion of the nature of Dicotyledons being thus given, the author proceeds to the examination of several Monocotyledonous plants characteristic of the larger orders of that class. In order to impress upon the mind of the learner the information obtained by the investigation of a few types as above described, the adoption of Professor Henslow's schedules is recommended, these consisting, in fact, of blank forms, in which the characters presented by the different flowers may be tabulated. Of course this system may be extended, in the hands of a teacher of Botany, to other plants besides the few types described in the "Lessons," and the preparation of such tables will constitute a most excellent exercise for the learner. Having mastered these preliminary examinations, and the summary of structural and physiological botany which follows them, the student who takes Professor Oliver for his guide may proceed in the investigation of the classification of plants by the help of an excellent *résumé* of the natural orders as exemplified by the British Flora, which forms the latter portion of the book. Short directions for drying plants and preserving them in the Herbarium and a few models for descriptions of plants, are also given; and the whole furnishes a body of botanical knowledge quite surprising, when we consider the small space within which it is compressed. We may add that the woodcut illustrations are admirably selected and executed.

In his "Wayside Weeds,"[10] Dr. Spencer Thomson has arranged his botanical lessons on a principle somewhat similar to that adopted by Professor Oliver, aiming at the introduction of the beginner to the knowledge of plants by a series of examinations of common types. But Dr. Thomson collects and describes his types in "handfuls,"—a course of proceeding which appears to us to be far inferior, for the clear and direct communication of botanical information, to the treatment of single types. His book is evidently intended rather to give general notions of the structure and classification of plants than to serve as a manual for beginners in botany, and for this purpose it seems to be well adapted.

Mr. Shirley Hibberd's "Rose-Book"[11] can hardly be regarded as a botanical work, but it will be found useful, by the horticulturist and lover of roses, as a clear and condensed guide to the cultivation of these lovely flowers.

In medical literature we have several valuable works, but being chiefly of a practical character they admit of little more than an indication of their contents.

A translation of Zander's "Treatise on the Ophthalmoscope"[12] by

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[10] "Wayside Weeds; or, Botanical Lessons from the Lanes and Hedgerows." By Spencer Thomson, M.D. London: Groombridge. 1864.

[11] "The Rose-Book, a Practical Treatise on the Culture of the Rose." By Shirley Hibberd, F.R.H.S. London: Groombridge. 1864.

[12] "The Ophthalmoscope, its Varieties and its Use." Translated from the German of Adolph Zander, by R. B. Carter, F.R.C.S. With Notes and Additions by the Translator. London: Robt. Hardwicke. 1864.

Mr. Carter is a useful contribution to this branch of medicine and surgery. The author enters minutely into the history and construction of the instrument: the appearance of the eye in health and disease as shown by it, and the indications thus afforded for treatment. The translator's notes and additions are by no means the least instructive part of the book.

"Clinical Observations on Functional Nervous Disorders"[13] is an eminently practical work, every page of which bears the stamp of experience and sound observation. The author describes many of the most important affections of the brain and spinal cord, and discusses the indications afforded by altered or impaired nervous action, and the influence of remedies in determining the nature of the affection.

> "The course I propose to pursue," he says, "is, first, to consider the behaviour of the nerves and nervous centres in certain well marked simple morbid states; and subsequently to notice the more important features of several classic diseases, and some other less commonly recognised disorders. I do not intend to deal with the results of manifest organic lesion, but to confine my attention chiefly to such disorders as are termed functional.

Following the course thus indicated, the author, amongst other topics, discusses the various forms of headache, epilepsy, catalepsy, paralysis agitans, neuralgia, and the various disturbances of function arising from cerebral anæmia and hyperæmia. Each section is illustrated with numerous cases. The work cannot fail to be highly useful to the profession, and to enhance the reputation of its author.

Dr. Meryon's work on the various forms of Paralysis[14] is a good book on a difficult and obscure group of diseases, written in a clear style, and amply illustrated by cases. After a preliminary chapter on the structure and functions of the spinal cord, and some criticism on the nature of nerve-force, the author describes minutely the various forms of disease affecting the structure of the nervous centres, the brain and spinal cord; inflammation and softening, and the disturbance of function caused by tumours, congestion, &c.; apoplexy and its consequences, paralysis, paralysis from reflex action, blood-poisoning, &c.; and, lastly, a chapter on the general paralysis of the insane. Dr. Meryon confines his observations chiefly to those diseases of the nervous centres which are acccompanied by change of structure.

Of the second edition of Dr. Laycock's "Principles and Methods of Medical Observation,"[15] we cannot speak so favourably: the clearness of style and practical usefulness so eminently characteristic of the works we have just noticed are wanting in this book; though intended for students the phraseology is obscure, and altogether too theoretical to afford much assistance to those for whom it is intended.

[13] "Clinical Observations on Functional Nervous Disorders." By C. Handfield Jones, M.B. Cantab., Physician to St. Mary's Hospital. London: John Churchill and Sons. 1864.

[14] "Practical and Pathological Researches on the Various Forms of Paralysis." By E. Meryon, M.D. London: Churchill and Sons. 1864.

[15] "The Principles and Methods of Medical Observation and Research for the Use of Advanced Students and Junior Practitioners." By Thomas Laycock, M.D. Edinburgh: Maclachlan and Stewart. London: Simpkin, Marshall, and Co. 1864.

A good book, especially upon the principles and method of any science or art, ought to be written in language as free from the confusion of hard names as possible. The author treats at considerable length the various principles which ought to guide the student in the investigation of diseases, and the methods of their examination: his classification is, we think, far too elaborate and fanciful to be useful.

On the vexed question of whether Syphilis should be treated with or without mercury, a pamphlet,[16] by Dr. Drysdale, will be found worthy of perusal. The author is a warm advocate of the non-mercurial system, and quotes numerous cases and opinions in support of his view.

In these days of rapid travelling books on climate and change of air are sure to be acceptable if they are well written, and at all adapted to the taste of the general reader. Dr. Madden's work[17] belongs to this class; with much that is sound and good in medicine we have a fair sprinkling of gossip by the way, with talk of men and manners; the places visited, and the things we saw. To the medical reader the work is interesting, as it describes several health resorts until recently but little known, in Spain and Portugal, Algiers, Morocco, Sicily, Malta, Egypt, &c. The volume also has the advantage of being the result of the author's personal observation and experience.

In the year 1835 Professor Owen described, under the name of *Trichina spiralis*, a minute parasitic worm which had been discovered a short time previously inhabiting in great abundance the muscles of the human subject. These little worms, measuring only about one-fiftieth of an inch in length, were coiled up in a spiral form in minute cysts among the fibres of the muscles, and as there was no trace of the course of migration of the parasites to the place where they were found, and all the specimens were quite destitute of generative organs, their production appeared so mysterious, that some good observers were led to revive the exploded doctrine of spontaneous generation in their favour, asserting that the *Trichinæ* were "generated from fat formed between the muscular fibres." From the experiments of Virchow, Leuckart, and others, it appears, however, that no such extraordinary process is necessary to account for the phenomena. *Trichina*, like many other parasites, requires only to pass from its encysted condition in the body of one animal into the intestine of another, in order to attain its full development. Soon after its nidus has been removed by the digestive process, the sexual organs make their appearance distinctly, young animals are then speedily produced, and these passing through the coats of the intestines and the tissues of the body, make their way to the muscles, which constitute their natural home in the encysted state. In the latter condition, they retain their vitality and capability of further development for a very considerable time: they are found in this state in the muscles of several species of animals, but the only one of these which forms a regular article of human food is the pig, and

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[16] "On the Treatment of Syphilis and other Diseases without Mercury: being a Collection of Evidence to prove that Mercury is a Cause of Disease, not a Remedy." By C. Drysdale, M.D. London: Hippolyte Bailliere. 1863.

[17] "On Change of Climate: a Guide for Travellers in Pursuit of Health." By More Madden, M.D. London: T. Cautley Newby. 1864.

it is therefore chiefly by the consumption of imperfectly cooked pork, that the parasite must gain its entrance to the human body. Here when present in great abundance, it has been found to produce a peculiar and often fatal disease, to which, under the name of "Trichinosis, or Flesh-worm disease," Dr. Althaus calls the attention of the profession in a small pamphlet[18] now before us. This disease, which is accompanied by febrile symptoms of a typhoïd type, and by acute pains and muscular swellings, analogous to some of those occurring in rheumatic affections, has doubtless often been confounded with other disorders, and the diagnosis, except by the actual excision and microscopic examination of a portion of the suspected muscle, (an operation, as our author admits, "not very pleasant for the patient,") appears to be rather difficult,—nevertheless, of the existence of a disease caused by this parasite there seems to be no doubt, and the epidemic visitations of it which have occurred in Germany, at Plauen, and Hettstädt, show plainly enough how dangerous and fatal it may be. The cause of the disease in all cases appears to be the consumption of raw or underdone pork, ham and sausages; and Dr. Althaus believes that the Mosaic prohibition of pork to the chosen nation was a prophylactic measure against Trichinosis, rather than Tapeworm. Such measures are strongly recommended by the author, who advocates the appointment of competent persons to examine all pork for *Trichinæ* previous to its being offered for sale, and informs us "that the Medical Department of the Privy Council are fully alive to the importance of the subject, and are taking it into their serious consideration."

HISTORY AND BIOGRAPHY.

THE third and fourth volumes of the "History of Normandy and of England,"[1] by the late Sir Francis Palgrave, have been recently given to the world by his son. The fourth volume, which for personal reasons was printed several years ago, "represents on the whole his maturest judgment of the events narrated." Editorial responsibility applies, therefore, only to the third. The revision of this volume had been completed to the end of the third chapter, when in July, 1861, the lamented historian went to that place where is no work, nor device, nor knowledge, nor wisdom. From the fourth to the fifteen chapter the book has been edited by his son, Mr. F. T. Palgrave, whose intellectual intimacy with the author must have fairly qualified him for the discharge of his task. Beginning with the

[18] "On Poisoning by Diseased Pork: being an Essay on Trichinosis, or Flesh-worm Disease: its Prevention and Cure." By Julius Althaus, M.D., &c. London: Churchill and Sons. 1864.

[1] "The History of Normandy and of England." By Sir Francis Palgrave, K.H., the Deputy Keeper of Her Majesty's Public Records. Vols. III. and IV. London: Macmillan and Co. 1864.

last years of Richard Sans-Peur the third volume describes the reigns of his successors in Normandy, Richard Le Bon, Richard III. and Robert le-Diable, their history ending with the end of the third chapter. With the fourth chapter commences that of the renowned William the Conqueror, which with a final survey of the results of the conquest occupies the remainder of the third volume. Nearly the whole of the fourth is devoted to William Rufus, the accession and marriage of Henry Beauclerc being narrated in the last fifty pages. It will be inferred at once, that with such ample space the portraits of the remarkable persons whose destinies and actions are here recorded are drawn at full length. This minute comprehensiveness of description in great part constitutes the charm and the value of the composition. Where completeness of range, an almost exhaustive research, abundant knowledge, sympathetic imagination, and a power of writing vivid picturesque narrative, exist side by side, we may be sure that the result must be more or less admirable. Hence, in spite of an occasional puerile diffuseness, paragraphs of superfluous moralizing, affectations of thought and language, and a display of prepossessions in which we cannot always share, Sir Francis Palgrave has produced a work, which unfinished as it is, we must pronounce fascinating from its graphic details, and instructive from its copious and luminous presentment of facts. In it the biographical or narrative element predominates, but not to the exclusion of national characterization. The author's power of painting, and in the main truly painting, persons is very great. He also comprehends with sufficient clearness the times which he has undertaken to describe; but to us he seems to have more in him of the philosophizing artist than of the philosophical historian. We have to regret the want of a bolder and freer speculation, the deficiency of discriminating insight, and sometimes the omission of considerations that might be adduced in favour of a censured institution or course of action. Thus Sir Francis Palgrave almost goes to Dr. Arnold's length in his condemnation of chivalry, but it is difficult to believe that chivalry, with all its aberrations had not its good side, or that it did not suggest a higher than the ordinary moral ideal. So with regard to the Crusades, he sees no religious nor honourable element in them, but we are by no means satisfied that those who maintain that the Christians had originally a reasonable claim for redress, or that the wars so called were not in some sense defensive, are altogether wrong. Again may we not ask whether the Crusades did not, as Mr. Pearson contends, give men the feeling that war required a great purpose to sanctify it; whether, being in itself a constant quantity, it was not transformed from a succession of petty feuds to a noble enterprise? The results of the Crusades, as commercial and colonizing expeditions, are shown by our historian with force and clearness; and we should like to have had the question of the good as well as of the bad in them debated. To suppose that any mere anti-mediævalism animated the writer would be an error. He does justice to the old Catholic Church as the embodied moral protest against evil in high places as well as in low, and the enforcer of moral obligations on kings and on barons as well as on

serfs and men of humble station. The two conspicuous characters whom he has depicted for us, William the Conqueror and his son William Rufus, he describes in language that is in general justified by the evidence. He nowhere attempts to represent the bastard king as possessed of virtues that he had not, or free from vices that he had; but he everywhere gives him credit for all high qualities of heart or brain that he believes him to have possessed. Thus he tells us that William on occasions was ruthless in his revenge, but he maintains correctly that he was not necessarily or essentially cruel. He celebrates his sagacity and his love of right-doing while he points out all his shortcomings and his acts of high-handed oppression. We are surprised, however, to find that he admits that William may have used "the poison cup," and still more that he accepts, without any questioning, the common version of the devastation of the New Forest, talking very prettily about the tofts where the cottages once stood, the hearthstone concealed by heath and harebell, the unroofed and dilapidated chancel, the honeysuckle that adorned the altar, springing amid tufted slabs. Apparently relying on Vitalis, he insists too on the full tale of bricks. William destroyed sixty churches,[2] he says, though in Knyghton's time the accounts differed from twenty-two to fifty-two; and Ellis doubtingly observes, "if, as is commonly reported, thirty-six churches were destroyed by the Conqueror." Sixty churches in a region consisting generally of thin sandy soil, extending over 17,000 acres only, and that in a period of sparse and limited population! *Credat Judæus.* Yet if some evictions and, perhaps, the demolition of a church here and there are still invested by Sir Francis with their old mythical garb, he is elsewhere in his book more favourable to the Conqueror and to the Conquest than we might have expected. For instance, he rejects utterly Hume's assertion that William entertained the project of abolishing the English language, affirming on his part in contradiction to the romance of the pseudo-Ingulphus, which still retains its place among the sources of our history, that William did no such thing, and could do no such thing, as cause his laws to be written in French, seeing that none were ever composed in that dialect in this country, or rather that none whatever exist. We do not presume to give any opinion on this subject, but we may say that Sir Francis' remarks—particularly the remark that all William's writs or letters, even when Frenchmen were the persons addressed, are in Latin, and that no early English documents are in French—will be found well worth weighing. Of William himself he says many hard things, but he admits that "the sword wielded by the Norman ruler was the sword of Justice," and he adds that during the intervals of war "the land rested—no slaughter, no violence, no robbery, no blood-feud!" Of the grand narrative of his life he says, "it is impossible to doubt but that the effect of the Conquest was in every respect to increase England's powers for good, to strengthen the national intellect, and also, if these be blessings, to give the greatest impulse to its worldly prosperity and glory." The culpability of the Conquest he entirely concedes; yet he says that Harold had no legal right, that the conflicting pretensions of the rivals for the English throne were grounded on the acts emanating from the wavering and

feeble mind of the Confessor, and allows that William showed some degree of deference to public opinion. Of the disbelieving ultra-secularist son of the Conqueror we can say nothing here. As regards his death, Sir Francis inclines to hold Tyrel innocent of crime, and to look on the arrow which slew him as sped by an unknown, and for ever unknowable, hand. There are many topics in these volumes on which we could willingly have touched—for instance, Harold's oath, the forest laws, the Witenagemote, the manners of the clergy, the character of Anselm, the legend, which Sir F. half believes, of Harold's escape after the battle of Hastings, feudal tenures, &c., and we should like to have drawn attention to the effective representation given by him of the astrological and meteorological superstitions of the age; but we must pass on to our next book, full of admiration, though by no means of unqualified admiration, for these volumes.

Previous to the reign of Henry III. the use of Norman French in records of diplomacy and law was unknown. It is remarkable that the document specifying the restraints imposed on Henry King of England, Lord of Ireland, and Duke of Normandy and Acquitaine, "by men whose names so forcibly bespeak their Norman lineage," is written in English, while Latin continued to be the language employed for documentary purposes, where the native tongue was not used, down to this time. In the preface to the Year Books of Henry's son and successor, Edward I.,[2] Mr. Horwood adopts the opinion that the pedigree of our forms of writ may be traced up to the old Roman formulæ. He further observes that, there can be little doubt that some of the technicalities of the law courts, not only of Southern Europe, but of the Franks and Normans, originated in Roman forms and modes of procedure. The reports of cases contained in the volume before us extend over the thirty-second and thirty-third years of Edward I.: they are translated from the original Norman French into English, and some of the more conspicuous usages connected with the law of the period are explained in the editor's brief but informing preface. The customary index will be found at the end.

The wars of the English in France,[3] claimed by the third Edward, and acquired by the fifth Henry, receive fresh illustration, as conducted during the reign of Henry VI., in the two parts of the second volume of papers gathered from the treasures of the Imperial Library at Paris, and from sources previously enumerated. In the preface Mr. Stevenson has given us an interesting outline of the general currents of events connected with these wars—wars which he describes as prejudicial to

[2] "Year Books of the Reign of King Edward the First." Years XXXII. and XXXIII. Edited and translated by Alfred J. Horwood, of the Middle Temple, Barrister-at-Law. Published by the authority of the Lords Commissioners of Her Majesty's Treasury, &c. London: Longman, Green, Longman, Roberts and Green. 1864.

[3] "Letters and Papers illustrative of the Wars of the English in France during the Reign of Henry the Sixth, King of England." Edited by the Rev. Joseph Stevenson, M.A., of University College Durham. Published by the authority of the Lords Commissioners of Her Majesty's Treasury. Vol. I. Parts i. and ii. London: Longman, Green, Longman, Roberts and Green, 1864.

the true interest of England, but in reality favourable to those of France. To the debasement and brutality of the English who had served in them he attributes the peculiarly revolting character of the wars of the Roses; while the patriotic perseverance of France in the struggle for freedom "united the king and the clergy, the nobles and the commonalty, by a firmer bond than they had hitherto known." Besides the original text and accompanying translation of the letters and papers derived from French sources, this double volume contains documents transcribed from various sources in England, William of Worcester's Collections from MSS. in the libraries of Lambeth Palace and the Herald's College, the *Annales Rerum Anglicarum* of the same writer, a chronological abstract and an index.

Among the volumes published under the direction of the Master of the Rolls, we know not if any are intrinsically more valuable or more ably edited than those which have passed from the skilful pen of Mr. J. S. Brewer, and which illustrate the reign of Henry VIII.[4] The necessity for condensed recognition prevents our saying more of the two portly additions to this collection, than that the papers calendared in it refer to the period 1515—1518. These new instalments alone contain nearly 5000 separate notices of incidents, comprising a mass of material almost entirely unexplored by writers of history, though, as Mr. Brewer says, it might have been supposed that if any period would have repaid illustration, it was that period "when Christendom, under three young sovereigns, was groping through its darkest hour of peril, from the mediæval to the modern ages." The masterly summary with which these volumes are introduced, is a chapter of history in miniature, and we can sincerely recommend its 280 pages to all who prize manly diction, perspicuous statement, and sagacious estimates of men and things. Where can we find anything much better in its way than the account of the Battle of Marignano (pp. 38-45), or the sketch of Wingfield or Wolsey? An admirable passage, too, is that on the king and parliament (p. 65); that on the Supremacy Question (p. 226), and that which contains the analytical estimate of Sir Thomas More's Utopia. Well arranged, well catalogued, well indexed, and well prefaced, Mr. Brewer may well be satisfied with his editorial labours.

Mrs. Everett Green tells us, in the preface to her volume of calendared State Papers, illustrating the reign of Charles II.,[5] that information on trade and local events may be gathered from the papers of Williamson, and letters addressed to him, to be found therein. Wil-

[4] "Letter and Papers Foreign and Domestic of the Reign of Henry VIII., preserved in the Public Record Office, the British Museum, and elsewhere in England." Arranged and Catalogued by J. S. Brewer, M.A., under the direction of the Master of the Rolls, &c. Vol. II., Parts i. and ii. London: Longman, Green, Longman, Roberts and Green. 1864.

[5] "Calendar of State Papers. Domestic Series of the Reign of Charles II., 1665-1666. Preserved in Her Majesty's Public Record Office." Edited by Mary Ann Everett Green, author of "The Lives of the Princesses of England," &c., under the direction of the Masters of the Rolls, &c. London: Longman, Green, Longman, Roberts and Green. 1864.

liamson, one day to be Sir Joseph and Secretary of State, supplanted Roger L'Estrange in the editorship of the "London Gazette." Details of the Plague, an interesting notice of Richard Cromwell, of Sabbethai Sebi, the Messiah of 1665, and a rhyming supplication for the reform of the Consistory, by the luckless lender and loser of a grey mare, who sought redress in that court, will be found among the prominent topics of her Calendar. The macaronic-verse-making petitioner complains—

> "They gave first anything, call it *Citandum,*
> Within eight days, I gat but *Libellandum,*
> Within ane month I gat an *Opponendum,*
> In half ane year I gat *Inter loquendum.*
> And I gat—how call ye it? a *Replicandum,*
> But I could never one word yet Understandum."

Finally, after two years' delay, the result was—

> "For sentence silver cried at the last,
> Of *Pronunciandum* they made me words fain,
> But I gat never my good grey mare again."

Passing over the second instalment of the popular reprint of Tytler's "History of Scotland,"[6] which carries us down to the end of the reign of James the Fifth (1542), we come to the pleasant and thoughtful gossip about the *Scot Abroad,*[7] the worthy subject of Mr. Burton's attractive volumes. The first volume may be described as a sort of illustrative commentary on the ancient league with France. Beginning with the beginning the author mentions, though only to reject, the story of the compact between "Charlemagne of France" and Achaius, the then ruling monarch of the ancient kingdom of Scotland. The sole empire which he concedes to this wondrous potentate is that of chief over a western Celtic people, his palace a sort of craal built of mud and wattles; the name of him, as Mr. Carlyle would say, Eochy or Auchy. To make amends for this demolition of a great reputation he restores a local habitation and a name to a scholar and leader of the Scottish churls whom the sceptical historian just mentioned, in an article which appeared in the *Westminster Review* for April, 1842, improved off the face of the earth, converting Spang, which is a word that means *leap distractedly,* into Strang, chiefly because he never heard of Spang as a Christian person's surname before, and therefore indulged the hope that there never was such a man as "the Reverend Mr. Leap-distractedly labouring in that dense element of Campvere in Holland." Mr. Burton, however, tells us that Spang was by no means a fabulous creation. William Spang was, he insists, a very considerable scholar and an acute observer, the author of "Rerum nuper in Regno

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[6] "The History of Scotland, from the Accession of Alexander III. to the Union." By Patrick Fraser Tytler, F.R.S.E., &c. In 4 vols. Vol. II. Edinburgh: William Nimmo. 1864.

[7] "The Scot Abroad." By John Hill Burton, author of "The Book-Hunter," &c. In 2 vols. Edinburgh and London: William Blackwood and Sons. 1864.

Scoticæ Gestarum Historia," published at Dantzic in 1651. But long before we come to this act of restitution or restoration, we have to fight again the War of Independence between England and Scotland, of which one great representative is Wallace (a hero in whom our faith has been much shaken of late years), and to witness the establishment of French supremacy in Scotland and the Reformation. We notice that Mr. Burton rejects the claim of the feudal superiority of the Saxon kings over Scotland, rightly enough too, when as he says there was no Scotland to be feudalized, and the Lothians were a constituent part of the Anglo-Saxon kingdom of Bernicia. We think, however, that he has disposed of the general question much too cavalierly—if it be true, as Sir Francis Palgrave asserts, that from the reign of Athelstane we find the kings of Scotland as the liegemen of the monarchs of Britain; if Canute effected a total subjugation of the Scottish race and country; if Edward the Confessor were celebrated in ballad as the lord of the Britons, the Welsh and the Scots, and if Malcolm received, as Sir Francis states, investiture of Scotland, to hold under the Anglo-Saxon crown, and afterwards performed homage and took the oath of fealty as the vassal of William the Conqueror. We know that Mr. Burton attempts to explain away that vassalage, but we are not satisfied that his explanation is correct, any more than we are satisfied with his identifying the old royal race of England, including *Edward*, meaning Edgar, the Atheling, with the remnants of Harold's family. As the author advances with his subject he carries us with him, though we do not always accept his judgment as final. The remark that the Reformation in Scotland was political in an eminent degree and not exclusively religious seems to us sound. He shows how it was, in part, a protest against the *Frenchification* of Scotland, a triumph over the designs of the Guises, a break-up of the long-standing alliance between the two countries; and, in fact, a repudiation, by the gross secular barons, of the old church that was eating up their territorial wealth to enrich the haughty Catholic prelates, the more conspicuous of whom were becoming French courtiers. The criticism on M. Dargaud's book on Queen Mary is maliciously amusing; the extract from Mr. Stevenson's volume of State Papers, in which Alexander Ales gives Queen Elizabeth a detailed statement of his impressions on the execution of her mother, Anne Boleyn, explaining it as an episcopal conspiracy against "the Gospel light" that broke from her eyes. The learned comments on Haggis, Hogmanay and Hotch-potch, on University life of Scotland, the account of Buchanan, Keith, Knox, and numerous heroes of the sword and pen, make Mr. Burton's volumes very acceptable to us both for entertainment and instruction. So comprehensive and vivid is his survey of these worthies that we lay down the book, feeling, if our Hibernian pun may be allowed to pass, quite at home with his *Scot Abroad*.

How "the naturally bleak lands of Scotland have been transformed during the last seventy or eighty years into a condition of beauty, fertility, and high commercial value," has been shown, to some extent, in the history of family estates in Peebleshire, recounted by Mr. William Chambers of Glenormiston, the brother of the author of the

admirable compilation entitled "Domestic Annals of Scotland."[8] A native of the town of Peebles, where, about seven years ago he founded the Chambers' Institution for purposes of social improvement, a proprietor in the county, where he appears to be known as a meritorious agriculturist, Mr. Chambers has long entertained a wish to write the history of the secluded mountainous territory which bears the name of Peeblesshire. This wish he has now happily and effectively realized. Chiefly to attractive those who have local interests in Peeblesshire, this handsome volume, with its profusion of well-executed wood-engravings, and its antiquarian, historical, descriptive notices, will not be without attraction for the general reader. Tracing its history back to a very remote period, Mr. Chambers reads something of its fortune in the British names of rivers, hills, &c. The county itself bears a British name; and in the following account of it the author hazards an ingenious conjecture as to its ultimate root:

> "*Pabell* in British signified a moveable habitation, a tent, or pavilion—the plural being *Pebyll*, which would thus mean tents and be applied to the place where they were pitched. The first corruption of the name consisted in adding s, apparently to give a satisfactory completeness to the word. For ages the name was written Pebles, the insertion of the double e being recent. Whether Pabell can be traced to the same root as that of the Latin *Papilio*, a pavilion or tent, might form the subject of interesting etymological investigation."

Besides the forts on the hill-tops which support the barrier known as the Catrail or Picts-Work-ditch, fifty British camps, circular or oval, and of lesser or greater dimensions, are found within Peeblesshire. Mr. Chambers also describes the curious group of earthen terraces, of doubtful origin, but which he thinks were designed for horticultural or agricultural operations. During the Roman occupation, from the first to the beginning of the fifth century, Peeblesshire constituted part of the province of Valentia. About A.D. 547, when the Anglo-Saxon kingdom of Northumbria was formed, Tweeddale or Peeblesshire was included within its dominion, nor was it incorporated with the kingdom of Scotland till 1818, when the former monarchy was ceded by Eadulf to Malcolm II. But this must suffice for exemplification of Mr. Chambers' historical treatment. Nor can we follow him in his account of the antiquities, social condition, gradual improvement, intellectual advance, Catholic amelioration, and Presbyterian coercion. Among the anecdotes will be found one relating to Walter Scott and David Ritchie, the original of the Black Dwarf. At p. 440 we find an account of Murray, the secretary to Prince Charles Edward, which we are not able to reconcile with that given by Mr. Burton, vol. i. p. 101, and as we can hardly doubt that Mr. Chambers is here the more accurate narrator we must think that the former gentleman's account of the paddock called Broughton, between Noblehouse and Dumfries, from which he says Murray borrowed his style and title requires revision. According to Mr. Chambers, Murray was the pos-

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[8] "A History of Peeblesshire." By William Chambers, of Glenormiston, F.G.S., &c. Edinburgh and London: William and Robert Chambers. 1864.

sessor of the estate of Broughton in the sheriffdom of Peebles, which, if of the same dimensions then as now, included very nearly the whole parish.

From the by-ways of history, returning to one of its main roads, we take up, eighth in the series published by Hirzel of Leipzig, Pauli's[9] valuable contribution to an extended knowledge, among his countrymen, of the internal relations, the home politics, and social and mental development of the English nation, during the present century, or rather that part of it which has elapsed since the Peace of 1815; the foreign politics, the maritime and colonial power, and the mercantile interests of Great Britain, as described in the graphic pages of Gervinus, being already sufficiently known to his countrymen. In compiling the volume before us the author has consulted the works of Hughes, Alison, and Miss Martineau, all of which he considers unattractive and unfair; and of Mr. Charles Knight, whose "Popular History," though sketchy and wanting in proportion, he pronounces a serviceable manual. He has also derived assistance from Mr. May's "Constitutional History," of which he speaks favourably, and he has further examined the "Wellington Despatches," the "Colchester Papers," the "Castlereagh Correspondence," and various other contemporary sources of information, with more or less attention. The result is that we have in the present volume a thoughtful, well-arranged, and thoroughly intelligible account of England's recent domestic policy, of the career and character of her statesmen, of the impelling motives of her political parties, and of the events and incidents that make up what we may call the national action. The spirit of the book is such as will be generally approved: it is liberal but not democratical in any objectionable sense. The estimate of Pitt's ministerial life is very like that given by Macaulay; Fox's merit is recognised and a future realization of his leading ideas said to be foreseen by a grateful people. So Castlereagh is admired for his energetic spirit and iron endurance, though not for his oratorical talent or creative genius: for his determined opposition to the supremacy of Napoleon, though not for the wisdom or justice of his continental policy. Peel, Canning, Wellington, George the Fourth, and other notable persons are spoken of in appropriate terms. In appreciating the nation it will be found that the author is not an enthusiastic admirer of the British character; he censures us for what he considers our offences against Europe at the time of the Great Peace Settlement; he blames us for our arrogance in calling a certain famous battle Waterloo instead of La Belle-Alliance; he accuses us of sham-virtue and selfishness. Of the more general critical estimates of the volume, the best is that on Byron, in the last chapter. The remarks on Jeremy Bentham, too, are worth reading; and the observations on the material and intellectual progress of the country will prove that we have in Pauli a historian who, if he judges us with severity, is neither unfriendly nor prejudiced. We presume that his work when completed will bring

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9 "Staatengeschichte der neuesten Zeit. Achter Band. Geschichte Englands seit den Friedensschlüssen von 1814 und 1815." Von Reinhold Pauli. Erster Theil. London: Williams and Norgate. 1864.

us down to the present or at least a very recent date. The volume before us begins with the battle just mentioned, and ends with the death of George IV.

Of one of the great actors in this important interval of time, we have a fresh series of notices in the eleventh volume of the "Supplementary Despatches of the Duke of Wellington," edited by his son.[10] This volume, the last but one, or, if we include the promised separate volume containing the index, the last but two, records the entry of the British army into Paris, 7th July, 1815, the surrender of Napoleon, the Ney correspondence, the restoration of the works of art taken by the French, the origin of the Holy Alliance, the escape of Lavalette, and trial of Sir Robert Wilson, Sir Pulteney Malcolm's interview with Napoleon, and the reversion of the Italian duchies. Commencing with July, 1815, the volume ends with July, 1817. It contains three hundred different topical statements.

The next work that we shall notice calls us back into a remote, shadowy, and supernatural antiquity. Of Salverte's "History of Names," translated by Rev. L. H. Mordacque, the second and concluding volume is far less trustworthy than even its predecessor.[11] M. Salverte was ingenious, and in some sense painstaking, but he was also credulous, and he was moreover often inadequate to the task he undertook, judged at least according to our present lights.

What confidence can we place in an etymologist who tells us that "ὄψ, the eye, also means a voice; the Greek word for *eye* having ὄψομαι for its thema, and that for *voice* ἔπω? How can we interpret Raphaim (Rephaim), one of the four Arabian hordes which he believes were conquered by Chedorlaomer to mean Charitable, unless we hold that their charity (according to the derivation assigned by Gesenius) consisted in knocking over once for all every one who opposed them. Having supposed κύκλος to have originally denoted an assembled city, or tribe, M. Salverte explains Cyclops to mean "the *eye of the people*, a most appropriate title for the educated class," and then in a note having previously identified the eye with the voice, he concludes "hence the Cyclops will have been the orators, poets, priests, and diviners, all of these posts which are not unfrequently combined with the duties of a magistrate." Having thus *pragmatized* the Cyclopes into rational persons, M. Salverte attempts to discover the truth about the Amazons. Here is the result of his investigations. In *Pehlviam* signifies mother, and like *matres* in Latin, the word *am* may, with a somewhat more extended meaning, have been used to designate all the matrons of a tribe; so that the Amazons would be the wives of the Asons or Ases. . . . . After referring to the *fact* that of the sons of Ægyptus, six were sons of the Gorgons—wives of an inferior rank; calling to

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[10] "Supplementary Despatches, Correspondence, and Memoranda of Field Marshal Arthur Duke of Wellington, K.G." Edited by his Son, The Duke of Wellington, K.G. Vol. II. London: John Murray. 1864.

[11] "History of the Names of Men, Nations, and Places, in their connexion with the Progress of Civilization." From the French of Eusebius Salverte. Translated by the Rev. L. H. Mordacque, M.A., Oxon. Vol. II. London: John Russell Smith. 1864.

mind that one of the daughters of Danaus bore the name of Gorgophone, that the Danaïdes seconded their father most valiantly when he fought the armies of Ægyptus, and that there are still female warriors in the chosen troops of the empire of Monomotapa, M. Salverte sums up :—"This much, however, may be asserted positively, that the custom of adopting warrior goddesses as national emblems prevailed in the north of Africa, as well as in Asia and in Greece, and that in these various countries the custom gave rise to myths and allegories, which were soon transformed by popular credulity into positive traditions. At a later period the meaning of the name Amazons led the people of Asia, but more especially the people of Greece, to mistake these pretended matrons for the true history of the warlike wives of the Ases." The Gryffins and Arimaspi, the Hyperboreans and Centaurs, still remain, but we refer our readers to the pages which relate their natural history. Leaving classical antiquity, and turning to the page which treats of the Radiant Chootooctoo, we find, in a note, that Chakia-Muni was born B.C. 1029, and died B.C. 950. He was a Hindu, our author continues, as were also his twenty-eight immediate predecessors, so that clearly he knows all about it. Notwithstanding the extent of his knowledge, we venture to say that the best Orientalists place Sákya-Mani's birth in the seventh century (B.C. 623). Seventy pages of this volume are occupied with the translation of one of the literary productions of Annius of Viterbo. Annius of Viterbo is perhaps *worse* known as Giovanni Nanni. He was a Dominican monk, who died in 1502, and is reputed to be the author of many fabrications, among others of the *authentic and genuine* abridgment of Berosus. "Berosus" is not the only pseudonym which M. Salverte covers with his broad shield of honour. In p. 56 he tells us that the poem of Fingal, as Macpherson has edited it, is a mere piece of patchwork, but its various component parts do belong to Ossian, and may be found among the Gaelic songs preserved by the Highlanders and collected together in the beautiful Gaelic edition of Ossian's works, to which is appended a Latin translation (3 vols. 4to). Candidly acknowledging that we have never seen this edition, and turning for information to the only work we have at hand that gives us any account of what Wordsworth calls "the phantom begotten by the snug embrace of an impudent Highlander upon a cloud of tradition," we see that the poems of Ossian in the original Gaelic appeared in 1807, with notes and observations of John M'Arthur (London, 3 vols. 8vo); and that the "original Gaelic" was printed entirely from Macpherson's handwriting, and corresponded literally with the English, and which there is no doubt was translated into Gaelic by Macpherson himself, who was particularly qualified for the task—"Erse, not English, being his native tongue." On the whole we suppose that no well-informed man in these days believes that Wordsworth was far out in his critical verdict. It is instructive, however, to remark that even in the enlightened eighteenth century, while the highest authorities, Johnson, Hume, and Gibbon were all against the authenticity of *Ossian*, there were very sensible and able men who were favourable to his

claims, among others Dr. Blair, Cesarotti, Lord Kames, and Arthur Young. We are not sure if we are right in adding the shrewd broad-church Presbyterian, Dr. Carlyle, whom some one in our own day has cleverly called a "pot-wallopping Sadducee." The latitudinarian ecclesiastic, however, has a graphic account of M'Pherson's outer man and his own first impression of him and his performance, and as we have nothing better to say, we wind up our notice of M. Salverte and his book with the account in question.

"On Tuesday morning, October 2 [1759], on my return from this visit to Dumfries [where I had met Franklin, Adam Smith, David Hume, &c.], I got to Moffat, where I knew John Home was, as he usually passed two or three weeks every season there. He introduced me to M'Pherson in the bowling-green, as I have narrated in a letter to the Highland Society. He was good-looking, of a large size, with very thick legs, to hide which he generally wore boots, though not then the fashion. He appeared to me proud and reserved; and shunned dining with us on some pretence. I knew him intimately afterwards."

Elsewhere he states that M'Pherson exhibited some unfinished fragments, and continues:—

"Mr. Home had been highly delighted with them; and when he showed them to me I was perfectly astonished at the poetical genius displayed in them. We agreed that it was a precious discovery, and that as soon as possible it should be published to the world." *Autobiography*, Editor's Note, p. 398.

Glancing at the opening pages of "The Epochs of Painting," we still find ourselves in the East.[12] From Assyria and India we pass to Egypt, which perhaps in the time of Psammetichus gave an impulse to the arts of Greece. The earliest painter on record, if we may accept Pliny's curious story as true, was Bularchus. Bularchus, possibly a Lydian, painted a representation of a battle of the Magnetes, about 716 B.C., for which Candaules, the king of Lydia, paid him "either its weight in gold, or as much gold coin as would cover it." "This picture by Bularchus," continues Mr. Wornum, "was probably of the school named by Pliny the 'Genus Picturæ Asiaticum,' which appears to have declined subsequently to the Persian conquest of Ionia, little more than a century and a half after the time of Bularchus. Driven from the mainland, painting found shelter in the islands of the Ægean Sea, and Samos became a famous seat of the arts." Fixing the period of development or essential style about 600 B.C., that of establishment or dramatic style about 400 B.C.; that of refinement, form, or technical excellence, about 340 B.C., Mr. Wornum dates the decline of painting from about 300 B.C. The *genrè* painters of our own day were represented in Greece by the so-called rhyparographoi, or dirt-painters. Thus, without reflecting upon modern *genre* painting, the term *genre* painter, or '*peintre du genre bas*,' owes its origin to the same sentiment which established the Greek term rhyparographos. The subjects of such painters, taken from the ordinary objects and incidents of the commonest life, were essen-

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[12] "The Epochs of Painting: a Biographical and Critical Essay on Painting and Painters of all Times and many Places." By Ralph Nicholson Wornum, Keeper and Secretary of the National Gallery. London: Chapman and Hall. 1864.

tially mean compared with the religious, poetic, historic, or heroic subjects of the renowned masters hitherto." Of the Greek *genre* painters the most famous was Pyreicus: "he painted barbers'-shops, cobblers'-stalls, shell-fish, and eatables of all kinds. Antiphilus of Egypt was also a *genre* painter; he painted a room full of dressmakers, also, 'a boy blowing a fire, with the light reflected upon the objects around.'" In an informing page in this early portion of his book, Mr. Wornum discusses briefly the question of statue-painting by the Greeks. Did the Greeks paint their statues? His answer is, "that they did so is an indisputable fact, though it may have been far from the universal practice." That some statues were painted is undeniable. The passage quoted from Plato's fourth book of the Republic affords unimpeachable evidence that the statues of distinguished men (ἀνδριάντες) received the appropriate local colouring, purple and black being specified in the imaginary case in which the fanciful demand is made, that the most beautiful part, the eye, should be painted with the most beautiful colour. On the other hand, that the practice of painting the marble entirely was not general, "is evident from the conversation between Licinus and Aristratus in the dialogue of the portraits, or Panthea, in Lucian; from which it is plain that the Venus of Cnidus, by Praxiteles, and other celebrated statues, were not painted, though parts may have been coloured, and the whole body covered with an encaustic varnish." The *circumlitio* of Nicias, which has been variously understood, Mr. Wornum says, "must have been some superficial application, and cannot imply a correction of form;" accordingly he identifies it with the ἀγαλμάτων ἔγκαυσις of Plutarch. "In his *circumlitio* the naked form was occasionally probably merely varnished, the colouring being applied only to the eyes, eyebrows, and lips; to the hair, the draperies, and various ornaments of dress. And there can be little doubt that marble statues, especially of females, must have had a very beautiful appearance when well coloured in this way." These notices of the epochs of painters will give some notion of the subject-matter and value of the book. We must add, however, that after reviewing the manuscript illuminations and Byzantine art, the author traces the revival of painting in Italy, under Cimabue and Giotto, in the thirteenth century; in Germany and the Netherlands, under the Van Eycks, 1410; in the fifteenth century in Tuscany, Bologna, Naples, under the so-called Quatrocentisti. The re-establishment of painting in the Cinquecenti, or Florentine school, and its attainment of a second maturity. Transalpine art: the deterioration of painting in Italy in the sixteenth century, its progressive decline in the Academic period, and the more modern revival of painting, from Rubens down to Sir Joshua Reynolds, and David, Vernet, Ary Scheffer, Turner, &c., are treated in the concluding chapters. The author has "not spoken of the works of living men in any country, nor has he noticed the revived art of Germany." The present volume, in conclusion, is not a mere revise of the author's essay of 1847, or the enlarged edition prepared for the Oxford Middle-class Examination in 1859, but while incorporating all that he has seen fit to retain of the former essay, is a new work, containing a mass of new matter, and in particular important biographical facts which have since been ascertained. Mr.

Wornum, who is perhaps known to many of our readers as the author of the instructive article on painting in "Smith's Dictionary of Greek and Roman Antiquities," appears to us to have produced a useful and interesting biographical compendium of the masters of the art of colour. The volume closes with some statistical tables. For the illustrations which it contains the author is indebted to the kindness of Mr. J. S. Virtue.

The first of the twenty-four biographical subjects selected by Mr. Charles Kent for rhetorical description and agreeable chatty discussion, is the many-sided Leonardo da Vinci, whom he designates by his most characteristic title, the Artist.[13] In the regular recurrence of epithet by which each hero is denoted—the Adventurer, the Town Poet, the Court Poet, the Soldier-Annalist, the Poet Knight, and so forth, there is an affectation of symmetrical nomenclature which borders on the vulgar taste for sensation-titles. However, Mr. Kent will be found a pleasant fellow-traveller by all whose footprints on the road may chance to coincide with his own. Among his two dozen representative men are included Béranger, Columbus, Raleigh, Budgell, Jerrold, Sir William Napier, Thackeray, Agathocles the Eleusinian, and Galileo Galilei the Astronomer, forming part of the collective series, the separate members of which, or several of them, have already appeared in a detached form in the *Westminster Review*, *Blackwood's Magazine*, *Household Words*, &c. In Agathocles the Eleusinian, the citations are very copious, and show considerable research; but the repetition of the same *erratum* by which a tyrant is substituted for a god, would, in the case of a lady-writer, suggest the awkward suspicion that she was not aware that Dionysus and Dionysius were different "parties." The object of the paper, which really brings together a great deal of curious information about the *Mysteries*, is to show that the Eleusinian celebration was originally introduced into Attica through the instrumentality of some Egyptian traveller, or perhaps we should say, such is the conviction of the author. He quotes Mr. Grote's expression that Demeter and *Dionysius* "were the Grecian counterparts" of Bacchus and Osiris; but they might have been the counterparts of these divinities, and yet have been, if not indigenous to Greece, at least not emigrants from Egypt. But the traditions which associate Dionysus and Demeter are of comparatively recent origin. In the Homeric hymn which gives the mythus of Demeter at full length, and, as we may presume, in its purest form, there is no mention made of Dionysus, though Pindar, it is true, connects the god as cultivator of the vine, with Demeter. The myth is certainly an agricultural myth, the idea contained in it being that the productive powers of the earth are dormant in the winter. That the mysteries of Eleusis set forth the burial of the body and immortality of the soul, was a subsequent philosophical speculation, but it is, as Dr. Thirlwall observes, not improbable that in the century which followed the opening of a regular intercourse between Greece and Egypt, some features derived from the

[13] "Footprints on the Road." By Charles Kent, Barrister-at-Law. London: Chapman and Hall. 1864.

East may have been introduced into the mystic worship, and perhaps the views of the initiated then began to be extended beyond the present life. In any case we should suppose, that if not of native derivation the mystic celebration of Demeter came rather from Asia than from Egypt. Before we close our notice of Mr. Kent's "Footprints," we would say a word on his sketch of Galileo the Astronomer. The offence of which Galileo was guilty is described as a violation of a solemn engagement by which he pledged himself to silence upon—polemical astronomy. Our quarrel, not with Rome only, but with all sacerdotal corporations, is precisely that they will restrict the "liberty of prophesying," the right of free utterance. But this is not all. If the long prevailing view of Galileo's offence be erroneous, if it was for his attempt at conciliation of the two records that he was punished, do we err in saying that it was a scientific truth that he was required to abjure? Is it not the fact that he was accused of believing and holding "the false doctrine, and contrary to the Holy and Divine Scriptures, namely, that the sun is the centre of the world, and that it does not move from east to west, and that the earth does move, and is not the centre of the world; also of maintaining that an opinion can be held and supported as probable, after it has been declared and finally decreed contrary to the Holy Scriptures"? Is it not true that Galileo was promised absolution only on condition of abjuring, cursing, and detesting the said errors and heresies, or is the document from which we quote a forgery? If it be authentic, the ecclesiastical authorities of that day may be justly accused of opposing the progress of truth. It would be an ignorant error to assert that the Roman hierarchy was always hostile to scientific speculation, or that Catholics stood alone in their intolerance. The spirit of persecution belongs quite as much to the Protestant as to the Catholic; and if the Catholic has persecuted more than the Protestant, it is perhaps solely because he has had more time and more power to wield that celestial Greek fire which the theological zealot so loves to evoke. Happily, men, Catholic and Protestant, lay and ecclesiastic, are not consistent in their folly; and though it remains eternally true that all interventional theology is antagonistic to science, it by no means follows that all theologians, in all times, in all places, and under all circumstances, oppose all forms and varieties of scientific progress.

And this is the sole concession that we can make to the cultivated and assiduous, but not discriminating Professor of Modern History at the Catholic University of Ireland, J. B. Robertson, Esq., on some of whose opinions we might find much to say, if time and space permitted. The volume which contains them consists of two lectures on the History of Spain in the Eighteenth Century; four lectures on the Life, Writings, and Times of M. de Chateaubriand; and two lectures on Secret Societies.[14] The history of Spain is so little studied, that

[14] "Lectures on some Subjects of Modern History and Biography." Delivered at the Catholic University of Ireland, 1860 to 1864. By J. B. Robertson, Esq., Professor of Modern History, &c. Dublin: William Bernard Kelly. London: Burns and Lambert; Simpkin, Marshall, and Co. 1864.

we are thankful to Mr. Robertson for calling attention to it in any form or in any spirit. He is quite right to say all that he can truly say *for* his side and *against* ours; and we hope that whatever is justly advanced in his favour and our disfavour, will be received as it ought to be by his Protestant readers. But our impression is, that after all he has said to extenuate the excesses of the Inquisition, the Inquisition remains essentially a tremendous, iniquitous, sanguinary tribunal; and if the popes confirmed and extended its powers—if the crusade against the Albigenses proclaimed by Innocent III. was an inhumanity—we do not see that Mr. Buckle was far wrong in calling the Roman Catholic Church a cruel and persecuting Church, whatever exception may be taken to the sweeping charge of its being stained with every crime. In his strictures on Mr. Buckle's essay on Spain in the "History of Civilization," Mr. Robertson joyfully recognises the merits of an article in the *Edinburgh Review* which undertakes to show that that historian was wrong when he maintained the frequency of earthquakes in Spain; but he makes no reference to Mr. Buckle's reply, vol. ii. p. 5. After citing numerous authorities which narrate the ravages committed during one hundred and ninety years, he continues: "From their account it is manifest that in Spain hardly a generation passed by without castles, villages, and towns being destroyed, and men, women, and children killed by earthquakes. But according to our anonymous instructor it is doubtful if there ever was an earthquake in Spain; for he says of the whole peninsula, including Portugal, 'the only earthquake known to have occurred there, was that of Lisbon.'" So too, while quoting Prescott against Buckle, he might have quoted him for Buckle. When speaking of the earthquake and hurricane of 1504, which visited Andalusia, the historian of Ferdinand and Isabella says, "The superstitious Spaniards now read in these portents the *prophetic signs* by which Heaven announces some great calamity." But to turn from Spain and its religion to France and socialism. While we have certainly no intention of recommending socialism for general adoption, we yet think some effort might have been made to show what is its true meaning and proposed aim, remembering as we do that one of our best writers has said, "I have no difficulty in admitting that Communism would even now be practicable among the élite of mankind, and may become so among the rest."* But Mr. Robertson is not careful to do this. He is not careful even to add the complementary statement which would prevent his *half*-truth from being what it now is. Speaking of the colonists of Icaria, he says, "Their chief, M. Cabet, was prosecuted for swindling, and condemned by the Paris tribunal to two years' imprisonment." Yes; prosecuted in his absence, he was condemned in contumacy. In Mr. Knight's "English Cyclopædia," we are told on the authority of the "Nouvelle Biographie Universelle," and that of the "Gazetteer of the United States," that when this news reached Nauvoo, a vote passed of confidence in the honour and probity of their leader; that Cabet immediately returned to Paris, and notwithstanding the vast amount of

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* Mill's Representative Government, p. 55.

prejudice he found existing against himself, remitted his case to the Court of Appeal, and after a trial which lasted three days, his former sentence was reversed. The result was that in 1856 Cabet, who, shortly after the trial had returned to Nauvoo, was sole judge and ruler of his little band. But we must pass into a more distant age and country—the age and country of the founder of Islam.

Dr. Gustavus Weil, the author of the "Life and Doctrine of Mohammed the Prophet," published about twenty years ago, has done good service in responding to a wish expressed by a friend to Arabic studies, that the life of that hero or impostor,[15] by Ibn Ishak might be rendered accessible to the unlearned through a translation. Mohammed Ibn Ishak lived in the first half of the second century of the Hidjrah, and enjoyed the reputation among his companions of being a trustworthy collector of traditions. The legendary element, as might be anticipated, is combined with the historical, while the work which has come down to us is not the original, but a recension by Ibn Hischam. It seems, however, to be but little altered; amplification, explanation, or variation, being announced as such, and omissions being no less candidly acknowledged. The translator further points out that it is not only as a biography that the present work is of importance, but as one of the most ancient specimens of Arabic literature, as a guide through the labyrinth of the Koran, and as a repository of many excellent poems by contemporaries of the Prophet. The translated work consists of two volumes, of which the first begins with the birth of Mohammed and ends with the campaign against the Benu Suleim, and the second begins with that of Sawik, and ends with the hero's death.

Two books of little note close our list; the "Minsters and Abbey Ruins of the United Kingdom,"[16] by Mr. Walcott, which may prove an acceptable guide-book to their history, architecture, monuments, and traditions; and Mr. Paul Bedford's "Recollections and Wanderings,"[17] a harum-scarum recital of the scattered experiences of the well-known comic actor.

BELLES LETTRES.

FRESH books upon Shakespeare appear in rapid succession, and if the last, by Mr. Kenny,[1] does not contain anything very new, its closely printed pages accurately chronicle facts, and record the results of the most recent criticism. In the chapters on the poet's

[15] "Das Leben Mohammeds nach Mohammed Ibn Ishak bearbeitet von Abd-el-Malek Ibn Hischam. Aus dem Arabischen übersetzt von Dr. Gustav Weil, &c. In zwei Bänden. London.

[16] "The Minsters and Ruins of the United Kingdom: their History, Architecture, Monuments, and Traditions; with Notices of the Larger Parish Churches and Collegiate Chapels." By Mackenzie Walcott, M.A. of Exeter College, Oxford. London: Edward Stanford. 1864.

[17] "Recollections and Wanderings of Paul Bedford. Facts, not Fancies." London: Routledge, Warne, and Routledge. 1864.

[1] "The Life and Genius of Shakespeare." By Thomas Kenny. London: Longman and Co. 1864.

life and character, the author gives all the scanty contemporary allusions to Shakespeare that have been discovered by curious antiquaries, among them, one from Ben Jonson's Commonplace Book, which is less generally known than the laudatory verses in the folio of 1623. It hardly bears out the charge of envious detraction which has been brought against Jonson, and is as follows:—

"I remember the players have often mentioned it as an honour to Shakespeare, that in his writing (whatsoever he penned) he never blotted a line. My answer hath been, would he had blotted a thousand! Which they thought a malevolent speech. I had not told posterity this, but for their ignorance, who chose that circumstance to commend their friend by, wherein he most faulted; and to justify mine own candour, for I loved the man, and so honour his memory (on this side idolatry) as much as any. He was, indeed, honest, and of an open and free nature; had an excellent phantasy, brave notions, and gentle expressions, wherein he flowed with that facility that sometimes it was necessary he should be stopped: *Sufflaminandus erat*, as Augustus said of Haterius. His wit was in his own power; would the rule of it had been so too! Many times he fell into those things could not escape laughter; as when he said, in the person of Cæsar, one speaking to him, 'Cæsar thou dost me wrong!' He replied, 'Cæsar did never wrong but with just cause,' and such like; which were ridiculous. But he redeemed his vices with his verses. There was ever more in him to be praised than to be pardoned."

Mr. Kenny is wanting in the art of infusing a living interest into a hackneyed subject, and is apt to become dull when he aims at original flights. We do not need to be told that "men and women are the especial study of the dramatist," or that "Shakespeare looked at life through the transparent atmosphere of a light, unenthralled imagination," or even that "the great dramatist drew his intellectual aliment largely and freely from the world around him;" still less that the "power of conception and the power of expression are most completely united in the greatest creations of genius." But the book has the merit of bringing together in convenient form much information for which the student must otherwise seek in many separate works, and the writer has taken up the subject in very serious earnest, sparing no pains in collecting the materials for his proposed task of throwing any ray of new light upon the growth and characteristics of the poet's genius.

A little volume from New York[2] gives an encouraging view of the progress and prospects of Art in America, even in the midst of a desolating war. The author tells how much has been done of late years—the high prices given for pictures by private collectors, and the numerous Institutes of Fine Arts which are springing up not only in Boston and New York, but in such places as Buffalo and Chicago; but he laments the want of a National Gallery, and urges the advantages of such an institution even on the ground that it would be a safe and profitable investment. "The city of America which first possesses a fine gallery of art will become the Florence of this continent in that respect, reaping a reward in reputation and money sufficient to convince the closest calculator of the dollar that no

[2] "The Art Idea: Part Second of Confessions of an Inquirer." By James Jackson Jarves. New York: Hurd and Houghton. 1864.

better investment could have been made." Mr. Jarves, is well-known as the author of a book published in 1857, entitled "Confessions of an Inquirer," which provoked a good deal of what he terms "see-saw criticism," but upon which he prints, with much complacency, the commendatory opinions of Elizabeth Barrett Browning and Mrs. Jameson. In 1861 he published an abstract of the history of Italian painting, with the title "Art Studies;" the fruit of ten years' devotion to the subject, during which time he had collected with infinite pains, nearly a hundred and fifty specimens of various masters, which he hoped might become the nucleus of a public gallery at Boston, his native city, offering them at a third less than their cost. But owing, apparently, to underhand intrigues, the proposal was not accepted, and the collection, which competent judges have pronounced to be a very valuable one, seemed in danger of dispersion, when in March of the present year, the New York Historical Society proposed to become the purchasers, and to raise a subscription of 25,000 dollars for the purpose. It does not appear whether this plan has been carried out. Mr. Jarves writes hopefully of the rising American school, and points with natural pride to Story's "Sybil" and Ward's "Freedman" as evidence that it can express the living thought of the present, while he looks upon the works of Allston, Babcock, Hunt, La Farge, Inness and Vedder as not unworthy successors of the Venetian school, and as giving better promise of an original modern school of colour than any other nation can boast of. The following passage explains the peculiar advantages and special drawbacks by which art in the New World is surrounded:—

"First, it has freedom of development, and a growing national knowledge, refinement, and taste, to stimulate it and strengthen the common instincts of beauty, which never wholly deserts human nature even in the most untoward condition. Secondly, it is not overborne by the weight of a glorious past, disheartening the weak of the present, and rendering many, even of the strong, servile and mind-ridden. True, it has not the compensating virtue of lofty example and noble standard; but the creative faculty is freer, and more ready to shape itself to the spirit of its age. Thirdly, art is in no sense a monopoly of government, religion, or social caste. It is not even under permanent bondage to fashion. It rather leads or misleads it than is led by it. For its sustenance it appeals directly to the people. Fourthly, it possesses a fresh, vigorous, broad continent for its field; in the natural world, grand, wild, and inspiriting; in man, enterprising, energetic, and ambitious, hesitating at no difficulties, outspoken, hardy of limb, and quick of action; thought that acknowledges no limits; mind that dares to solve all questions affecting humanity to their remotest consequences, daring, doubting, believing, and hoping, giving birth to new ideas, which are ever passing on to new forms. In one word, art is free here; as free to surpass all previous art as it is free to remain, if it so inclines, low and common. But if America elects to develope her art wholly out of herself, without reference to the accumulated experience of older civilizations, she will make a mistake, and protract her improvement. We have not time to invent and study everything anew. We are a composite people. Our knowledge is eclectic. It remains for us to be as eclectic in our art as in the rest of our civilization. No invidious nationalism should enter into art competition or criticism. The true and beautiful cannot be permanently monopolized by race, class, or sect. Foreign governments set a

wise example in throwing open the designs of their public edifices to the artistic competition of the world. Least of all should America be behind in this sound policy, for no country stands in more need of artistic aid."—p. 199.

This little volume contains much that will interest those who care to watch the progress of art, and who can appreciate the remarks of one who writes with feeling as well as knowledge, and who has studied the subject with an enlightened view to its manifold relations to religion, taste, and civilization.

Mr. D'Arcy Thompson gives us a very pleasant volume[3] of scholarly conceits, quaint fancies, and philological theories interspersed with passages of gentle and tender sentiment, and a vein of humorous good sense which redeems them from sentimentality. His chief theme is the wrongs of schoolboys and the "Theory of Elementary Unintelligibility," upon which that system of instruction is based by which Greek and Latin are taught so as to consume the greatest amount of time with the smallest of perceptible result. He boldly attacks the received grammatical manuals, ridicules their rules, and accounts for their stupidity by explaining that "half, if not all, the absurdities of our grammars arise from the fact that the rules were enunciated when the theory of language was imperfectly understood, and when the two great languages were considered as alien to one another." He describes his own experience when at seven years old he was set to learn that terrible volume which—

"gave all imaginable rules and all imaginable exceptions. It had providentially stored within it the requisite gear for whatever casualty might befall us. The syntax rules, in the edition presented to me were, for the first time, rendered mercifully in English: those for gender and quantity remained in the old Latin, and the Latin was communicated in hideously discordant rhythm. Over a space of years we went systematically through and through that book; page after page, chapter after chapter. It was all unintelligible—all obscure; but some spots were wrapt in more than ordinary gloom. Our chronic bewilderment was varied from time to time by shooting pains, brought on by some passage or expression unusually indigestible. We read of creatures—happily few in number—that went about in the *epicœne* gender. Were they fish, flesh, or fowl? Would the breed be ever extinct? Under certain desperate circumstances, a participle and a noun together were bound hand and foot, and put into the *ablative absolute*. What had they done, to be treated in a manner thus peremptory, unreasonable, crotchety? Did they ever get out after being once put in? Then there were gerunds in *Di*, *Do*, and *Dum*. How they recalled to us that old *Fee*, *Fi*, *Fo*, *Fum*, and the smell of English blood! And supines in *Um* and *U*. What was the meaning of these cabalistic names? I did not know then; and I do not know now. And yet I have been behind the scholastic curtain for twelve long years. There was no entire chapter in the book more broken by pitfalls than that, composed in doggrel, which treated of the rules for gender. Not one word, I am sure, of an exceptional kind had escaped the diabolic ken of the compiler. String upon string of jangling, unmusical lines could we repeat with a singular rapidity; understanding nothing, asking no questions. Oh, the sweet simple faith of childhood! We had been told to commit those lines to memory, and we committed them.

[3] "Day-Dreams of a Schoolmaster." By D'Arcy W. Thompson. Edinburgh Edmonston and Douglas. 1864.

They would doubtless do us good in the latter days. We should at all events be flogged there and then unless we sang them like caged birds."—p. 6.

Mr. Thompson cites his own experience as a schoolmaster in proof of the possibility of teaching a classical language in a rational manner, and attacks time-honoured prejudices with a daring which reminds us that he writes from a country where Latin is not yet so dead a language as it is with us; for Latin was spoken in village schools in Scotland within the memory of living men; the Italian pronunciation is still retained; and it is possible even now to meet with a Scotch youth who, though scarcely able to express himself in English, can write pure and elegant Latin. It will be a bright day for scholars as well as tutors when languages are taught as Mr. Thompson would have them, and his little work deserves the attention of all instructors of youth. We must make room for one other extract from a chapter entitled "Place aux Dames."

"My brother sat for a week opposite a fair creature at a table-d'hôte in Venice; and he never eat less or enjoyed dinner more, for a week together. He heard her speak all the languages he knew; and some that he did not know. But for her linguistic powers, he would have taken her for an English girl, from her English accent and her blonde beauty. Of course she was a Russian. She had no appearance of the Blue. If she was one, then I could wish that all were even as that sweet, young, blue-eyed polyglot. 'Twas a lucky fellow, I should think, that caught that little Tartar. Do, reader, disabuse your reasonable mind of unreasonable crotchets. Women have just as keen intelligence as men; less powers, maybe, of abstract reasoning; but far finer perceptive and linguistic faculties. They need not be trained to exhaustive scholarship; but refinement of mental culture suits them, perhaps, even more than it does our sex. I imagine that the Lady Jane who read her "Phædo" when the horn was calling, had as pretty a mouse-face as you ever saw in a dream; and I am sure that gentle girl was a better scholar than any lad of seventeen is now in any school of England or Scotland. And once upon a time, reader, a long, long while ago, I knew a schoolmaster, and that schoolmaster had a wife. She was young, and fair, and learned: like that princess-pupil of old Ascham; fair and learned as Sydney's sister, Pembroke's mother. Her voice, was ever soft, gentle, and low, reader; an excellent thing, in woman. And her fingers were quick at needlework, and nimble in all a housewife's cunning. And she could draw sweet music from the ivory board; and sweeter, stranger music from the dull life of her schoolmaster-husband. She was slow of heart to understand mischief, but her feet ran swift to do good. And she was simple with the simplicity of girlhood, and wise with the wisdom that cometh only of the Lord—cometh only to the children of the kingdom. Her sweet young life was as a morning hymn, sung by children's voices to rich organ music. Time shall throw his dart at Death ere Death has slain such another. For she died, reader, a long, long while ago. And I stood once by her grave; her green grave, not far from dear Dunedin. Died:, for all she was so fair, and young, and learned, and simple, and good. And I am told it made a great difference to that schoolmaster."—p. 123.

That schoolmaster being, as we have heard, the author of these "Day-Dreams."

A volume of republished papers,[4] sixty-two in number, upon a great

[4] "Tangled Talk: An Essayist's Holiday." London: Alexander Strahan. 1864.

variety of subjects, contains much pleasant reading, and is written in a very agreeable lively style. The author takes peculiar pleasure in exposing the errors that lie hidden in broad generalizations, and the falsehood contained in plausible half, or two-third truths, and he above all things wages war against pretension and the tyranny of commonplace sentiment. A great deal that he says is what would be thought by any well-educated, reflecting, honest-minded man surveying the perplexed and troubled world in which we live, and desirous of doing so with as much impartiality as is consistent with earnestness, while there is enough of originality and freshness to recommend these short essays to the thoughtful reader, and a sufficient sprinkling of anecdote and quotation to fit them for the digestive powers of the many who demand lightness as the first requisite in their mental nutriment.

In the same field, so tempting to the meditative and the solitary, we meet the authoress of "Sylvan Holt's Daughter," who gives us two volumes[5] of her thoughts and life-experiences, and generously takes us more into her confidence than the tangled-talker abovementioned. A slender thread of autobiographical narrative runs through these desultory chapters and gives a personal interest to them. They contain the philosophy of a working woman's life; of one who for ten years toiled in the dull routine of a school-room, and who lives to declare as the result of her experience that the life of a governess need not necessarily be either unhappy or irksome. She has known the chill isolation, the labour unlightened by love, the restraint and the tediousness that are the inevitable sufferings of one who, at the best, knows that her presence in a house is looked upon in the light of a necessary evil, but she nevertheless boldly asserts that the position of a governess is very much what she herself chooses to make it. We fear that there are not many in that sisterhood of fifteen thousand who will echo this sentiment, nor are there many women in any position who have the resolute cheerfulness of the lady who preaches so wisely and gently on the duty of making the best of it. The rough schooling of poverty and work has at least in this instance been successful, and a life of obscure spinsterhood has taught self-reliance and independence of spirit without quenching one feminine instinct or hardening one womanly feeling. Our authoress is not a reformer nor an emancipist, and deems the life which is the lot of so many, a perpetual denial of the noblest part of their being, but she bids such to take courage, follow her example in making the most of every small pleasure that may brighten the joylessness of their fate, and promises them the reward of increasing contentment at last. We have dwelt upon this feature of "In the Silver Age," because it is rare to meet with so bracing a tone in a woman's book, which at the same time evinces the fullest sympathy with, and appreciation of, the often unsuspected and unpitied wretchedness of her less happily constituted sisters; but her meditations are by no means confined to this or kindred topics.

[5] "In the Silver Age: Essays—That is, Dispersed Meditations." By Holme Lee. London: Smith and Elder. 1864.

The varying aspects of nature are to her sources of keenest pleasure, and she writes of flowers, and shadows, and running brooks, with a contagious enthusiasm. A short foreign tour is the subject of some amusing chapters, and the grotesquely sad experiences of a village Lady Bountiful on a small scale, are related with pleasant, kindly humour. The union of pathos, gaiety, and practical good sense in these prettily got up volumes is not an every-day merit, nor among books of this class—namely, the egotistico-fragmentary "loose thoughts" of the self-taught—do we remember one more agreeably written or containing more genuine evidence of time and talent turned to good account; the talent being of that unobtrusive amiable kind which does not meddle with things too high for common understandings, and puts into a few gracefully-written sentences the wisdom that has been dearly bought with the courageous effort of a patient self-denying life. We quote a passage from a chapter entitled "Rain in Summer:" in it many will sympathize, though all would not dare to express their assent:—

"Such an extensive veneer of universal knowledge is laid on modern society that the only folks from whom there is a chance of a new view and a fresh idea are those who being out of the world are out of the fashion, and wear boldly the grain of their native wood, as did their fathers before them. It is always refreshing and satisfactory to listen to those who talk of their own special subject—of their private taste, occupation, or even idleness; of their vagaries, speculations, and fancies; but the foggy generalization on all the learning and wisdom under the sun to which more and more persons are becoming prone is infinitely wearisome. I know I am secure of wide sympathy when I confess that my own appetite for useful information was always very easily appeased. The moment gases are introduced my wits evaporate in the loaded atmosphere, and a lethargic dulness creeps over all my senses. Such mysteries of natural philosophy as Why the kettle boils? and Why the apple falls to the ground? are quite beyond my comprehension. My reply to the former inquiry would be, Because it is set on the fire; and to the latter, Because it is ripe; and if the inquisitive child who was so ill advised as to worry me with these frivolous demands were anxious to enter further into the subject, I should refer it to 'Brewer's Questions.' Next to knowing a thing of one's own knowledge is knowing where to learn it. What an excruciating infliction is a lecture served up cold at supper by a half-wise woman who has been spending an evening at the British Institution! Her fresh intelligence frothed up into trifle of science, becomes the centre dish of conversation, of which her guests must praise the composition and liberally partake. But while lending her their reluctant ears, they are secretly rebelling against her assumption of wisdom, suspecting her accuracy, and wishing she would talk of what she really does understand—of potting meats and preserving fruits apart from chemistry, or of excellent methods of curing neat's tongue; for the woman who regales on science has commonly a superior turn for housewifery. The gift of distinct explanation is very rare. The genuine man of science is simple, clear, comprehensible, but his amateur mimics are bores without exception. . . . . To improve themselves is the object for which the feebly conscientious toil without ceasing. And let them toil; but, oh! if they would only have a choice in the ways and means, and not all flock sheepishly after shrill dull dogs who *will* fold them and pen them in the most arid of pastures. It is pathetic to witness the virtuous perseverance of the votaries of every new mania that has the slightest tincture of art or science. . . . . The most sober-minded sections of society become curiously frivolous in their efforts to guard against frivolity; and its best-intentioned members are

positively dangerous when a-mount of their hobbies. Here, for example, is 'The Chemistry of Common Things,' and a progressive friend, who has dwelt on its warnings until she has made herself suspicious of every crumb she eats, pleads with me affectionately—'Read it, pray read it; it is a delightful work!' But, *merci!* for the health's sake of my body, I beg to avert my mind from all its painful unwholesome themes of meditation. Suffer me to absorb my peck of dirt unawares!"—vol. i. p. 195.

Mr. Moon seems determined to have the last word in the shape of a third letter to the Dean of Canterbury, which, with the help of sundry odds and ends of correspondence and Opinions of the Press, swells his invectives to the size of a small volume[6] to match "The Queen's English," which we noticed in a former section. It is agreed on all hands that Dean Alford is a careless and far from elegant writer of English, and it was well that his slight and hastily-written Lectures should have undergone the examination and criticism which they have provoked; but the controversy has lasted long enough, and Mr. Moon's severity is degenerating into mere rudeness, while some of his objections are only the captiousness of fault-finding. If the Dean intends to return railing for railing, it will not be easy for him to outdo his irate opponent, who charges him with "errors in the use of pronouns; errors in the use of nouns, both substantive and adjective; errors in the use of verbs and of adverbs; and errors in the use of prepositions. There are errors in composition, and errors in punctuation; errors of ellipsis, and errors of redundancy; specimens of feeble expletives, and specimens of circumlocution; specimens of ambiguity, and specimens of squinting constructions; specimens of misquotation of an opponent's words, and, worst of all, a specimen of misquotation of Scripture."

The author of "Guy Livingstone" has added another to the long list of novels of the present year, and in "Maurice Dering"[7] exhibits once again his small company of actors playing out a drama of passion at white-heat, with not much more variety in the scenery and getting-up than is sufficient to authorize the new title-page. "The Quadrilateral" is the story of four men knit into a brotherhood-in-arms and friendship, somewhat after the model of "The Three Musketeers." Their exploits are narrated in the half-mournful, half-mocking tone with which we are familiar, and their loves, hates, wrongs, and sufferings are worked up into a tale of considerable interest and power, not wanting, it is almost unnecessary to add, its fair complement of dangerous ladies, thorough-bred horses, miraculous escapes, and perilous adventures. We are introduced to the four heroes in "Tabako Parlement" assembled at midnight, where, according to our author, the Englishman is seen to so much advantage that he longs to exhibit him to some disparaging Frenchman whom he would thus apostrophize:—

"Monsieur, my friend, much of your trenchant satire is unhappily too true. We *do* beat our *blanche mess* occasionally with a thick staff. Those radiant

[6] "The Dean's English: A Criticism on the Dean of Canterbury's Essays on the Queen's English." By G. Washington Moon. Second Edition. London: Hatchard. 1864.

[7] "Maurice Dering; or The Quadrilateral." By the author of "Guy Livingstone." London: Tinsley Brothers. 1864.

creatures who left us a while ago are always liable to sale in the public mart, with a cord of silk about their swan necks. Those loungers around you, in broidered raiment of many colours, *do* gorge themselves daily with the bleeding bifstek, deluged with portare-beer—ask, rather, M. Victor Casserole, our *chef* and your compatriot. I may not deny that most of our notables—especially our Prime Ministers—die early and miserably of the fatal spleen.' Through the dull winter months every other leafless tree in our parks bears the bitter fruit of a self-suspended aristocrat. All this—casting upon my head these white ashes—I confess and concede. But tarry here, I pray you, one short half-hour; and then say if, in his own saturnine way, Milord is not capable of a *causerie*."—p. 17.

Each personage of this small select company is drawn with the clearness and finish of a fine steel engraving, and the two fair ladies whose *rôle* it is to poison and make desolate their lives—woman's usual mission, according to our author—are as full of every bewitching charm and artifice as their male victims are of truth and chivalry and self-devotion. In this story, as in "Barren Honour," a woman's deceit is the rock upon which the peace of two lives is wrecked, and Ida Carew is another variety of the species which our author draws with such minute and careful finish, always reiterating the same melancholy moral; "if a woman—wily or wicked—be once within the walls, never was ravelin or rampart that long could keep the besiegers at bay." Devotion rewarded by treachery; fidelity met with falsehood; temptation fled from yet ever pursuing; failure, discomfiture, and anguish as the conclusion of all earthly striving, are the gloomy themes on which so much art and talent are lavished; and over all there is thrown a veil of stoical philosophy which blinds the reader for the time to the morbid and exaggerated theory of life which these books illustrate. So much brilliancy of style and masterly use of materials place our author many degrees above the common level of novel writers, and though his pictures of men and women are not much more real than his ethics—both being only true upon the assumptions that undeviating fixity of purpose is a common attribute of humanity, and that in the moral world darkness rules triumphant—they *are* pictures, full of expression and a certain heroic grandeur and sombreness, which looks like simplicity but is the triumph of practised art. They depict the strongest emotions and fiercest passions of man, and it was characteristic of the author to choose for the crowning trial of his sorely exercised hero one of such maddening horror as the death of his young betrothed in the Indian mutiny. A noble, gentle-hearted soldier, with every feeling of mercy and pity dried up at one fell stroke, is the very subject for one who delights in the exceptionally horrible, and in illustrating the old theme of ancient tragedy—a relentless fate, before which gods and men are powerless to save.

By comparison with these lurid scenes of moral agony, a story of the sensational school in which circumstantial evidence and a detective are the chief agents, is a poor excitement, and the sense of tragedy is lost in the multitude of every-day details and the constant reference to "Bradshaw." A fourth edition of "Henry Dunbar"[8] attests the

[8] "Henry Dunbar: The Story of an Outcast." By the author of "Lady Audley's Secret," &c. Fourth Edition. London: John Maxwell and Co. 1864.

unabated popularity of Miss Braddon's works. As in its predecessors, there is in this story infinite skill in the management of an intricate, improbable plot, great cleverness in the manifold contrivances for startling and telling situations, and much mechanical ingenuity in working them up into a highly-coloured effective whole. It is a new, and not altogether a gratifying, feature to see a lady-writer chief among the caterers for strong excitement, and foremost among those who would degrade fiction to the level of inferior melodrama. If it be good to stimulate our predatory instincts and keep them on the stretch while we trace the dodges and doublings of an accomplished scoundrel matched with an adroit detective, then let all praise be given to Miss Braddon, for she understands her work and does it thoroughly, with a never-failing supply of expedients and an inexhaustible stock of disguises. There seems to be but one thing positively essential to her besides the central crime—she must have plenty of money. She can do nothing without heaps of gold, and seems positively to bask in her own gorgeous descriptions of the splendour of wealth. Her heroine's rich dresses are dwelt upon with the unctuous delight of a dressmaker's apprentice, and she writes of upholstery—satin curtains, gilded mouldings, chairs covered with velvet, and "the rich thickness of the sombre Turkey carpet," like one to whom those articles of furniture were subjects of blissful reverie. But perhaps in this as in other things she understands her public, and is well aware that next to its enjoyment of a barbarous murder or a gigantic fraud, is its delight in golden visions of untold wealth. Those who do not relish these strong meats may supply themselves with a most perfect antidote in a new work by the author of "Morning Clouds." "Wanted—A Home"[9] is the history of a young lady variously and richly endowed, whose early love has been cruelly thwarted, and whose sudden fall from wealth to penury causes her to stifle her feelings and silence her better judgment in order to marry, for the sake of a home, a rich, tiresome old baronet whom she is always endeavouring not to despise. The incidents are trite enough; not so their treatment. Much thought, considerable reading, close observation, and refined poetic sentiment raise this book far above the ordinary record of a heart-history which idle women are so fond of composing, and we feel at every page that we are brought in contact with a mind accustomed to pure and elevating contemplation and a spirit that has struggled upwards, finding rest and freedom in the higher life. The authoress, as her motto shows, is aware that she does not write for all; her book is for those "che soffrano ed hanno sofferti," and doubtless there is many a tender and delicate spirit, driven from the shelter of a home like that of Helen Raymond, whose bitter experience would be but too faithfully re-echoed in these pages. The suffering of one who has been reared amidst elegance and culture, when exposed to the society of the coarse, the vulgar, and the untaught, cannot but be acute, and it is a theme that would naturally invite a woman's pen; but while fully recognising the fidelity of the

[9] "Wanted—A Home." By the author of "Morning Clouds," &c. London: Smith and Elder. 1864.

picture, we are tempted again and again to ask, Why draw it so minutely? Why describe with this microscopic accuracy sufferings which to the, happily, uninitiated majority, are tediously uninteresting, and to the unfortunates who have experienced them must seem like a mocking reflection of their woes? The heroine is a very noble, beautiful creature, and the history of her rough schooling in life may be worth writing, but the analysis of her feelings and motives is as close and scrupulous as if it were a duty to mankind to keep an accurate register of them. This dissection of character if pursued too long and too scientifically, becomes painful, and the reader with any scrap of feeling longs to escape from the sight of the quivering nerves and the bleeding heart; the more so when the causes of the pain are, for the most part, peculiar to a woman's experience—the experience of the unhappy few who have refinement without means and capabilities without employment, and whose whole being is strung to such a pitch of sensitiveness that every step is agony which takes them away from the hushed and polished luxury in which they have been reared. Viewed in this aspect, the book is a painful one, but its literary merit claims more than a passing notice. It possesses the charm of a polished and excellent style, and often in a few words, the whole internal mechanism of a character is suggested; as, for instance, when a curate is described as "whisking cheerfully about his parish, really exhilarated by a tooth-and nail resistance to the encroachments of dissent," or a lady who "had, as it were, a little abstract sympathy always warming on the hob, and could pour out some, cold-boiled and tasteless as it was, on the first occasion that seemed to call for it." But in this as in all her former works, the writer excels in the art of depicting the suffering from want of sympathy and the blank misery of close intercourse with natures that are uncongenial. On this theme she rings changes of curious variety, and enters into every phase of the case with excruciating, not to say hideous truthfulness. Here is the poor heroine in one stage of torture:—

"Usually when the Trouncers did talk among themselves, it was either a wrangle of loudly asserted difference of opinion, or a general clack of consentient feeling, animated by strong party spirit or softened by twaddle; of conversation, properly so called, they had no idea. . . . Helen sat among them perfectly silenced by their bad taste. Nothing, perhaps, puts a more impassable gulf between one person and another than an extreme discord of tastes. You may hope for a passing unkindness to be repented of, but who repents of having jarred every nerve of a sensitive nature with coarse fun or self-congratulatory jests expressive of vulgar triumph? In this house she had seldom any respite from distaste. Its inmates contrived to make both seriousness and hilarity equally repelling. Perhaps the gayer moods were the worst."—vol. iii. p. 193.

And then, after the marriage, comes the following:—

"Oh! was it no distress to her to live with a small mind—a mind that was swollen to evident self-gratulation on the least flush of success, and hurried into fussiness on any pressure of business? Was it no pain to be the constant companion of one whose chief delight was to go through the motions of being a public character? whose favourite amusement in the evening was to

take up some printed papers of his own composing, about committees for public transactions, and read them aloud to her in a very sonorous voice and with much needless emphasis? . . . . A few days after their return home, an old woman had pulled some stakes from a hedge, and he would have, as a magistrate, to sit in judgment upon her. In the evening he stood by the window, when Helen was luxuriating in the scents and sights of her beautiful new garden, with his hands folded behind him, and thus addressed her:—'I shall give the policeman fully to understand that I have no intention of frustrating the course of justice. I must insist on the most unshrinking discharge of his duty as a public officer. I shall say, Wilkes, it is incumbent on you *thoroughly* to investigate this case, and then to come and make your deposition in explicit terms, without subterfuge or reserve of any kind. Leniency *may* be carried too far; it may encroach upon justice, and endanger truth. Do you follow me, my love?' 'Oh, easily,' she replied, glancing towards him with rueful pity, for she thought that even he must have some obscure notion of what a foolish, pompous piece of work he was making. No such thing; he stood swelling with weak vain words,—his poor little mind strutting among legal intentions with perfect self-applause. His heart was betraying itself, and he was telling the only ear present that he was a fool. Helen groaned inwardly, and was glad that no one else heard him. 'Will you not read me a few more pages of Alison?' she asked. (Alison was Sir Matthew's favourite author). She was very fond of getting him to read aloud to her; while so occupied he could not be saying any more silly things, and it gave her patience a rest."—vol. iii. p. 97.

Through these inglorious trials of nineteenth-century-martyrdom, the poor saint is brought thrice purified by the faith which gives her peace at the cost of happiness. It is difficult to recognise the power which many pages of this book betray, and not marvel at the same time that the writer should be content to limit it to so narrow a canvas. Doubtless she follows that natural law in obedience to which women will devote countless hours, priceless eyesight, and admirable perseverance to the fabrication of some delicate trifle of handiwork, the meaning and value of which can be but faintly guessed at by the masculine intellect.

"Denis Donne"[10] is a cheerful, entertaining story, dealing with more tangible matters than the distresses of extreme refinement. The writer—we presume, a lady—has evidently a strong sense of humour, and enjoys unmasking the weakness of some of our conventional batteries, and exhibiting the mean compound of spite and petty jealousies, which are often their chief ammunition. The heroine—or at least, the person who plays the chief part—is a certain Miss Conway, a beautiful, scheming adventuress, who fancies herself too poor to carry a conscience or a heart, and contrives to entrap and marry a peer, by a method as ingenious as it is novel. Her character is well drawn throughout; but even better is that of Mrs. Donne, her rival in beauty and coquetry, who outrages the moral sense of a grave cathedral town by appearing with the new bishop in her train, and entirely subjugates, for the time, the bishop's chaplain, thereby causing the rupture of his engagement to a harmless young lady, very respectable but wholly uninteresting, and suffering sadly from comparison with the

[10] "Denis Donne: A Novel." By A. Thomas, author of "Sir Victor's Choice." London: Tinsley Brothers. 1864.

radiant lady who could give appreciative sympathy and words that fire ambition, instead of such flat matter-of-fact congratulations as "The chaplaincy! oh, I'm so glad. How much a year will it give you, Sydney?" The real heroine is Stephanie Fordyce, as honest and true-hearted a damsel as the others are false and scheming, and who is given, with true poetical justice, to the chaplain aforesaid—the only man in the book that deserves her. We are surprised to remark in a work well written for the most part, such a sentence as "shaking off the effects like a dog does the water from his back," and other similar offences against the mother tongue.

If "Son and Heir"[11] be a first performance, it is a decided success, and contains the promise of higher achievements to come. We abstain from the unfairness of telling the story, which is a well-imagined one, and worked out with meritorious care. It is something new, too, to have a hero who is not a mere bundle of impossible perfections, or an incarnation of one consuming passion, but a simple blue-eyed young Englishman, not at all clever or remarkable for anything but his honesty and his strong will, which he brings to bear somewhat rudely in his courtship of Sydney Chalcote, who is one of those tiny elfin heroines that make such havoc in the tender hearts of slow, stalwart men. There is more gall than honey in this book; a vein of satire gives an agreeable pungency to its pages, and no quarter is shown to hypocrisy or affectation. Here is a sketch of the great family pew of the Chalcotes on a summer's Sunday morning:—

"Sir Hugh made the responses in a voice which resounded through the church; then, tired out with his exertions, while Mr. Penrose, the rector and a great Greek scholar, preached a sermon about the Fathers, he nodded and snored, an example which was soon followed by all the gentlemen in white smock-frocks or red velveteen waistcoats, who sat in different parts of the church; they complained that the rector preached too 'back-along' for them. Sir Hugh and my lady were very religious in their way. He considered that his chief duties were to go to church at least once on a Sunday, to give away money to the poor, never to tell lies, nor to swear more than he could possibly help. She thought she ought to go to heaven, because she believed the Thirty-nine Articles, because she held every one who differed from her in pious abhorrence, and because she never looked into any book at any time but an old volume of sermons on a Sunday afternoon, when she had nothing else to do. Mrs. Tracy's behaviour throughout the service was highly edifying. She spread out her moiré antique skirts, she cast up her eyes, she seemed to say, 'Look at me! I, Mrs. Tracy, of Belgravia, moving in the highest circles of society, talented, handsome, and grandly dressed, I have not the slightest objection to going down on my knees before you all, and calling myself dust and ashes, and a miserable sinner.' Had you asked why Mr. Tracy was present, he would probably have lisped in reply, 'Aw, why it's a deuced bore, certainly; but it's the correct thing now-a-days, you know; and aw—one must set an example to the lower orders, and all that kind of thing, you know.'"—vol. i. p. 68.

We detect in this story an ambition to produce something more substantial and workmanlike than the ephemeral novel that is forgotten as soon as read, and the authoress has shown herself possessed of not a few of the spells by which readers are bound, and their curiosity

[11] "Son and Heir." London: Hurst and Blackett. 1864.

chained while they follow the clue that tempts them through the labyrinth.

The lucubrations of Cornelius O'Dowd,[12] republished from "Blackwood's Magazine," are light, round-about papers, smartly written enough, and well suited to the time-killing office which is the appointed function of these too numerous volumes of printed trifling. There are the little pasteboard theories, just strong enough to carry the pretence of an original idea that is plastered upon them, and the harmless notions about everything in the world that can be read, approved, and utterly forgotten without any inconvenience or loss. There is an amusing little essay on the decline of whist, in which we are told that Count Cavour was a good player, and played every night at the Jockey Club during all the sittings of the Paris Congress, winning, according to some, above twenty thousand pounds.

Those who can appreciate the merits of Miss Yonge's books and are not irritated by her remorseless prolixity, will remember the well-drawn group of children in the "The Daisy Chain." That story is now in a sixth edition, and "The Trial"[13] is a further instalment of the family history of the Mays, which appears to be as far from its conclusion in these two volumes as ever. No one can deny that this lady draws the inner and outer life of a certain limited class of characters with a truth and reality almost unrivalled, or that her pictures of struggling middle-class interiors are finished with the fidelity of a Dutch painting. Sometimes she essays a higher flight, but she is never so thoroughly successful as when she is chronicling the daily life and the hourly chatter of a school-room full of eager, noisy young people. In the present story there is a trial for murder which gives the book its name, and the circumstances which preceded and followed it, with all their bearings, remote and collateral, upon every individual member of the two families of May and Ward, are worked out with that elaborate completeness that procures for these works the praise of being so "natural." Thus, in the most exciting crisis, when the innocence of the wrongly-suspected young hero is about to be established, and Dr. May and his daughter are wrought up to the highest pitch of eager expectation, we are not permitted for one instant to be carried away, nor to forget the curbs and restraints which fetter even the most supreme moments of existence, for it is written how "Ethel leant against her father's knee, and he almost *singed his hair in the candle,* as they helped one another out in the *difficulties of the crooked foreign writing.*" The customary life of drawing and school-room is diversified by a glimpse of a swampy settlement in Indiana, and the arrival of a surprising little manikin of a grandchild, with a cockatoo on his wrist, from New Zealand, preternaturally heroic and wise. It is needless to say that the strictest church discipline is assumed throughout as ruling and guiding all of man, woman, or child-kind with any pretensions to probity and rightmindedness.

[12] "Cornelius O'Dowd upon Men and Women and other Things in General." Edinburgh and London: William Blackwood. 1864.

[13] "The Trial: More Links of the Daisy Chain." London: Macmillan. 1864.

"Zoe's Brand"[14] is the story of a beautiful Octoroon, who returns to her southern home adorned with all the graces and polish of a Parisian education, and there learns, partly from the lips of her patient, unwedded mother, and partly by harsher means, that she is a slave, whom any man may insult with impunity, and whom no white American can legally marry. This revolting aspect of the slavery question has been often treated of before, and has obvious attractions for the novelist in search of a theme. The present book has no extraordinary merits as a work of fiction, but it is worthy of perusal at the present time when the reaction from "Uncle Tom" enthusiasm threatens to carry opinion to another false extreme. The story, we are told, was begun some years ago, during the author's temporary residence in the Valley of the Mississippi, and the heroine is drawn from life. The writer gives it as his opinion that the majority of the slave owners of Louisiana look upon the existence of slavery as a great and deplorable evil which they would gladly take measures to lessen, but for their fear of the consequences of Northern interference; and he cites the fact that many of the coloured race prefer a return to servitude rather than the condition of a freed negro, as a proof of the inextricable difficulties that surround this terrible question.

Among the rank and file we have only space to mention "Ringtou Priory"[15] and "Velvet Lawn,"[16] two three-volume novels of average circulating library quality; a Cornish story,[17] more topographical than dramatic; a pretty little pastoral love story[18] of the ideal olden times; and three stories[19] [20] [21] by an industrious author, who has gone into the highways for his materials, and relates feats of four-in-hand driving and dishonest practices in the building of bridges.

Mr. Mark Lemon's "Jest Book"[22] is anything but a joke. It is a collection of seventeen hundred and eleven witticisms and good stories, many of them from the original "Joe Miller," many older still, and not a few of the *jeux d'esprit* of modern wits, such as Sydney Smith and Douglas Jerrold. The selection seems to have been carefully made, though we think it contains some specimens of very feeble wit which might have been advantageously omitted. Unlike the older books of its

[14] "Zoe's Brand." By the author of "Recommended to Mercy." London: Chapman and Hall. 1864.

[15] "Rington Priory." By Ethel Hone. London: Saunders, Otley, and Co. 1864.

[16] "Velvet Lawn." By Charles Felix, author of "The Notting Hill Mystery." London: Saunders, Otley, and Co. 1864.

[17] "St. Knighton's Keive: A Cornish Tale." By the Rev. F. Talbot O'Donoghue. London: Smith and Elder. 1864.

[18] "Dorothy Dovedale's Trials." By Thomas Miller. London: Groombridge. 1864.

[19] "Reca Garland; or, the Rise and Fall of a Bank of Deposit." London: Newby. 1862.

[20] "Skating on Thin Ice." By the author of Reca Garland. London: Newby. 1863.

[21] "Crossing the Border." By Sept. Owen, author of "Skating on Thin Ice," &c. London: Newby. 1864.

[22] "The Jest Book: The choicest Anecdotes and Sayings." Selected and arranged by Mark Lemon. London: Macmillan. 1864.

kind, it is free from coarseness and profanity, and does not contain a line which could offend the most fastidious taste.

Another blank-verse rendering of the "Iliad"[23] appears to have the merit of general accuracy which distinguishes the translation of the "Odyssey" by the same hand, and the language is simple and vigorous, but the verse lacks music and rhythm, and the performance will not go beyond the author's own modest estimate of an attempt which "may possibly find acceptance with some among the many English readers who are desirous of seeing Homer from another point of view, and of gaining a closer access to him by means of several independent translations."

A compendious work on the etymology of the Romance languages[24] brings the elaborate Dictionary of Friedrich Diez within reach of English students. The translator has not only improved upon the original by adopting a more convenient arrangement, but has availed himself largely of the labours of other eminent scholars. A Vocabulary of English words derived from any of the Romance words treated of is given at the end of the volume.

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[23] "Homer. The Iliad; or, Achilles' Wrath; at the Siege of Ilion." By T. S. Norgate. London: Williams and Norgate. 1864.

[24] "An Etymological Dictionary of the Romance Languages; chiefly from the German of Friedrich Diez." By T. C. Donkin. London: Williams and Norgate. 1864.