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ART. I.—*Lettres et Opuscules inédits du Comte Joseph de Maistre, précédés d'une notice biographique par son fils le Comte Rodolphe de Maistre.* Paris: 1851.

THESE volumes contain nearly one hundred and fifty letters and a few fragments, pamphlets, and tracts, by Count Joseph de Maistre, a meagre biographical sketch from the pen of his son, and a certain number of letters addressed to him by different distinguished persons. The fragments—at least those which relate to the politics of Savoy during the occupation of that country by the French—might, we think, have remained unpublished without any great loss to the public. They belong to the early days of the writer, we should say rather to the commencement of his literary career, for M. de Maistre began to write late in life, and they will add nothing to his reputation. They are curious only for the intellectual anatomist who may seek to discover in the literary embryo the germs of future development, and to discern amidst the affected periphrases and rhetorical ornaments of the Savoyard publicist, the elements of a style as forcible and perspicuous as any that the French language can boast of. The art of the writer can only be acquired pen in hand, as that of the swimmer must be learnt in the water at whatever risk; and however long the first experiment may be delayed, the result in both cases is almost unavoidably an awkward display of ill-directed powers coupled with distressing and unnecessary effort. M. de Maistre's first 'flounderings' in the element in which he was eventually to be so much at ease,

might have been suppressed without wronging his memory, and it is difficult to understand the notion of filial piety that has induced his son to bring them forward after a lapse of nearly sixty years. The literary remains of an eminent writer should be gathered up, not swept up for publication,—a precept which few families seem sufficiently to bear in mind;—and in this particular case, a single volume containing the most interesting letters of the collection would have sufficed to entitle the editor to our best thanks.

Few men are as often quoted in French polemics as Joseph de Maistre. His works, full of dogmatical sentences and picturesque aphorisms, have become a perfect arsenal of epigraphs for the books of friends and of enemies. We say friends and enemies, for his readers can with difficulty refrain from becoming one or the other, and he himself, the most aggressive of writers, was but too much disposed to divide the world into those two categories. By one party he has been reviled as the apologist of the headsman, the advocate of the Inquisition, the adversary of free inquiry, the virulent detractor of Bacon, the friend of the Jesuits, and the unscrupulous perverter of historic truth for his own controversial purposes; by the other, he is extolled as an austere moralist reacting against the sentimentality and *philosophism* (to use his own word) of the age, a steadfast believer and an unshrinking upholder of all he believed, a loyal and devoted subject to a despoiled sovereign, an elegant scholar, a powerful logician, a disinterested statesman, and the unflinching advocate of a persecuted order, which reckoned among its members the friends and instructors of his youth. Authority for both these opinions can be found in his life and writings; for, strictly speaking, none of these things for which he is in turn admired or reviled, are incompatible. But, in one respect, all parties in France are agreed; they all concur in recognising his importance as a writer, and in allowing him the first place in their sympathy or in their dislike; he is evidently and universally considered as one whose words are the clearest and most complete expression of the opinions of his party, a leader whose assertions imply the concurrence of his co-religionists, a champion in whose person the whole army of theocracy suffers defeat or obtains victory.

This deference towards a foreigner at first sight appears strange; but is partly explained by his works, every page of which testifies his unbounded estimation of the power and importance of France. No Frenchmen ever held a more exalted opinion of the influence of his country in European affairs; France was, in the eyes of M. de Maistre, the chief instrument

of Providence for good or evil; the Book of History he considered as a record of the dispensations of God through the medium of the French nation. 'The old chronicle of the 'crusades entitled "Gesta Dei par Francos" might be continued, he writes to a friend, 'from century to century without altering 'the title. Nothing great takes place in Europe without the 'French. They have been absurd, mad, atrocious, &c. &c. as 'much as you please, but they have nevertheless been chosen as 'the instruments of one of the greatest revolutions that ever 'took place in the world, and I have no doubt that one day, 'perhaps at no very distant period, they will abundantly in- 'demnify the world for all the mischief they have caused. Pro- 'selytism is their element, their faculty, their peculiar mission, 'and they are destined ever to agitate the world for good or 'evil.' The nation too, whose language he used, could never be to a writer of his temper and pretensions a foreign people, and although he always disclaimed the title of Frenchman, even when Savoy was a French province, we find him writing to M. de Bonald: 'Buffon has said that the style was the man, 'one may say with equal truth that a nation is but a language. 'My family is therefore naturalised among you by nature that 'has made the French language to enter into the very marrow 'of our bones. Do you know that on this head I do not yield 'in prejudice even to yourself; laugh if you will, but it cannot 'enter into my head that a man can be as eloquent in any other 'language as in French.'

Nations are in their way as accessible to flattery as individuals, and it is just possible that M. de Maistre may have owed to his high appreciation of France and her people a portion of that celebrity among our neighbours which his incontestible talents and peculiar doctrines might not have been sufficient to command.

In this country his works are little read, and even his name is best known in connexion with his brother, Xavier de Maistre, the clever author of 'Le Voyage autour de ma Chambre,' and 'Le Lépreux de la Vallée d'Aoste.*' The publication of the present correspondence, which affords the means of judging the man as well as the author, appears to present a favourable opportunity of devoting a few pages to one of the most complete and consistent characters of the last century.

Joseph Marie de Maistre was born at Chambery, in 1754, of

* While these pages were being written the public papers announced the death, at St. Petersburg, of Xavier de Maistre, at the advanced age of ninety.

a noble family of French origin, a branch of which had settled in Savoy nearly a century before. His father was President of the Senate of Savoy, and held the office of Conservateur des Apanages des Princes. Our author—the eldest of ten children—appeared destined by his birth to succeed his father, and to discharge peacefully and honourably, in the sunshine of court favour, the pleasant duties of the head of a patrician house. Fortunately for him, his love of study and a good education fitted him for something more—or less. A very few words on the early years of his life will suffice, for there can be little interest in dwelling on the *puerilia* in the case of one who outgrew childhood more thoroughly than any other man ever did. To some men, firm and virile though their natures may be, the feminine element, so predominant in the child, clings throughout life, vainly masked in youth under affected callousness, bursting forth unexpectedly and fitfully under some invisible touch amidst the cares and struggles of mature age, and imparting indescribable tenderness and grace to their declining years; but M. de Maistre had no such weaknesses, or, at least, we find no trace of them in his works. Not, indeed, that these can be said to be deficient in a certain austere grace, which, without touching the heart, has undeniable charms for the cultivated mind; and in the familiar letters before us there are passages which Madame de Sévigné might have envied; but it is a grace, the result of art, of elegant study, of a practised pen, perhaps of a disengaged heart, that is as different from sensibility as the faultless smile chiselled on the marble lips of a statue is from the living, loving smile on a human countenance.

M. de Maistre's early education was not without its influence—and a very direct one—on his whole life. He was brought up, we are told, in complete but affectionate submission to his parents; and the hereditary gravity and strict discipline of an austere home doubtless first taught him that obedience to authority, and respect for tradition, which he was one day to inculcate so dogmatically to nations as well as to individuals. Speaking of his mother, he says, 'I was as completely in her hands as the youngest of my sisters;' and when as a young man he left his home to study at the University of Turin,—even during that first period of emancipation so intoxicating to most youthful minds,—he never allowed himself to read a new work without first writing to his parents to obtain their authorisation. The spirit which presided over the household at Chambery may be gathered from the following anecdote:—'It was in the year 1763, and news had just arrived in Savoy of the famous edict of the Parliament of Paris which expelled the

‘ Jesuits as a body from France; Joseph de Maistre, then a
 ‘ boy about nine years old, was playing somewhat noisily in his
 ‘ mother’s room, when she turned to him and said solemnly,
 ‘ “ You must not be so gay, Joseph, for a great misfortune has
 ‘ “ happened.” ’ He never forgot the tone in which those words
 were pronounced, and more than fifty years afterwards, in a
 letter written from St. Petersburg (where his hereditary predi-
 lection for the Jesuits was eventually to produce serious conse-
 quences to himself), he winds up a glowing eulogium on the
 Company of Jesus by the following characteristic argument, if
 argument it may be called: ‘ To conclude, my dear friend,
 ‘ there is nothing I value so highly as family feeling; my
 ‘ grandfather loved the Jesuits, my father loved them, my
 ‘ sublime mother loved them, my son loves them, and his son
 ‘ shall love them if the King gives him leave to have a son.’
 After reasoning a little with his opponent he naturally falls
 back on tradition as the highest authority that can be invoked.
 It is scarcely necessary to add, that to the Jesuits the education
 of young De Maistre was confided, and in that one pupil the re-
 verend Company may be considered to have received compensa-
 tion for the numerous sceptics and unbelievers that it has had
 the curious and certainly undesired privilege of sending forth
 from its schools.

We pass over some thirty years of prosperity. The French
 Revolution broke out, and found Joseph de Maistre a married
 man and the father of two children, a senator moreover, and
 filling a distinguished place in the judicial magistracy of his
 country. The storm which was to scatter the inmates of so
 many homes all over Europe, did not spare his. The invasion
 of Savoy by the French in 1792, the constituting of the Duchy
 into a République des Allobroges, and the confiscation of the
 property of emigrants followed in succession. After various
 hardships and dangers, such as almost every biography of that
 day records, M. de Maistre, deprived of his country and fortune,
 took refuge with his wife and children at Lausanne, leaving
 at Chambéry, under the care of her grandmother, an infant
 daughter, born in the midst of peril and distress, whom he was
 destined not to see again for twenty years.

During his residence at Lausanne in 1796 (the date should be
 borne in mind), he published his first important work, entitled
 ‘ *Considérations sur la France*,’ which at once gave him place
 among the most remarkable writers in the French language,
 and, in spite of the prohibition of the French Government, went
 through three editions in the course of the year. The weak
 Government of the Directoire was, indeed, quite powerless to

keep out the hostile literature which at that time hemmed in France as with a fiery circle, and poured in volley after volley. At Hamburgh, in Switzerland, in London, pens and presses were at work in the cause of counter-revolution. About the same time that the 'Considérations' appeared at Lausanne, Chateaubriand was writing in London his 'Essai sur les Révolutions,' and M. de Bonald was publishing at Constance — where a Society of French priests had established a printing-office — his 'Théorie du Pouvoir politique et religieux dans la Société civile,' not to speak of Mallet du Pan's 'Correspondance Politique,' 'Le Spectateur du Nord,' &c. &c. M. de Maistre's work, which time has scarcely robbed of any portion of its original interest, exhibits all the essential qualities of the writer, while those defects which were to become so offensive in succeeding compositions are, from peculiar circumstances, far less obnoxious in this instance. His love of paradox, his mania for political prophecy, his arrogant tone, are already distinctly apparent, but they may on this occasion be forgiven even by those who are most adverse to the opinions of the author. The paradox by which he represents the French Constitution before 1789 (?), as guaranteeing all the legitimate liberties of the subject, appears at the date of the 'Considérations' scarcely more than an excusable reaction against the universal rage for indiscriminate innovation; time, on the other hand, has absolved — nay, to speak more fairly, justified, — the Prophet, by fulfilling many of his predictions, and arrogance of tone in asserting opinions which expose the holder to persecution partakes so much of the nature of courage, that it can with difficulty be viewed as a fault. As we proceed we shall see these characteristics developing themselves under less extenuating circumstances, and shall have more than one occasion of adverting to them. We are therefore disposed to pass them over in this instance, or even to admit that they may have been almost desirable qualities in 1796.

The system that the 'Considérations' are intended to expound is indicated in the first sentence, which we transcribe in the original: '*Nous sommes tous attachés au trône de l'Être Suprême par une chaîne souple qui nous retient sans nous asservir.*' Within the limits of this supple chain, man freely enslaved (*librement esclave*) works out voluntarily, but necessarily, the decrees of a Supreme Will. During revolutionary periods the chain is abruptly shortened (*se raccourcit brusquement*), the action of man is abridged, his means become ineffectual, and the decreed revolution can neither be prevented nor even successfully opposed. Such is — almost in the author's words — the

substance of the first chapter. It is strange to find this theory of the fatality of historical events, which has been so often made a ground of reproach to the partisans of the French Revolution, as tending to palliate the guilt of its chief actors, professed by one who may be termed the personal enemy of that Revolution. M. Thiers, for instance, who as an historian stands at an opposite pole, has been often accused of this same fatalist tendency. There is, however, a wide difference between the narrator of history and the speculative theorist. It is evident that a series of historical events must exhibit a certain concatenation of causes and effects, and these may at first sight present (especially when the narrative is rapid and striking) the appearance of a necessary succession. For an event to have occurred, it must have been preceded by all those other events which rendered it possible, and the historian may relate and connect these without in any way implying that the one was the unavoidable result of the others. There is no arbitrary 'shortening of the chain' involved in this, and if the impression of fatality is conveyed to the reader, he must attribute it to his own inability to substitute conjecture for reality, and to imagine any chain of circumstance which could have held the place of the truthful record so vividly presented. To show that men's bad actions have invariably produced certain fatal results, is one thing; to represent those bad actions as the inevitable product of foregone events, is another. According to M. de Maistre, not only the catastrophes, but even the crimes of history are the result of a sentence: 'there have been nations,' he observes, 'that have been literally condemned to death.' The Terrorists of France he regarded as mere tools, the engines of destruction in the hands of an offended and avenging God. When they ceased to co-operate in the general plan, when they no longer were the passive and mechanical instruments of the great expiation, they were in turn shattered to pieces. The progress of the Revolution was the working out of a Divine plan, which the ineffectual schemes of the Royalists sought in vain to thwart. The leaders of the Republican party experienced no check, their armies suffered no defeat, 'for the same reason that Vaucanson's mechanical flute-player made no false notes!' One might naturally infer that the result of this theory, which converts murderers into executioners, would be to exculpate them to a certain degree, and that the flute-player would scarcely be held responsible for the music that Vaucanson had imposed upon him. But Heaven forbid that Joseph de Maistre should palliate any man's guilt, or repine at any man's chastisement. One of his favourite maxims was, that very just punishments were often inflicted by very great criminals:

‘ *L’univers est rempli de peines et de supplices très justes dont les exécuteurs sont très coupables :* ’ thus making even the victim an object of suspicion! He admits, indeed, that some of the sufferers in the Revolution may have been innocent, although he thinks that the number of these was far less than is generally supposed. But even admitting this, the French nation—and he elsewhere defines a nation as the sovereign and the aristocracy—was guilty of having permitted, and even aided, the spread of pernicious philosophical doctrines; the victims therefore, though, perhaps, individually blameless, justly bore their share of that mutual and joint responsibility*, which, according to his theory, binds together the members of the same Order, causing the sins of the guilty to be visited on the innocent, while the blood of the innocent in its turn atones for the guilty. At first sight this hierarchical division of the human race into Orders before the tribunal of a Supreme Judge seems strange, but there are stranger things than that in the aristo-theocratical philosophy of De Maistre. With inflexible logic he carries out to its most rigorous extent the principle of the atonement for sin by the effusion of innocent blood, and evidently exults in the contemplation of the precious victims, whom he considers as so many hostages given to victory. In a subsequent work †, in which his fearful theory is more fully exposed, he exclaims, ‘ The blood of Lucretia overthrew Tarquin, the blood of Virginia expelled the Decemviri. When two parties come into collision during a revolution, we may safely predict that the side on which the most precious victims are seen to fall will ultimately triumph, however contrary appearances may be.’ To M. de Bonald he writes, after the assassination of the Duke de Berry, in 1820: ‘ We have seen the end of the expiation; even the Regent and Louis XV. have paid their debt, and the House of Bourbon has received absolution.’ Elsewhere ‡, again, in an untranslatable passage, often quoted by his adversaries, and rendered more hideous by its grim play on words, he writes: ‘ On peut ajouter que tout *Supplice* est supplice dans les deux sens du mot latin *supplicium* d’où vient le nôtre: car

* In writing the above, we are almost tempted to regret that M. Kossuth’s attempt in one of his English speeches to introduce the word *solidarity* into our language did not meet with the success it deserved, although we are too timid to follow his example, and become *solidary* of his neologism. A word expressing ‘joint and several liability’ would be an acquisition, and this particular word has very good reasons to show for its naturalisation.

† *Eclaircissement sur les Sacrifices*, chap. iii.

‡ *Soirées de St. Petersburg*, entretien iii.

' *tout supplice supplie.* Malheur donc à la nation qui abolirait les supplices; car la dette de chaque coupable ne cessant de retomber sur la nation, celle-ci serait forcée de payer sans miséricorde et pourrait même à la fin se voir traiter comme *insolvable* selon toute la rigueur des lois.'

Passages like these — quoted by many who know little else of his works — have made the name of Joseph de Maistre synonymous with fanaticism and inhumanity to a numerous class; but it would be unfair to judge him entirely by these. They paint the man certainly, but not the whole man. To be just, one should always, in the appreciation of his writings, take into account the peculiarly militant character of his genius, which led him invariably to put forward those propositions and employ those expressions which could best prove his own faith and test the temper of his adversaries. He was apt instinctively to take his stand on the weakest points of his system, as a valiant soldier rushes to the breach. We say, instinctively, for he never appears to have been himself conscious that there was any particularly assailable part in the time-worn dismantled edifice that he hopelessly sought to garrison with his ubiquitous and indefatigable valour. He would defend the most absurd superfetation of the Romish Church, or the most obsolete customs of absolute monarchies with the same reverence and conviction as the fundamental dogmas of Christianity. Each was equally, in his eyes, part of a sacred whole, and could not be forsaken with honour. He had started in life, to use Dr. Johnson's expression, with his faggot of opinions made up, and he felt, perhaps with reason, that whoever drew out a single stick weakened the whole. Nor was this all; his ardent spirit could not rest satisfied with a defensive part; it was little to protect the Church against the encroachments of her enemies, he determined to sally forth and to reconquer the ground that she appeared to have irrevocably lost. He would lead the forlorn hope of Theocracy against triumphant Philosophy. The more desperate the undertaking, the more he felt that it devolved upon him. Others could tamely preach from recognised but disregarded texts, but who would, like him, attempt to prove that war was a blessing, the Inquisition a salutary institution, and the venality of offices a guarantee of independence in the holders? Any man might enforce axioms, but who could like himself triumphantly carry through a paradox? Therefore it is that other writers who have shared the same views have not given the same offence. The manner too, as well as the matter of his writings is invariably, and we may add intentionally, aggressive. His works purposely exhibit his opinions, as through a magnifying glass, as

if to startle his opponents out of their moderation. He seems to have thought that in controversy as in other games of skill, he has half won who has succeeded in putting his antagonist out of temper. One of his favourite remarks, after indulging in any particularly bitter attack against some of the 'Idols of Philosophy,' was; '*Ça les fera enrager là bas.*' *Là bas* of course meant Paris — ever uppermost in his thoughts while he affected to despise — Paris that he hated with a lover's hate. If a friend pointed out a word that might be cavilled at, or suggested some less objectionable expression, he would reply: '*Non, non, laissons leur cet os à ronger.*' Plenty of 'bones to pick' he undoubtedly has left scattered throughout his works, but it would be wronging him to suppose that he has left nothing more substantial. In this very work that we have been examining ('*Considérations*'), there are chapters treating of purely human subjects, which are full of lucid and even impartial views, scarcely to be found in any other royalist writer of the same period. His unvarying belief in the ultimate restoration of royalty was shared indeed by almost all his political co-religionists, and the royalists of Savoy in particular had been popularly nicknamed, in derision of their ever-receding hopes, 'the men of next week' '*coui d'la semana ch'ven*;' but few discerned as he did, that the temporary triumph of Jacobinism in France was necessary to secure the integrity of the territory, and that the superhuman efforts of the republican armies could alone preserve inviolate the empire of the future king. The dismemberment of France — the inevitable result of the defeat of the revolutionary troops, was, in his opinion, to be deprecated above all things. It would have been, to use his own expression, as though a planet had been struck out of our system. All the laws which governed the politics of Europe would have been disturbed — it was better far that the Restoration should be adjourned. One must look back to 1796 to be aware how few, among those whom the Revolution had proscribed and impoverished, would have written the following phrase, with which M. Mignet, more than thirty years afterwards headed his history. '*Mais nos ne veux qui s'embarrasseront fort peu de nos souffrances et qui danseront sur nos tombeaux riront de notre ignorance actuelle; ils se consoleront aisément des excès que nous aurons vus et qui auront conservé l'intégrité du plus beau royaume après celui du ciel.*'* We must look back to the army of Condé and the blind hopes and projects of the *émigrés*, to appreciate the clear-

* This last expression is borrowed from Grotius, '*De Jure Belli et Pacis.*'

sightedness which could foresee that the Revolutionary Government in decreeing the indivisibility of the Republic, was decreeing the integrity of the kingdom.

We have dwelt at some length on this early work of Joseph de Maistre, because in it we find clearly indicated all the principal points of the system to which he was to remain faithful during the course of a long life, and which his subsequent works were merely to develop. Of all the opinions broached in this first *début* on the great scene of European politics, not one was destined to be retracted, modified, or even to be left undefended. The temporal government of Providence, if we may use the expression, we shall see him attempt to render visible on earth, in his work on the Papacy *; the divine origin of kingly authority, and the royal origin of all national privileges, will be more fully asserted in his 'Essai sur le Principe générateur des Constitutions politiques;' and in his work entitled 'Éclaircissement sur les Sacrifices' the innate and universal belief of all nations in the efficacy of bloody sacrifices for the atonement of sin, will be enlarged and commented upon, until the sickened reader turns from the cruel page, wondering of what sanguinary divinity this Druid of the nineteenth century assumed to be the oracle.

In the correspondence before us there are only two or three letters belonging to this period of M. de Maistre's life, and these merely reproduce, in more familiar language, the opinions expressed in the 'Considérations sur la France.' In one of them, however, there is a passage which we are tempted to extract in fairness to the writer. It exhibits him in favourable contrast with the men who, in the present day, consider themselves on the Continent, as the continuators of his system, and seems to reply by anticipation to that call for 'strong government' which has of late become the war-cry of the self-styled friends of order all over Europe. We find it at the close of a letter addressed to Baron de Vignet, the same to whom M. de Lamartine has devoted some pages in his 'Confidences.'

'The other point on which it appears to my great regret that we cannot agree is the revolution (of some kind) which seems to me inevitable in all States. You say that nations will require "strong governments," whereupon I must inquire what you mean by that! If monarchy seems to you to be strong in proportion as it is absolute, the governments of Naples, Madrid, and Lisbon, must, in your eyes, appear very vigorous. Yet you know, and every body knows, that those monsters of weakness only exist, thanks to their equilibrium. Rest assured that to strengthen monarchy you must base it on the laws, and that all that is arbitrary, — military tribunals, continual

* Le Pape.

change of office, and ministerial jobs and messes,—must be avoided. Consider, I pray, what we had come to, and how your plans were rejected, moderate as they were, and though in no way infringing on the royal prerogative.'

Unfortunately, M. de Maistre, in common with all partisans of absolutism, has omitted to tell us by what means the royal power, unhampered as he would have it by constitutional restrictions, is to be restrained within those bounds of moderation and justice which even he considers necessary. To all written charters and definite political compacts he is systematically hostile. The rights of a people, he says, are never written; they have invariably proceeded from royal concessions; while the rights of the sovereign and the aristocracy have no known date or author. Elsewhere he adds, that the weakness and fragility of a constitution are in exact proportion to the multiplicity of written laws to which it has given rise — thus commenting the well-known sentence of Tacitus: *Pessimæ reipublicæ plurimæ leges*. Now, between a royal prerogative, to which he ascribes a divine origin, and national liberties held on sufferance and proceeding from voluntary princely concessions, did M. de Maistre really think there could be any balance of power? If he did not, and the lucidity of his mind was too great to allow of a contrary supposition, to what did he trust as a politician for the prevention of those abuses which we are desirous of believing that he detested as a man? He certainly did not rely on the good faith of kings, for bitter personal experience had taught him the wisdom of the counsel of the Psalmist (who was himself a king), 'put not your trust in princes.' On one occasion even, he writes to a friend, that, 'the absurdity of confiding in princely promises can be compared only to the folly of a man who should seek rest on the fan of a windmill.' Still less does he take force into account, as a last and desperate argument, or admit the lawfulness of those popular uprisings which in the middle ages, in default of defined laws, served as salutary checks even on our own unruly Plantagenets. No man ever carried the doctrine of non-resistance further, and he held that a Christian subject possessed no other right against his sovereign — were his sovereign a Nero — than that of speaking respectfully the truth, while submitting to any torture the tyrant might inflict. There must be, it would seem, either bad faith or want of logic in a statesman who deprecates all abuse of royal authority, and yet steadily refuses to admit of its suffering any legal limitation. But, to the slave of a system all is possible, except to shake off the yoke of his own theories; and this is not the only nor the greatest contradiction to which M. de Maistre was con-

demned by the discrepancies between his political prejudices and the instincts of a naturally elevated mind. We are ready to admit with him, that the idea of creating, *à priori*, the political constitution of a people is absurd, and that the written fundamental laws of a nation should only serve to develop and authenticate the germs of liberty contained in what he appropriately enough terms the 'Natural Constitution.' The constitution of a country should be, indeed, as he says, 'a mere declaration of anterior unexpressed rights;' but it is equally certain that it is necessary for the preservation of those rights, that they should in the fulness of time be defined and guaranteed. There is evidently a stage of maturity at which the unexpressed privileges of a people should become expressed laws under penalty of forfeiture. The time at which the transformation should take place depends on a multitude of circumstances, but it may, perhaps, be defined as being the period at which those privileges are sufficiently prized by the people to be defended at any cost, and yet insufficiently recognised by the sovereign. Such a time had arrived for England, when on the accession of William of Orange, the Declaration of Right was made. Before that period of maturity any contract between the sovereign and the people is unavailing; later, it is more or less unnecessary. It may be perfectly immaterial to Englishmen, in the present day, whether Magna Charta or the Habeas Corpus Act ever existed in a written form, but there have been epochs in our history when it has been very important that they should have been recorded elsewhere than in the 'hearts of Englishmen,' as M. de Maistre would have it. And while on this subject we will beg leave to say a few words on some erroneous notions respecting the government of this country, which are constantly and complacently repeated by foreign politicians of the De Maistre school.

We have often been puzzled to understand the excessive praise which Continental absolutists insidiously lavish on the British Constitution while deprecating the introduction of parliamentary government into their own countries. From M. de Maistre down to his recent and feeble imitator, Count Ficquelmont*, they all, more or less, represent constitutional government as a pestilent malady of nations, while at the same time they expatiate admiringly on the healthy condition of the only people who has been thoroughly inoculated with it. There is a contradiction in this which is worth looking into, if it were only

* See 'Lord Palmerston l'Angleterre et le Continent,' par le Comte de Ficquelmont. Paris, 1852.

to reassure any liberal-minded Englishman who may naturally feel alarmed at seeing the government of his country approved of by such judges. In the first place, the English Constitution is invariably presented by them as a mere accumulation of traditions and precedents, of ambiguously worded statutes and political fictions, which are liable to diverse interpretations, and which the good sense of the Government accommodates to time and circumstance, 'constantly subordinating principles to the lessons of moderation and experience — a course which would be impossible if those principles were set down in writing.'* In the second place, to this vagueness and pliability of the English Constitution its duration is attributed, and, although the uses of reform to which these qualities have been made to conduce of late years are of course considered objectionable in themselves, it is gratuitously inferred that changes might have been — and may ultimately be — made with equal ease and safety in a contrary direction. There are a great many mistakes in all this; so many that we must be very concise in enumerating them. It is not true that the English Constitution has endured because it is vague and silent on many minor points, but it is true that it is vague and silent because it has lasted a long while. Cause and effect are here confounded — a very common error. The English Constitution is not a clear methodical instrument like the Continental constitutions of the nineteenth century, simply because it is not a product of the nineteenth century, and that our forefathers had not felt the need — perhaps not possessed the skill — for taking legal precautions against sovereigns without standing armies, whom they could always in the last resort depose or even put to death. At later periods, when encroachments may have been attempted with greater chance of success on the part of royalty, stringent measures have been wisely taken from time to time to guard the liberties of the subject: we have already alluded to two of the most important — and in the present day all the fundamental rights of Englishmen are set forth in our laws as explicitly as any modern legislator could desire. But even were this not the case, it would be absurd to draw from thence any inference respecting more recent continental constitutions. The acknowledged owner of a family inheritance transmitted uninterruptedly from father to son during ages, might with impunity dispense with title-deeds, though it would be folly in a new purchaser not to exact a regular conveyance. When M. de Maistre and others in 1814 asserted that Louis XVIII. ought to resume the sceptre of his

* *Essai sur le Principe Générateur des Constitutions politiques*, paragraph xii.

fathers under the empire of the old Constitution of France, they simply demanded the restoration of an absolute monarch. The old French Constitution — the Monarchy of the Parliaments — had ceased to exist for nearly two centuries; it had been destroyed by those very kings whose inheritance he claimed, and for whose bad faith he was justly punished by the distrust of the nation. The Royalists of 1814 might as well have proposed that the King should take Sully or Colbert for his minister because the France of former days had thriven under their administration. The notion of restoring the Past was as Utopian as the wildest dreams of modern Icarians can be — for to restore life is as much beyond the power of man as to bestow it. M. de Maistre never recognised this truth, and while he ascribed a Divine origin to all political institutions, and denounced as impious the pretensions of society to the right of reconstituting itself, he was unconsciously rebelling against that Providence whose decrees he affected to adore, by seeking to galvanise extinct constitutions and lifeless ordinances. The case of England was in no way parallel. The English Constitution at the accession of William of Orange had, it is true, been perverted from its original spirit by the bad faith of the Princes of the House of Stuart, but it had never become a dead letter: it had ceased to work freely and honestly, but it had not ceased to exist. The right of Englishmen to be represented in Parliament, to vote their own taxes, and to make their own laws, was theoretically recognised even by those who sought to impede the exercise of that right, and all that was required — after choosing a prince whose elective title set the overruling question of Divine Right at rest — was to take corroborative measures for insuring in future the free and secure operation of the universally-acknowledged law of the realm. At the Restoration of the Bourbons the case was completely different. The very traditions of limited monarchy were forgotten. The old social edifice had been pulled down stone by stone by the hand of despotism itself, whether legitimate or usurping; and it was no fault of the people if an entirely new structure was to be raised. Nor is it to be inferred from the example of England that all the limited monarchies of the Middle Ages contained in their essence the germ of future development or the faculty of progressive adaptation to a more civilised society. Liberty is not a blessing of which a nation can with impunity possess more or less, and history shows us that to no other earthly good can the Scripture sentence be so strictly applied, 'To him that hath, much shall be given.' A certain amount of political liberty is necessary even for its own preservation. Those very monsters

of weakness quoted by M. de Maistre — and more particularly Spain — all enjoyed under their mysterious constitutions of Divine origin, which he considers as all-sufficing, certain national rights, which, had they possessed the means of guarding and developing, would have secured the nation from oppression; yet, one by one, almost all the limited monarchies of Western Europe became absolute, and thus showed that insufficient liberty is no liberty at all. Political rights are of little avail without the additional right of enforcing them, and liberty that is not free to defend itself is no longer liberty. The old Monarchical Constitution of France, for instance, for which M. de Maistre professed so much admiration, undoubtedly presented in its original form some wholesome checks to royal encroachments, and the power of the States-General was far from despicable; there was but one thing wanting, — the power of forcing the monarch to summon these national assemblies. Yet that one missing liberty annulled the rest; one hundred and seventy years of absolutism ensued, to terminate in the deposition and condemnation of the sovereign — that Major Charta of oppressed nations.

We must conclude this already long digression by one more remark. The vaunted flexibility of the British Constitution is not, we suspect, of the kind which would suit the views of many of those who pretend to attribute the revolutions of the Continent to the too precise provisos of modern charters. It is pliant, no doubt, but, like all human institutions, in accordance with the spirit of its origin. Were any attempt made in a contrary direction it would be found stubborn enough. A vague text may doubtless afford room for various interpretations, but nevertheless there may be only one which it would be safe to adopt. A bow is as easily broken as bent, yet no one will deny that a bow is a flexible instrument, the only condition required is to bend it in the natural direction. We have no intention of constituting ourselves the champions of the different constitutions, monarchical or republican, which France has seen since the commencement of the century, but we are convinced that the worst of them would not have offered in its wording any obstacle to improvements of a liberal nature, had the ruling powers been honestly inclined. The check complained of was a check to tyrannical encroachments: and to the tyrannical encroachments of the Stuarts even the pliant Constitution of England had proved an insuperable bar. There was nothing in the Charter of 1815 which would have prevented the Government of Charles X. from extending the franchise, though it debarred him from abolishing the liberty of the press and reducing the number of elec-

tors. The Government of Louis Philippe could have consented to the much-wished-for *adjonction des capacités*, or recognition of certain intellectual qualifications, without in any way violating the spirit of the Charter of 1830, although that Charter had recognised no such qualifications: but when he sought to restrain the exercise of the *droit de réunion*, and to forbid all political meetings, it was suddenly discovered that the Constitution was not sufficiently pliant. He was bending the bow the wrong way. Under an honest President, and an Assembly acting in good faith, the Republican Constitution of 1848 was susceptible of every amendment, but it was not susceptible of a change contrary to its original spirit; it could not be made monarchical, therefore it was pronounced to be too precise. Certainly none of these political instruments were perfect; but far better instruments would have proved as worthless in bungling or dishonest hands. Had the texts been less precise, the only difference would have been that the criminal attempts to pervert them might have been made by successive governments without incurring the same odium. It is better for the public conscience that things should have been as they were.

One is easily tempted, when writing about M. de Maistre, to indulge in the discussion of his opinions rather than to dwell on his personal history. Indeed, for biographical purposes, the collection of letters now given to the public would be curiously insufficient. The subjects treated are almost all of general interest. As the familiar commentaries of the works of an able writer they are doubtless valuable, but they are deficient in that peculiar interest which the revelations of the real life of even a much inferior man would present.

In the case of M. de Maistre, however, the politician was so bound up with the man, and circumstances had rendered his fortunes so dependent on the revolutions of Europe, that it may be doubtful whether any subject of a more private nature than politics would have been in reality of greater personal interest. The successes of Bonaparte (the *dæmonium meridianum*, as he calls him) represented to him for many a long year exile, poverty, and isolation. The restoration of peace and the consequent return of Savoy to its old masters were synonymous with wealth, honours, country, and family. When men are placed by fortune in similar situations, we generally find that (according to the temper of their minds) they either accommodate their political views to their individual situation, and unblushingly subordinate their opinions to their interest, or they merge their private cause in that of the public, and exalt their prejudices, ambition, or aversion to the rank of principles, while apparently

overlooking them. In the latter case self-interest can be scarcely recognised at the foot of the imposing structure to which it has given rise, and it would be as vain to seek to trace its workings as to discover at the root of a stately oak the remains of the acorn from which it sprang. In Joseph de Maistre self scarcely ever protrudes. A few concise lines convey to a friend the news that 'his property is confiscated, but that he will not sleep the worse for that;' or again, still more briefly, to another, 'that his lands are sold, and that he has nothing left.' All his anxieties seem to be for the fate of royalty, the future of religion, and, what he considered, the cause of social order. Nevertheless a conviction remains on the mind of the impartial reader that a single circumstance changed in his personal situation might have changed all his views. Let us suppose him to have been born the son of a trader — one of 'that caste which he never liked,' to use his own words — and who, even among his warmest admirers will assert for an instant that his heart, his mind, and his education — in a word, all that makes the moral man, would have sufficed to produce that *ensemble* of opinions, political and religious, which he maintained so firmly, and, in appearance, so disinterestedly? He was above all, and before all, a patrician, a sort of Catholic Bramin, seeking to resuscitate an extinct caste-world, the last remains of which had crumbled before his eyes. Royalty was to be venerated, for the aristocracy, he said, 'is only a prolongation of the sovereignty.' Religion was to be held sacred by the noble, for 'it protects his privileges.' The very paradise of his dreams must have been a sort of hierarchal heaven, peopled with powers and dominations, angels and archangels. Of the curious connexion which existed between spiritual and temporal things in his mind, there are some striking examples in the Letters. We do not think, for instance, that we ever saw religion placed in a more subordinate point of view than in a certain letter to Count Potocki, which we transcribe in part for our justification: for we feel that in accusing this theocrat of having tended to lower religion (we speak without distinction of sect), we appear to be indulging in a paradox as startling as any of his own. Count Jean Potocki held, it appears, certain chronological opinions that were opposed to the Mosaic tradition: —

' . . . And upon this subject I must tell you a great truth. Irreligion is blackguard (*l'irreligion est canaille*). Therefore, setting aside all researches on its truth or falsehood, a well-bred man takes care not only never to make an *éclat*, but even not to write or speak a single word which attacks the national dogmas directly or indirectly.

‘ In every country there are a certain number of conservative families which support the State; they form what is called the aristocracy or the nobility. So long as these remain pure and imbued with the national spirit, the State remains unshaken, whatever may be the vices of the Sovereign, but when these become corrupt, especially in respect of religion, the State must crumble though it were governed by a succession of Charlemagnes. The patrician is a lay-priest; the national religion is his first and most sacred possession, since it protects his privilege, and that the fall of the one entails the loss of the other. There can be no greater crime in a nobleman than to attack the national dogmas. Consider, M. le Comte, how well advised the French noblesse were to make alliance with philosophy in the eighteenth century! There lay their crime and the origin of all their misfortunes; in consequence the public conscience—always infallible, though often unconsciously so—has refused to absolve them, and has denied to them as apostates the compassion their misfortunes might have claimed.

‘ Pray do not be startled at the word irreligion that I have just used. The word presents no circumscribed or absolute sense; it means all that offends religion, from the boldest blows down to the most trifling levity. This latter term certainly applies better than the first to yourself. But pray answer this—supposing that I had affirmed to you on my word of honour all the circumstances of an event of which I had been the witness—if I had given you a written attestation—if afterwards in a public document you were to say,—We possess one only testimony respecting such an event,—and that this single testimony, quoted by you, proved to be the gossip of my lacquey with his friends in some public house, and that you passed me and my attestation completely over, do you not think that I should have a right to be vexed, and even to call you to account for it?

‘ This is precisely what you have done in respect to Moses; and which seems to me quite unbecoming in a philosopher and more especially in Count Jean Potocki, &c.’

What sceptic again ever spoke more contemptuously of religious movements in general, and of one of the greatest religious movements that ever took place in the world in particular?

‘ It was the interest of sovereigns, ill understood, which produced the revolution of the sixteenth century. They denied the dogmas of the Church in order to rob her of her riches. In the present day the same interest better understood will produce a contrary revolution. Protestant sovereigns must have lost their senses not to see the absurd folly of supporting a religion which recognises the right of private judgment and the sovereignty of the people in preference to another religion which maintains *that against our legitimate sovereign, were he a Nero, we have no other right than to allow our heads to be cut off while respectfully asserting the truth.*

‘ Princes changed their religion in the sixteenth century to get money, and they will change it again in the nineteenth to preserve

their thrones, (if it be not too late). Nothing is so easy as to discern the truth of dogmas which agree with our dearest interests.'

Or, what revolutionary *philosophe* ever cast more suspicion on the religion of the powerful, and thereby naturally enlisted against it the discontents and the legitimate aspirations of the unprivileged?

'Were I an atheist and a sovereign, I would declare the Pope infallible by a public edict, for the maintenance of peace and security in my kingdom. Evidently there may be some reason for fighting or even cutting each other's throats for truth; but to do so for fables would be a downright *duperie*.'

By these extracts we do not mean to put in doubt the sincerity of M. de Maistre's religious feelings; he was, we are convinced, firmly attached to that Church which had constituted and vivified feudal Europe—the Church of Constantine, Charlemagne, and Gregory VII.,—the Church that consecrated popes and anointed kings,—but it seems to us, we confess, very doubtful, whether, had he lived under the reign of Tiberius Cæsar, he would have followed the son of the carpenter, the associate of fishermen, the friend of publicans. But this is perhaps trying him by too severe a test, and one that half the bishops in Christendom would not stand. We will take another. He was fond of defining the Beautiful (after Plato) as that which pleases the patrician who is also an honest man. Judging M. de Maistre's works and opinions by this standard, we admit that they may be beautiful; they may please a patrician even though he should be an honest man; but on the other hand we can, we think, safely affirm that they will be odious to every honest man who is not a patrician.

In 1797, he left Switzerland and returned to Turin with his family, but not to remain there long. Charles Emmanuel IV., overpowered by the French, was soon compelled to abandon his continental possessions, and M. de Maistre who, as a Savoyard, was an *émigré* in the sight of French law, was obliged to fly. After various vicissitudes he was, in the year 1800, nominated by his Sovereign to fill the first legal post in the island of Sardinia (regent de la Chancellerie royale). He discharged the duties of this office during a couple of years, and then accepted, after much hesitation, the appointment of Envoy Extraordinary and Minister Plenipotentiary to the Court of St. Petersburg. The Emperor Alexander had just commenced his reign. The Ambassadors of his Sardinian Majesty at that time enjoyed scanty emoluments and little credit in foreign Courts, and the situation, notwithstanding its high-sounding title, was far from being an

enviable one. Separated from his wife and children, with a salary barely sufficient to provide the decencies of life, M. de Maistre spent fourteen years in Russia as the representative of a despoiled King, indefatigably pleading the cause of his master at the Court of the only prince who seemed in any way able to oppose Bonaparte. During the long leisure of his voluntary exile, most of his works were composed: ‘Des Délais de la Justice divine’ (a translation from Plutarch, with notes and additions); ‘Essai sur le principe Générateur des Constitutions politiques;’ ‘Du Pape;’ ‘De l’Eglise Gallicane;’ ‘Les Soirées de St. Petersburg;’ ‘Examen de la Philosophie de Bacon.’ The four last works were, however, only completely terminated on his return to Turin in 1817. The attack on Bacon was published posthumously in 1836. Let us hope, therefore, that the author would not have allowed it to see the light without revisal, and that he would have retracted more than one unjust assertion and unfair interpretation. Several tracts and letters on religious subjects were also written by him at this time; among others the ‘Lettres sur l’Inquisition,’ which we pass over in silence. We would wish to keep our temper with M. de Maistre (who does not always keep his), and on such a subject it would be difficult to do so. Those only who wish to acquire additional proof that any cause can be defended, would do well to read these letters. His life at St. Petersburg appears to have been one of incessant study and comparative privation, only relieved by the flattering courtesies of the Emperor, and the general esteem which his character and talents commanded. But the Letters afford us a choice of extracts in which the singular situation of this poor Ambassador at a luxurious Court is well described, and we will let them speak for themselves. The reader will see that this Inquisitor *en robe de chambre* could be a very pleasant and lively correspondent.

The following is part of a letter to a lady, under date 1805:—

‘If perchance you have a fancy to know what I am doing, and how I am living, I can easily answer; my life is very like something you know,—the motion of a clock—*tic, tac*. Yesterday, to-day, to-morrow, and always. I can with difficulty drag myself out, and I often refuse dinners to indulge in the pleasure of staying a whole day at home. I read, I write, I learn, for after all one must know something. When nine o’clock comes, I order myself to be dragged to some lady’s house, for I always give the preference to women; I know, madam, that you are not of the same opinion, but never mind, tastes differ. Somewhere or other then I try before the day is over to resume that native cheerfulness which has kept me up till now; I blow upon its flame as an old woman tries to light her lamp by the embers of yesterday’s fire. I strive to forget the visions of broken

heads and arms which are constantly haunting me ; then I sup like a young man, I sleep like a child, and wake like a man, that is to say, very early ; and then I begin over again, always turning in the same circle, and invariably placing my foot in the same place like a donkey in a mill. With this sublime comparison I conclude,' &c. &c.

To his brother, the Chevalier de Maistre, he writes at a later period : —

' This is the second winter I have passed without a *ful pelisse*, which is very much the same thing as to have no shirt at Cagliari : when I leave the Court, or the Imperial Chancellor's, a very shabby lacquey throws a shopman's cloak over my shoulders. As the attendance of a single servant is considered impossible here on account of the climate and the work, in order to have a second, I have taken a thief who was on the point of falling into the hands of justice ; and I have proposed to him to become an honest man under the shadow of my diplomatic protection. For the last few months I have managed to get on pretty well : the *traiteur* who used to feed, or rather poison me, having removed, I cannot get to him, and so I have made up my mind to share my servant's mess. The want of servants in this country, and in my situation, is one of the most singular torments that can be imagined, and one of which you can form no idea where you are. However I do not find that I am looked down upon, but quite the reverse. What amuses me exceedingly is to see people come and ask for my support, which they do frequently.'

But it was not so much the want of splendour or even comfort that rendered his residence at St. Petersburg distasteful, it was the want of intellectual intercourse, the society of kindred minds, for which no court balls or reviews, nor even the coveted *entrées* at the Hermitage, could compensate. In a letter to an old Swiss friend, Mme. Huber Alléon, the yearning for conversation is gracefully expressed : —

' I receive many kindnesses at Court and in the world, but I stay at home as much as is consistent with my situation, and the necessity of taking out my young companion. I have lots of good books, and study as hard as I can, for one must try to learn a little. As to the supreme pleasures of friendship and confidence, they are nought. You may have often heard of the hospitality of this country, and nothing can be truer in one sense : one may dine and sup any where, but the foreigner never reaches the heart. I never see myself in full dress in the midst of all this Asiatic pomp, without thinking of my gray stockings at Lausanne, and the lantern with which I used to go and see you at *Cour*. Dear delightful drawing room of *Cour*. That's what is wanting here ! When I have tired my horses in these fine streets, if I could find Friendship in her slippers and "talk slipper" with her, I should miss nothing. When you kindly say with our good friend, "What recollections ! What regrets !" Listen and you will hear the echoes of the Newa repeat — "What recollections ! "What regrets," &c. &c.'

Those happy days of Lausanne were never to return, for Mme. Huber died shortly after. M. de Maistre's description of this old friend is as pretty a specimen of pen-and-ink portrait-painting as we can remember to have read:—

'You cannot fancy how present the poor woman is to my mind's eye. I see her constantly before me with her tall straight figure, her slight Genevese primness, her calm reason, natural *finesse*, and grave pleasantry. She was an ardent friend, though cold in all other respects. I shall never pass such evenings again as I have spent at her house, — my feet on the fender, my elbow on the table, thinking aloud, and skimming along on the wing over a thousand subjects, surrounded by her worthy family. She is gone, and I shall never replace her. When one has passed the middle of life (and I have long passed it probably) such losses are irreparable. Separated for ever from all I love, I learn the death of my old friends, the young will one day learn mine. In truth I died in 1798, the funeral only is put off. These lugubrious fancies form no contrast to public events (1807) which are far from being *couleur de rose*. Some few thankless foreigners may be as you say *sadly Russian*, but as to me I am Russianly sad. . . .'

Nor was it one of the least of his trials to find himself at such a distance from the great scene of European action. 'I am 'relegated at one of the poles,' he exclaims in one of his letters, 'and know nothing.' He writes in all directions for news, and when he gets it, he mistrusts the appreciation of others. A few months after the coronation of Bonaparte, he writes:—

'The state of the public mind in France is the constant theme of my thoughts and in consequence of my conversation. But I know not why it is that I absolutely mistrust every body without exception. I should wish to see by my own eyes; but what should I see? Have not those whom I distrust seen likewise? And what assures me that I shall see better than they? I say all this to myself, and after this little harangue an inward voice over which I have no control repeats, — *Il faudrait voir*. I am quite out of my reckoning, and nothing has so profoundly pained me as the Pope's last act. The more I reflect on what is going on around us, the more convinced I am that this is one of the great epochs of mankind. What we have seen, and which appears to us so great, is only a necessary preparation. Must not the metal be melted before the statue can be cast? These great operations are of enormous length. A man may see sixty generations of roses, but who ever witnessed the complete development of an oak? The tree is prepared slowly. "Crescit occulto velut arbor ævo." One might perhaps predict something, but that must be the subject of a conversation, — I say more, of a winter's conversation so as not to be tempted to go out. There are few opportunities here of having those conversations that I call *substantial*, after which I go home quite happy *uti conviva satur*. The fashions, the gossip of the day, the actress, the new *ariette*, but above all (if it be allowable to quote

Voltaire to a bishop) *O roi David!* That is all we have, Monseigneur, and one never gets beyond that!’

Yet notwithstanding his apparently unfavourable position for an observer, we find in few writers of the same period as accurate judgments on passing events, or more correct previsions of their results. We have already said that M. de Maistre was inclined to indulge in prophecy; in advancing years, this disposition even degenerated into a species of habit, and sometimes led him into strange mistakes, which we should have little merit in rectifying. Not the least curious instance of failure is his prediction that the town of Washington would never be built, or if built that it would not bear the intended name, or at the very least that it would not be the seat of Congress, for no other reason than that these three conditions entered into the plan of the founders, and that no purely human plan was ever accomplished. The establishment of a kingdom of Greece he also pronounced to be impossible. But it would be too long to point out in this age of human miracles the many impossible things that have been done, or to enumerate the shortcomings of even the most successful political prophet. Foresight is, we suspect, in spite of its pretensions to a more mysterious origin, the natural offspring of observation and experience. M. de Maistre possessed no common share of the two last qualities; no wonder then, that he should sometimes have been able to catch glimpses of a future which remained hidden to less well-prepared minds. Perhaps too his distance from the scene of revolutionary action was not so great an impediment as might at first appear; there is much truth in his own favourite aphorism: ‘the eye cannot see what touches it,’ and it may be, that from his remote post of observation he had a better view of the political horizon than those who were struggling in the crowd. We are tempted to extract one of his letters, although it be rather a long one, as a good sample of his prophetic powers, and also as being curiously applicable to our own times. The reasons he gives for welcoming the usurpation of the *great Bonaparte* being identically the same as those adduced by the ‘French Legitimists’ of the present day for submitting to a far more disgraceful yoke.* The letter is written in 1802, after the establishment of the Consulate for life.

* Did M. de Maistre, or any one else, ever foresee what we have seen within the last year in France, — a military despotism under a ruler who never fought a single campaign? One might almost suppose he had, for speaking of the French, he says on one occasion, — ‘One is often tempted to exclaim, like Tiberius, *O homines ad ser-*

‘ With all the respect that I owe you, Madame, I cannot share your opinion on the great event which engrosses the attention of all Europe, and which seems to me unique in history. You consider it as the definitive establishment, the consolidation of the evil, whereas I cannot but view it as a fortunate event under all possible circumstances. The most mature consideration has only confirmed that feeling, and for the following reasons.

‘ Every body knows that there are successful revolutions, and very criminal usurpations, (as regards their origin), to which nevertheless it pleases Providence by means of long possession to apply the seal of legitimacy. Who can deny that William of Orange was a very guilty usurper, and who can deny that George the Third is a very legitimate sovereign ?

‘ If the House of Bourbon be decidedly proscribed (*quod abominor*) it is good that the government in France should be consolidated. I much prefer Bonaparte as a king to Bonaparte a mere conqueror. This imperial farce adds nothing to his power, and destroys for ever what may be properly termed the French Revolution, that is to say, the revolutionary spirit; since the most powerful sovereign of Europe will now feel it as much his interest to stifle that spirit, as he felt it his interest to develop and stimulate it when it was useful to attain his ends. We have nothing to fear now but *Tamerlanic* revolutions, in other words conquests. But even in this respect the new title alters nothing; the danger was the same and greater before, for an — even apparently — legitimate title imposes to a certain degree on him who wears it. Have you never remarked that in the aristocracy, which, by the bye; is only a prolongation of the sovereignty, there are families literally worn out? The same thing may occur in a royal family; there are even physical reasons for the decline to which people remain wilfully blind, and which nevertheless it might be highly desirable to know, as they might be avoided; but the subject would carry me too far. Has the House of Bourbon reached the point at which the inevitable fall of the Carovingians must be repeated? The partisans of the new man say so in France, but I have very good reasons for thinking the reverse, and take pleasure in thinking it, for I am more attached to that family than to any other, always excepting the house to which I owe everything. There is however something true in the declamations of Paris. The Bourbons of France are inferior to no reigning family: they have a fair share of wit and goodness, they possess that self-respect which springs from ancient greatness, and lastly the useful knowledge that misfortune teaches; but although I think them very worthy of enjoying royalty, I consider them quite incapable of restoring it. The hand of an usurper and a man of genius is alone firm and rough

‘ *vitutem natos!* There are several kinds of courage, and assuredly
 ‘ the French do not possess them all. Intrepid before the enemy,
 ‘ they are far from being so before any authority, even the most un-
 ‘ just. . . . They have given such proofs of patience that there is no
 ‘ kind of degradation that they may not have to fear.’

enough to accomplish that work. Even his crimes conduce to the same end; these are things that a legitimate power cannot execute. What would the king have done in the midst of all these ruins? Whether he compounded with the prejudices of the times, or whether he trampled them under foot, those prejudices would once more and irrevocably have dethroned him. Let Napoleon alone: let him rule France with his rod of iron; let him imprison, shoot, or transport all those he fears; let him make a majesty and imperial highnesses, marshals, hereditary senators, and knights of his orders; let him place the lilies on his empty scutcheon, &c. &c. &c., and then, madame, how can you doubt that the people, however silly they may be, will not have sense enough to say: it is true then, it seems, that a great nation cannot be governed as a Republic — it is true, then, that we must necessarily fall under the rule of a sceptre of some kind, and obey some man or other — it is true, then, that equality is a chimera! These simple ideas will present themselves to every mind, but I repeat to you that the king would never have made them enter into men's heads. Every body would have said, — there he is, coming back with his dukes, his ribbands, &c. &c. What necessity was there for re-establishing odious distinctions? &c. &c. . . . I resume my fearful dilemma. Either the House of Bourbon is worn out, and condemned by one of the unaccountable sentences of Providence, in which case it is desirable that a new race should begin a legitimate succession, (this one, or any other, it matters little to the universe), or that august family will resume its place, and then nothing can be more beneficial than the temporary accession of Bonaparte, which will hasten his fall, and re-establish all the bases of monarchy without drawing public disfavour on the legitimate prince. I know not what will happen, but I know that those who say that "all is over" know nothing of the matter. The coronation of Bonaparte augments the chances in favour of the king. . . I repeat, every feeling of hatred against the usurper, turns into love for the pretender. Politics are like physics, to be worth any thing they must be experimental: I say then, — look into history, and show me any private individual who ever rose suddenly to supreme command, and commenced a royal dynasty; such a thing was never seen; I am therefore authorised to consider it impossible, else, why among the infinitely varied chances of political events, did that one never present itself? Charlemagne was Pepin, that is to say, one of the greatest in Europe. He stood next the throne and the mere force of events placed him on it. Hugh Capet, who in his turn replaced the Carovingians, was Duke of Paris, first peer of France, the son of Hugh the Great, and his origin was lost in the night of ages. The Stuarts were expelled by a prince, and even their blood remained on the throne, for Queen Anne was a Stuart; in a word these families were, so to speak, *ripe for royalty*. But look at Cromwell, who was in the case of Bonaparte; his race did not last, — "Because his son would not reign," say good people. *O bella!* Is there not a reason for every thing? I say that those families do not last, and that is all I can say; but I think I have therefore good reason for believing that the mission of Bona-

parte is to restore monarchy, and to open all eyes by irritating equally both Jacobins and Royalists, after which he will disappear, he and his race; as to the time it would be bold to hazard any conjecture; every wise man should say, — *Nescio diem neque horam*. But seeing the turn that events are taking we may be allowed to make favourable suppositions.'

The above contains some very remarkable passages if we consider their date. Indeed on no subject is M. de Maistre so clear-sighted as when he speaks of Napoleon. Far different in this from the other royalist writers of the same period: his hatred never blinded him, and his judgments, though severe were never unjust. Even in 1814, during the campaign of France in which his son was engaged, he writes from St. Petersburg: — 'Quand j'entends parler ici dans les salons de ses fautes et de la supériorité de nos généraux, je me sens le gosier serré par je ne sais quel rire convulsif aimable comme la cravate d'un pendu.'

That same peculiar and contemptuous laugh so picturesquely described, recurs more than once to the reader's mind, when M. de Maistre alludes to the faults of his own party.

After four years' residence in St Petersburg, he was joined by his son Rodolph, a youth of sixteen, (the same old gentleman who has written the scanty biographical preface to the Letters). Had he remained at Turin, the young man would have been exposed to the chances of military conscription, and might have been compelled to serve in the ranks of the enemies of his king and country. The favour of the Emperor Alexander presented an advantageous opening: young De Maistre received the brevet of an officer in a regiment of the Russian Guard, and in that capacity took part in the campaigns which followed in quick succession down to the year 1814. It has been said that those who wish to preserve their hatred should not see their enemy with his children; certainly, those who desire to preserve the stern impression produced by M. de Maistre's works, will do well to pass over the letters in which he dwells on his son's absence and dangers.* It is instructive to see how the un pitying apologist of war suddenly abhors it as a father. *Bellaque matribus detestata*. 'None know what war is,' he exclaims, 'save those who have their sons engaged in it.' He does not comfort himself by reflecting that 'mankind may be looked upon as a tree that an invisible hand prunes unremittingly, and which often gains by the operation.'* When one of his own branches runs the risk of being lopped off, how different is his view of the beneficial

* *Considérations sur la France*, chap. iii.

operation! What would he have said to some stern logician who should have sought to prove to him in his own words that nothing could be more just than that he in particular should lose his son; for that, 'when a philosopher makes up his mind to great calamities in consideration of the results,—when he says in his heart, *if a hundred thousand murders be necessary, let them take place, provided we are free*,—if Providence replies, *I accept thine approbation, but thou shalt help to make up the number*; what can be more just?'

* Really when one reads his letters to his son, and some to his unknown little daughter, one is almost disposed to hope that this terrible Joseph de Maistre was not so fearfully consistent after all. How far are the feelings expressed in the following letter, for instance, from the composure with which all subjects of general humanity are treated?

'As to public affairs, I can only write what His Majesty had doubtless told you already. The present epoch is like no other, and history presents no precedent or analogy to aid our judgment. If one could conceive any hopes, they must be founded entirely on the astounding rapidity of successes which seems incompatible with their duration. But when I think that posterity will perhaps say, "that hurricane only lasted thirty years," I cannot help shuddering. Although Nature has blessed me with a certain fund of cheerfulness, I feel that I am bowing beneath my burden. . . . At the close of my monotonous days I throw myself on my bed, where sleep, which I invoke, does not always attend. I turn and toss and exclaim like Hezekiah, *De mane usque ad vesperam finies me*. Then poignant thoughts of my absent family transpierce me. I fancy I hear *them* crying at Turin. I strive to picture to myself the face of that child whom I have never seen. I see that orphan daughter of a living father, and I ask myself whether I shall ever know her. A thousand gloomy phantoms hover round my cotton curtains.'

One might have supposed that the devoted subject who had given up country, friends, and fortune rather than forswear his allegiance, and had led in the service of his king during many years the life we have described, would have been secure from any of those eclipses of favour or sudden jerks of authority by which princes are so apt to try the submission of their most faithful subjects; yet this was not the case, and the all but honorary ambassador found his intentions suspected and his proceedings disavowed with almost ludicrous mistrust. In a letter to the King of Sardinia, he writes: 'Three things have been wanting for the success of this embassy; first of all, that boldness which arises from the conscious possession of favour and confidence,' &c. &c. Among the various projects which

* *Considérations sur la France*, chap. ii.

in turn occupied his ardent mind, there was one 'on the success' of which he appears to have built great hopes, and which was certainly not quite consistent with the rules of diplomatic etiquette. He had formed the plan of going to Paris to see Bonaparte, and plead in person the cause of his Sovereign. The restitution of Piedmont he considered impossible, but he supposed that some compensation might be obtained. His knowledge of human nature led him to think that there was more likelihood of success by making terms with the usurper himself, who would be flattered by the recognition of his omnipotence, than by trusting to indirect negotiation. The continental allies of the King of Sardinia were, in 1808, in no situation to make stipulations in favour of other sovereigns. England alone might have afforded efficient protection, but M. de Maistre had no faith in the alliance of mixed governments.

'Such governments render all alliances very precarious; peace or war is often declared on 'Change before it is declared at the palace, and no minister can resist the clearly expressed wish of the nation. Moreover, the noble career of the king draws to a close, and in his room we shall have a pupil of Fox, in whom I place little confidence. Even in the full force of the present reign, and with the vigour of the late ministry, have we not seen Pitt, when accused of having forsaken us, say in open Parliament, — "We should have rendered the King of Sardinia a sorry service by placing him in contact with the incendiary Republics of Italy." At the treaty of Amiens I find His Majesty weighed in the balance against the Island of Ceylon, and totally sacrificed without hesitation.'

He goes on to observe, with more justice:—

'When a final peace (supposing it to be possible) comes to be concluded with that man who holds all Europe in his hands — if he remains inexorable, and offers acceptable terms to England without mentioning us, will England make war for the king?'

We have not space to enter into all the details of the affair, which had no other result than to prove the zeal and boldness of the originator; but we recommend to our readers the letter (to be communicated to the King) in which M. de Maistre explains his conduct in the whole business. It is a masterpiece of submissive irony, full of respectful epigrams, and showing how much more every man is influenced by his natural disposition, what the French call *caractère*, and is more strictly the 'temper of the mind,' than by any system. The unconditional professor of the doctrine of non-resistance even to torture, brooked with very ill grace the slightest offensive insinuation from his Sovereign. The King of Sardinia, who would willingly have profited by the success of the hazardous trial, considered

his dignity compromised by its failure; and M. de Maistre was obliged to appease the scruples of the Court by showing that he had acted in a private capacity, and had intended (had the interview been granted) to go to Paris, not as an ambassador, but at his own personal risk. He had, however, as he sarcastically writes, little apprehension on this head.

‘I had not much fear of Bonaparte. The first quality of a man born to subdue and lead others is to know men. Without that quality, he would not be what he is. I should be glad to think that his Majesty deciphered me as well.’

And then he adds, after a few explanations:—

‘Why then was my project so ill-received at Cagliari? I fancy you have unconsciously told me the reason in the first line written in cypher in your letter of the 15th, where you say that mine is a *surprising* document. There it is! the Cabinet is surprised! all’s lost! The world may crumble around us, God defend us from an unforeseen idea! And this shows me more clearly than ever that I am not your man! for I may promise to transact his Majesty’s business as well as any one else, but I cannot promise never to surprise you. It is a natural defect to which I see no remedy. . . . Every minister who acts upon his own ideas on the few occasions when he cannot consult, knows very well that it remains optional with his master to say yes or no; but when you write that *his Majesty, without lending sinister interpretations to my conduct, &c. &c. &c.*, it is precisely as though you had written to Marshal Souwaroff, —“*the king, M. le Maréchal, without considering you a coward, thinks nevertheless, &c. &c. &c.*” I say no more on this head, for it is as easy to lose one’s temper in writing as in speaking.’

At last the long-expected, the often-foretold day came, and Bonaparte fell. No man hailed the event with greater joy than M. de Maistre, and no man was fated to be more disappointed in its results. The treaty of Paris, by which Savoy was annexed to France, was the first blow to his hopes. He found himself, at the age of sixty, without fortune and, in a certain sense, without a sovereign. Although Savoy was subsequently restored to its old masters, the first elation of triumph never returned. He soon saw that the much-desired Restoration had not restored in reality those things for which he had so long mourned. The old monarchical institutions of France — to which he would willingly have applied the famous words of Ricci when speaking of the Statutes of the Company of Jesus, *sint ut sunt aut non sint* — were replaced by a modern charter of English origin. The House of Bourbon, the cornerstone of European monarchy, was indeed reinstated, but the edifice of which it had been the support for ages was destroyed, and in its place there arose a new temple, in which the rising generation

was to serve strange gods. Even the Sovereigns, assembled in solemn congress, proved faithless, in his opinion, to the cause of monarchy. The treaties of 1815 — so obnoxious to the revolutionary party — appeared to him, and perhaps with more reason, the suicide of royalty. To parcel out kingdoms, and arbitrarily to allot and adjust sovereignties, in order to obtain a fictitious equilibrium while trampling on national sympathies, and disregarding the claims of royal colleagues, was, he considered, to enthrone anarchy. Bonaparte himself had done no more. If might was to be substituted to traditional right in the councils of kings — if there were to be *greater* and *lesser* powers — if a king could be despoiled by a decision of his peers — then the sacred character of sovereignty was gone. The case of the King of Saxony — so severely punished for having remained faithful in adversity to the man to whom half the Sovereigns of Europe had cringed in prosperity — particularly excited his indignation. With a strictness of logic to which diplomatists who cut out kingdoms on paper will, we fancy, find little to oppose, he wrote: — ‘The maxim has been admitted, that a nation may be deprived, against its will, of its legitimate sovereignty. The first direct and inevitable consequence is, that the thing may be done with still greater reason when the nation demands it. If subjects can demand that their Sovereign be judged, why may they not judge him themselves?’ ‘The Congress,’ he writes to another correspondent, ‘is sowing the dragon’s teeth.’

Disgusted with all that was going on in Western Europe, M. de Maistre resolved to remain in Russia, where his family had at length joined him. It was a country where he was known and respected — where he had formed many ties, and where he was not likely to be annoyed by constitutional novelties. An event which could scarcely have occurred under the empire of any constitution, altered his determination, and caused his return to his native country. One day, in December, 1815, in virtue of an imperial ukase, the Jesuit fathers established at St. Petersburg were all arrested, wrapped up in fur pelisses, placed in covered kibitkas, and hurried off from the capital without being even allowed to take leave of their friends. It was a period of great religious excitement in Russia. The Greek Church was considered in danger. Several conversions to Roman Catholicism had taken place within a short space of time in the highest circles of St. Petersburg; and the Jesuits were accused of having effected them. M. de Maistre himself was suspected of having influenced some of the new converts. His talents as a controversialist, and his zeal for his own Church,

were undoubted; and if we may judge by some letters addressed to Russian friends on religious subjects which we find in the present collection, we are inclined to think that the accusation was founded, although he certainly never counselled open abjuration. His reply to the scruples of converts on that chapter was that of Elisha to Naaman the Syrian: 'Go in peace;' and, like a true Jesuit, he saw no harm in bowing down in the house of Rimmon if the Master worshipped there. In a private interview with Alexander, M. de Maistre succeeded in dispelling, to a certain degree, the suspicions that had been entertained against him; but thenceforward his situation was altered at St. Petersburg. 'In a country like Russia,' he writes, 'there should be no cloud between the Sovereign and a foreign minister.' The Roman Catholics had become a suspected class in the eyes of the Emperor, their religion, was only tolerated, and might any day be exposed to persecution. The Jesuits — the instructors and friends of his youth, to whom he owed, as he said, 'that he was not an orator of the Constituent Assembly,' and who were, besides, the spiritual directors of his family — were proscribed. He wrote to Turin to ask his recall. In the month of May, 1817, a Russian squadron was sent into the Channel to transport the troops that were to leave France. M. de Maistre, as a last mark of imperial favour, was permitted to embark, with his family, on board the 74 gun ship *Hamburgh*. After landing at Calais, and rapidly traversing France, he returned to Piedmont, after an absence of five and twenty years.

Fame and honours awaited him there — he was appointed to one of the chief offices of the kingdom (Régent de la Grande Chancellerie), with the title of Minister of State. Several works, 'Le Pape,' 'L'Eglise Gallicane,' 'Les Soirées de St. Petersburg,' were completed and published in turn with immense success. Nevertheless and notwithstanding the apparent triumph of counter-revolution, Joseph de Maistre was a disappointed man. A tone of dejection reigns throughout all his letters of that period. Gloomy forebodings and sinister predictions constantly recur. To M. de Marcellus he writes: — 'D'autres épines s'enfoncent dans mon cœur; mon esprit s'en ressent; de petit il est devenu nul; *hic jacet*; mais je meurs avec l'Europe; je suis en bonne compagnie!' He had the conviction that new and more fearful political convulsions were impending, and he expended his last energies in denouncing the coming evil. A Sicilian nobleman, who visited him at this time described in picturesque language the contrast between the venerable appearance and the youthful vehemence of the old

statesman: — ‘*Pare il nostro Etna; ha la neve in testa ed il fuoco in bocca.*’ The concessions of princes, however reluctant, to the spirit of the age seemed to him a more fearful symptom of social demoralisation than the wildest excesses of Jacobinism. He had combated Robespierre; but his political creed forbade him to attack the descendant of St. Louis, who was calling regicides into his councils. When the Church had been persecuted and despoiled by her enemies, he had protested, and hoped for better days; but now the ‘eldest son of the Church’ was seated on the throne of France, and yet the restitution of ecclesiastical property was as impossible as ever. The most important conquests of the French Revolution were being daily sanctioned by those at whose expense they had been effected. The spirit he had wrestled with during his whole life had assumed a novel and more insidious form; and under its new shape he could not contend with it. Perhaps he may have recognised at last that it was invincible. Perhaps the doubt that he once, and once only, so gracefully expressed to a friend may have more than once assailed him: he may have repeated to himself, that, ‘like Diomed before Troy, he had perhaps wounded a Divinity while pursuing his enemies.’ We only hazard a conjecture, for outwardly there was no faltering. Faithful to his own maxim, that the greatest fault that a man can commit is to stumble at the close of his career, or even to retrace his steps, he never retracted an opinion. But he retired from a strife in which he might be exposed to combat his former friends. In a letter written in 1818, and which has not been published in the present collection, he explains his silence: —

‘Several persons have done me the honour to make the same question that I read in your letter, — “Why do you not write on the present state of things?” I always return the same answer. In the days of the *canaillocracy*, I could at my own risk and peril tell those inconceivable sovereigns the truth, but now those who are in error are too highly-born for it to be possible to speak the truth to them. The Revolution is far more terrible now than in Robespierre’s time: as it has risen it has become more refined. The difference is the same as between mercury and corrosive sublimate.’

The same feeling pervades his whole correspondence at this time; and one should read the letters that passed between M. de Bonald and himself in the unconstrained interchange of political sympathy, to understand all the difficulties that restored princes have to deal with.

Family sorrows soon added their weight to the trials of the statesman, and the natural burden of increasing years, and the robust constitution which had resisted the climate of St. Peter-

burgh, gradually gave way. On the 26th of February, 1821, Count Joseph de Maistre expired at Turin, of the effects of slow paralysis. The unfortunate Revolution of Piedmont, which he had repeatedly and vainly foretold, burst forth only a few days after his death.

It was M. Ballanche, we believe, who, many years ago, first applied to Joseph de Maistre the epithet of 'Prophet of the Past,' and thus embodied in one picturesque sentence the best description of his peculiar mind, style, and character. The expression was deservedly successful,—*fit fortune* as the French say,—and has been extended to a whole group of men who, standing like De Maistre on the confines of the last century, looked out anxiously from the midst of the revolutionary storm in which they were enveloped towards a reparatory and avenging Future. Chateaubriand, Bonald, Lamennais (we mean the Lamennais of former days), were among these. There is a prophetic tint cast over the writings of these men which cannot be entirely overlooked; and some of the pages of Chateaubriand, in particular, are, even in the present day, startling to read, so completely have some of his previsions been verified. But this curious characteristic is equally observable in many of their inferior contemporaries, and may be discerned more or less in all writings that are the offspring of troublous and insecure times. There seems to exist in man an unfortunate restlessness under uncertainty—an insatiable desire to know the end of all things, which, coupled with the fact that nothing ever is completely ended in this world, would suffice to make him wretched if he had not the resource of inventing what he cannot discover. In a word, when men cannot see they foresee, and a clouded political horizon calls forth prophecy as naturally as sleep begets dreams. It is not, therefore, as Prophets, but as Prophets of the Past, that these writers were peculiar, as men who foretold, not coming, but returning things, and whose oracles spoke only of restoration. Considered in that light De Maistre stands foremost of the group for good and evil. More brilliant than Bonald, more consistent than Lamennais, he differed widely in one respect from Chateaubriand. The latter belonged only partly to the past. The author of 'Les Martyrs,' and of the 'Génie du Christianisme,' may indeed be claimed by the Middle Ages; but the writer in the 'Journal des Débats,' and the orator of the Chamber of Peers in 1825, belonged to the nineteenth century. Strangely enough it was in his early days that Chateaubriand indulged in those lingering backward glances which are generally the symptoms of declining faculties, and it was only later in life that he made up his mind to live in his

own day. It was in his mature years that—to repeat a remark reproachfully made by one of his ultra-Catholic biographers—‘he resolved to cast his talents into the gulph of the age, as the Doges of Venice cast their ring into the sea that they wedded with her tempests, her monsters, and her impurities.’ Such a stormy, perfidious, and polluted bride had no charm for De Maistre, and no man can be said to have been less influenced by the spirit of the age he lived in, and the moral atmosphere by which he was surrounded. He was a living anachronism—a man of the sixteenth century born two hundred years too late. In this he resembled Bonald. In all matters of faith and opinion there is scarcely any difference between them; but how diverse was the form in which those opinions were expressed! Joseph de Maistre was fond of pointing out the curious conformity of thought between himself and the frigid and heavy Bonald, and of alluding to what he called, in theological language, the ‘*loci parallela*,’ to be found in their works; but the most friendly disposition could hardly have made him discover in the writings of his brother theocrat the originality and brilliancy which cause his to be read with pleasure, even now, by a sceptical and unsympathising generation. In both we find the same gratuitous display of almost cynical inhumanity. If M. de Maistre has represented capital punishments as one of the poles on which Society revolves, and the executioner as one of its chief magistrates; M. de Bonald, on the other hand, could boast of having uttered, in the Chamber of Peers, words which, in their bland barbarity, can scarcely be matched in the records of any revolutionary tribunal: ‘To condemn a man to death, he said, ‘was only to send him before his natural judge!’ The same dogmatism, the same pretensions to inspiration, the same confusion betwixt novelty and error, are to be found in both, but in De Maistre alone these were relieved by a play of fancy and felicity of expression, which strangely enough remind one often—with a difference—of Voltaire. He may be said, indeed, to have constantly fought with the arms of his adversaries, and his political co-religionists are, perhaps, so proud of him only because he possessed to a certain degree those qualities which they affect to despise as superficial in their opponents. Wit, for instance, was considered by the many of his party, and, indeed, is considered by many dull people all over the world, as an unworthy auxiliary in a good cause*, yet Joseph de Maistre’s wit, which

* A story is told of Count Marcellus, one of the members of the Bonald and De Maistre school, which amusingly exemplifies this. A friend was congratulating him on the cleverness with which the

was by no means of the first order, is a constant theme of exultation with his admirers. In this matter of wit, indeed, many people hold curious notions touching the fitness, and even the possibility of husbanding it, for certain solemnly-appointed holidays of the mind. Our observations would lead us to establish a rule, which from its simplicity we should be ashamed to transcribe, if we did not see it daily put in doubt. Those who possess wit employ it even on the most every-day occasions, and those who have it not manage to dispense with it even when it would be most seasonable. In the intellectual world prodigality and wealth, economy and poverty, are much oftener synonymous terms than is generally supposed. Wit especially is a form, not a garment of the mind, and cannot be put on or cast off at will. Who has not heard of Beaumarchais's witty memorials to his judges on the most prosaic questions, and who has not read scores of dull epigrams? Every one instinctively and necessarily uses the weapons which Nature has furnished. The loveliest woman in the world must darn her stockings (if she be condemned to that employment) with the help of those same lustrous eyes which could enslave a hero. The nature of the task or the object to be attained have little to do with the means employed, for the first alone are matters of choice. If the latter are more brilliant than the undertaking required, the lookers-on have no right to complain. Some years ago a learned farmer somewhere published the account of an experiment, in which a potatoe-field was fertilised by the application of electricity. We speak in profound agricultural ignorance, but, supposing the thing to be possible, who would regret the offensive compost that our ancestors considered alone in possession of the power to produce potatoes, and who would think that Heaven's lightning had been misapplied? No one, except, perhaps, those who consider eloquence as unbecoming in familiar subjects, and wit as unseemly in serious ones. In literary matters especially the means often ennoble the ends, and a pleasant journey may be performed between two uninteresting points. Since the days of the Druids many a worthless mistletoe has been gathered with a golden hook, and been made sacred in the gathering. Let, then, Liberty—that smooths all difficulties, makes all things easy, and adjusts all differences,—reign supreme in her intellectual domain! Let there be no sumptuary laws in the

Quotidienne, one of the organs of the Royalist party, was conducted, and concluded by saying that it was even a witty paper. 'Ah!' rejoined M. de Marcellus, 'that's what vexes me; there is always something satanic in wit.'

Republic of Letters! We are far from finding fault with M. de Maistre for having sometimes clothed his thoughts in an unusual garb, and are convinced, on the contrary, that his works will live precisely on account of the contrast between manner and matter that they exhibit. His thorough acquaintance, for instance, with classical and Pagan literature, furnished him with quotations and arguments rarely to be found in theological disquisitions, and which many of his fellow-labourers in the same field would have considered profane. The quotations are, perhaps, too frequent for good taste, and things are often said in Latin which might have been as well expressed in French, for M. de Maistre, like many other writers, seemed to think that truth in a dead language is doubly true; Plato, Cicero, and Seneca are often pressed into strange service; but to these pagan and philosophical predilections he was indebted for a style at once perspicuous, concise, and vigorous, that will not often be equalled, we suspect, by the rising Ultramontane generation, which is to be nurtured exclusively in the Latinity of the early Fathers. Could M. de Maistre witness the dispute concerning the Pagan classics which divides at this moment the Episcopal body in France*, there is little doubt that, in spite of his aversion to Gallicans, he would side with them, rather than admit that the Hymns of St. Gregory the Great could be substituted with advantage for the poetry of Virgil, or that the prose of Thomas Aquinas could be studied with impunity instead of the 'Orations of Cicero.' Nor was he content with borrowing from the Ancients; Voltaire, Jean Jacques, and even his enemy Bacon, are all laid under contribution; in a word, he may be said, in the widest sense of the expression, to have followed St. Augustine's advice and example, and to have 'spoiled the Egyptians.'

* The quarrel, which is of old standing, was revived a few months ago, on the occasion of a work by l'Abbé Gaume, with the following significant title, — 'Le Ver Rongeur des Sociétés modernes, ou Le Paganisme dans l'Education.' The fight has been kept up warmly by both parties, and bishops on either side have exchanged angry letters and charges, without perceiving that the public is looking on with mingled indifference and contempt, the usual result of family quarrels. English readers will recognise in this, an exaggeration of Foster's Essay, 'On some of the causes, by which Evangelical Religion has been rendered unacceptable to persons of cultivated taste.' That there, however, was once a time when the contrast between the heathen spirit and the Christian spirit might reasonably have been expected to be fatal to the spread of Christianity, see p. 214. of that most original work 'the Eclipse of Faith.'

To all these blemishes, as we said before, we are inclined to be lenient; were M. de Maistre's style more in harmony with his subject, he would be still less to our taste. The real defects in his writings are the arrogance of his tone and his authoritative dogmatism, which seem scarcely consistent with a free exercise of reasoning powers. Before a man argues with others, he has generally, if he is conscientious, argued with himself; but there is not a trace of any such mental process having been gone through in M. de Maistre's case. There are no misgivings on any subject, not even on the most minor points of his doctrine; no remains of vanquished doubts showing that a *bonâ fide* combat had taken place in his mind. Doubt is so essential a part of our frail human nature, that we can scarcely comprehend sincerity without it. We are disposed to believe that Joseph de Maistre was convinced of the truth of all the doctrines he advanced, but the impression conveyed by his writings is that he would have continued to assert them as pertinaciously had he suspected them to be false. It is impossible to imagine him retracting any opinion, and this robs his perseverance of much of its value. No man carried out more completely the system of mental submission inculcated by the Romish Church, and his faith never allowed him to question even the most trifling points of his belief; his defence of them does not therefore necessarily imply that he had ascertained their truth even satisfactorily for himself. It is difficult to understand how, under these circumstances, modern innovators (and among others the St. Simonians) should ever have associated his name with the idea of a religious reform, or a new Divine Revelation. There is no doubt that a few sentences in the 'Soirées de St. Petersburg' convey in somewhat mystical language the notion of some great approaching event in the Christian world; but we wonder that the indignant shade of D^s Maistre did not arise to reproach with its presence the audacious commentator who first dared to draw from thence any inference against Rome. He may have fancied that a Hildebrand might arise to remodel the Catholic world, but that was all; and any revolution he could look forward to must have originated with Rome herself.

The last remark we have to make applies not only to M. de Maistre's works, but to those of all men who hold his political opinions. It is difficult to understand why they write at all. The mere fact of publishing a book is a concession to that fatal spirit of inquiry and examination which they affirm has ruined the world. If human reason is so completely impotent to produce any good, why do they appeal to it? Logically, the dogmas of Authority should only be expounded with sword and

cannon, and the tenets of Liberty should alone be spread by discussion and writings. But after all, it does come to that; and force, we feel, is at the bottom of the arguments of all such writers. They know, at heart, as well as we do, that reason is not to be argued into an act of suicide, and that the pen is not their proper instrument. The paternal explanations afforded by absolutists, reduced by the rebellious spirit of the world to the humiliating necessity of writing books, always remind us of that last thrilling dialogue between Little Red Riding Hood and the wolf in Grandmama's clothes. Mild and even affectionate replies are vouchsafed to every question, and each member of the monster is in turn declared to have been made for the especial benefit of the innocent inquirer. Grandmama, what a big civil list you've got! and many other doubtful exclamations may be all in turn satisfactorily answered; but let the confiding interlocutor come within reach of the dissembler, and venture that last inevitable inquiry about Grandmama's teeth, and we all know the fatal and conclusive answer. We make no exception to our rule of mistrust in such cases in favour of De Maistre, notwithstanding his apparent toleration and philosophy in argument. Tolerant he no doubt was, as the suspected guest of a schismatic autocrat; and as long as force sought to silence his voice, he only demanded free discussion and a fair philosophical field; but if the government of his hopes had been established, what would have been the change? For our part, we feel not the slightest doubt on the matter, and have a comfortable conviction that, circumstances permitting, the system of which this most Christian philosopher was the advocatè would have condemned him to the painful necessity of having us burned as heretics, or, at the very least, hanged as Edinburgh Reviewers. In vain he tells us in his favourite Latin that his rule of conduct is, *tantum contende in republica quantum probari tuis civibus possis*, we cannot be reassured. A certain number of chosen heretics might indeed have been reserved, like intellectual gladiators, for controversial combats, but with the rabble he would evidently not have thought it worth while to parley. Like Ulysses (we beg his Majesty of Ithaca's pardon for mentioning him almost in the same breath with Little Red Riding Hood) when he harangues the Greeks in the second book of the 'Iliad,' M. de Maistre might indeed only have used the sceptre of the King of Kings, had it been confided to him, to add authority to his eloquence while addressing his equals; but had any inferior rebel opposed him, we feel convinced that, like Ulysses, he would have felt no scruple in laying about him with his sceptre, and belabouring the audacious rebel with it.

We have attempted to convey some idea of the Life and Character of Joseph de Maistre, and of the spirit which pervades his writings. A more complete analysis of his works would be impossible within the limits of an Article; they treat of almost every subject within the range of theology, philosophy, and politics, and his earnest and elaborate defence of the Papacy might alone furnish matter for volumes of criticism. If, however, the foregoing pages induce some of our readers to study his writings, we shall not consider that our labour has been misspent. Every true lover of liberty and humanity must rise from the task invigorated and refreshed — strengthened in an opposite faith, and proud of those conquests against which even such attacks are impotent. It is no despicable advantage to a liberal mind to meet now and then with a worthy adversary. In the security of undisturbed possession, we are apt to disregard the most valuable blessings; they only become really our own when we have defended and, so to speak, reconquered them. It is good to have to find reasons for opinions which we have inhaled in the moral atmosphere around us rather than acquired by any individual mental process: it is like regaining a family inheritance after a long and arduous suit. In another point of view, too, the works of De Maistre are instructive. On the Continent they are quoted and eulogised daily by men who, without his talents, have inherited all his views, and a numerous tribe of degenerate followers devoutly repeat his fearful paradoxes as though they were oracular truths. It is well that every one should know to what structure these fragments belong, notwithstanding their specious beauty. The spirit of the Middle Ages, under the more plausible name of Reaction, is once more abroad: it may be useful to study its meaning in the works of one of its most explicit and consistent advocates. We may gather a just notion of its baneful influence on the ignorant and the narrow-minded, by seeing to what monstrous paradoxes and wilful blindness it reduced one of the clearest intellects of the age, and to what terrible logical conclusions it conducted one so highly gifted that the negation of Progress seems a blasphemy under his pen, and that his most determined opponents, while detesting his doctrines are tempted to exclaim, Would that he had been one of us!

ART. II. — *Life and Letters of Joseph Story, Associate Justice of the Supreme Court of the United States, and Dane Professor of Law at Harvard University.* Edited by his Son, W. W. STORY. London: 1851.

THE Virginian planter used to boast, it was said, of his resemblance in character and position to an ancient Roman. But when the United States are seeking for a flattering parallel with Rome, we would advise them to place it in the decided vocation of their citizens to the sciences of Government and Law. It may be a question whether Europe is not premature in reproaching America with living on a borrowed literature. But, supposing the charge to be well founded in the case of poetry and metaphysics, (and we perceive Story writes to his son, ‘I am tired, as well as yourself, of the endless imitations by American poets, of the forms, and figures, and topics of British poetry. It is time we had something of our own:’) the very opposite is the fact in regard to Jurisprudence. The profession of the Law constitutes its real aristocracy, the aristocracy of character and talent.

The juridical foundations, it is true, are the same in both countries. On the adoption of the Common Law being discussed before the Senate of the United States, the opinion of President Adams, then Vice-President, ‘as of a great lawyer (which he certainly was) and as a great revolutionary patriot, was called for on every side. He rose from his chair, and emphatically declared to the whole Senate, that if he had ever imagined that the Common Law had not by the Revolution become the law of the United States under its new government, he never would have drawn his sword in the contest. So dear to him were the great privileges which that law recognised and enforced.’ The Reports of Westminster Hall have not been published many weeks, before they are carefully and respectfully studied from one end of the Union to the other: fortunately, however, with an enlarged and independent judgment. American lawyers are not so strict as those of the mother country in their attachment to every thing in the Common Law, and readily yield to rational expositions as they stand on a more general jurisprudence:’ and the Courts of the United States are supposed to offer great advantages for a comprehensive re-examination into principles. The consequence is, that we look in vain over the legal literature of England for names to put in comparison with those of Livingstone, Kent, and Story. Lord Bacon fondly hoped, that future ages might ask, whether he or Coke had done

most for the Law of England. The adoption of the writings of Coke at that turning period of our legal history, as the exclusive model for the lawyers of after times, makes it impossible to say what would have been the amount of change introduced into our books and methods if this expectation had been realised. As it is, we have so often sacrificed principles to precedents, that even Lord Stowell reluctantly admits to his correspondent, (i. 556.) 'I rather think we are too fond of cases.'

Joseph Story was born at the fishing town of Marblehead, on the coast of Massachusetts, in 1779, and died at Cambridge, U. S., in 1845, aged sixty-six. We see no signs of what his son calls 'the Calvinism of its scenery,' uniting with the Calvinism of its pulpit in leaving any characteristic impression on his mind. At the same time, the four years (from æt. 15 to æt. 19) that he passed at Harvard College, of which he was destined to become so great an ornament, were marked by nothing personal so much as by the early assertion of his intellectual freedom in abandoning the religious opinions of his family. Whilst there, the young Calvinist, the son of *Elisha Story* and *Mehitable Pedrick*, became a Unitarian. After four years of preparatory study at Marblehead and Salem, and four years of successful practice at the Essex Bar, we find him Member of the Legislature of Massachusetts, and soon afterwards chosen Speaker. In 1812, Mr. Madison appointed him, at the age of thirty-two, one of the Judges of the Supreme Court of the United States. This appointment obliged him to reside at Washington during the winter, and to travel in circuit twice a year throughout the seaboard States of New England. Meantime Salem continued to be his home until 1829. In which year he accepted the Dane Professorship of Law at Harvard University, and transferred his family to Cambridge, where he closed his honourable life. Thus was he, during the space of thirty-four years, a most distinguished Judge of the Supreme Court of his country; during the last sixteen being also a most distinguished teacher of law in its most celebrated University: at the same time the author of more text books both of a higher order and on almost every branch of jurisprudence than any writer of his age.

The world has done ample justice to the fame of one of its greatest Jurists: and after reading his *Life and Miscellaneous Writings*, there can be no difficulty in accounting for his personal influence and popularity. Vast professional erudition was not purchased by him at the expense of general usefulness or agreeableness. He could never have been suspected of being so engrossed by business, as to leave his clerk to choose his wife or

friends for him. His early love of literature remained with him to the last, and both Basil Hall and Lord Carlisle have recorded the attractions of his society. He seems also to have had always leisure for every possible demand of public duty or private friendship. Defective branches of the law, as the Bankrupt Law and Criminal Law of the United States, found in him a zealous reformer: and he presided over the preparation of an elaborate Report, with well considered distinctions, in favour of a code for Massachusetts. The notes he contributed to Wheaton's Reports, fill a hundred and eighty-four closely printed pages. He no sooner heard of Mr. Greenleaf's project to publish a volume of Overruled Cases, and an edition of Hobart's Reports with annotations, than he zealously proffered his assistance, rejoicing 'that there are gentlemen at the Bar willing to devote their leisure to the correction and ministration of the noble science of the law. It is redeeming the pledge which Lord Coke seems to think every man implicitly gives to our profession, on entering it. It is eminently useful, because it accustoms lawyers to reason upon principle, and to pass beyond the narrow boundary of authority: I want to get a copy and interleave it, so as to provide gradually for a new edition. Pray do not think that anything in which I can aid you will be a labour to me.' He furnished various articles to the *American Jurist*: and those contributed by him to his friend Dr. Francis Lieber's *Encyclopædia Americana*, extended to one hundred and twenty pages in closely printed double columns. Nor was this voluntary addition to his labours limited to professional subjects. Was a cemetery to be consecrated at Mount Auburn, a eulogy to be delivered at the funeral of a colleague, a free-trade memorial to be drawn up, a hortatory lecture to be pronounced to a Mechanics' Institute or to a Literary Society, the great Jurist answered to the call with equal alacrity and ability.

There are two topics, however, in American life, in which it is impossible for any honest and earnest citizen to conciliate the good opinion and good will of all his countrymen. These are the question of the Constitution — or on what terms State Sovereignties and the Federal Sovereignty, are to be adjusted — and the question of Slavery.

Joseph Story entered public life in 1805, when Federalism was so predominant in Massachusetts, that his avowed sympathy with the Republican party, and his consequent support of the administrations of Jefferson and Madison, not only seriously injured him in his profession, but to a great degree excluded him from the best society. Many years afterwards, in a speech in the Convention of Massachusetts, he retraced with great feel-

ing the party animosities of those times,—not regretting the course his judgment then led him to adopt, but reflecting with the most profound melancholy on the averted eyes it had cost him, and deprecating his contemporaries leaving to their children the bitter inheritance of similar contentions. Yet he can never have held extreme opinions or have maintained them with offensive violence. In a biographical letter to Mr. Everett, speaking of this period, he observes, ‘I will add, because it is but common justice to myself, that, though an *ardent republican*, I was always liberal and stood by sound principles. I was avowedly a believer in the doctrines of Washington, and little infected with Virginia notions, as to men or measures.’ Afterwards, when party nomenclature turned into Whig and Democratic, and he now voted with the Whigs, he was conscious of no alteration in himself. ‘I seem simply to have stood still in my political belief, while parties have revolved about me: so that though of the same opinions now as ever, I find my name has changed from Democrat to Whig, but I know not how or why.’ He states, however, in the preface to his Commentaries on the Constitution, that their materials had been mainly derived from the Federalist and the judgments of C. J. Marshall. Probably, therefore, more of difference than he was quite aware of had crept into this branch of his opinions. At all events, these authorities brought him into direct antagonism with the principles of the most dogmatical of his early chiefs. Kent, in bearing witness to the address with which the most debatable points of American constitutional contests are handled in Story’s Commentaries, expresses his admiration of ‘the bold and free defence of sound doctrine against the insidious, mischievous, and malignant attacks of Jefferson.’ The explicit systematising of Mr. J. Story’s constitutional creed had evidently been reserved for his coming within the orbit of C. J. Marshall, as one of the Judges of the Supreme Court. But the estrangement between himself and Jefferson commenced earlier: at least as early as Jefferson’s discovery in Congress, that Story meant to have an opinion of his own, and to freely act on it. This was on the repeal of the Embargo of 1809. Story on that occasion described the Embargo as the mad scheme which Jefferson with his usual ‘visionary obstinacy was determined to maintain.’ He himself considered it destructive of New England: and a confidential letter to Mr. Fay (p. 177.) authenticates the sincerity of his alarm. On the other hand, Jefferson attributed his defeat to Story, one pseudo republican: and never forgave it. ‘Pseudo-republican of course I must be (says the Judge), as every one was in Mr. Jefferson’s opinion, who dared to doubt

‘ of his infallibility.’ Even if this provocation had been avoided, the alienation must have broken out sooner or later. Story found out, as member of Congress, that New England was to obey but not to be trusted. This, in my humble judgment (he adds), was the steady policy of Mr. Jefferson at all times. We were to be kept divided, and thus used to neutralise each other.’ But, besides these jarring jealousies, two men of such different views and natures could not long have drawn cordially together. After the veil was raised by the publication of Jefferson’s correspondence, Story writes to Mr. Everett (1832): ‘ Every day I perceive more and more the effect of Mr. Jefferson’s extraordinary opinions and acts in every department of our government.’ It is time his correspondence was fairly and freely reviewed.’ General Jackson, when President, bore difference of opinion and independence of character as impatiently as Jefferson had done: and, speaking of Story, called him ‘ the most dangerous man in America.’ Meanwhile, Story in 1831 was mourning over the change in constitutional practices and doctrines. ‘ I have for a long time known that the present rulers and their friends were hostile to the judiciary, and have been expecting some more decisive demonstrations than had yet been given out. The recent attacks in Georgia and the recent nullification doctrine in South Carolina are parts of the same general system, the object of which is to elevate an exclusive State Sovereignty upon the ruins of the general government.’ Three years later he writes in still greater despair from Washington: ‘ Every thing here is as uncertain as it possibly can be except the President’s will. And I confess that I feel humiliated at the truth, which cannot be disguised, that although we live under the form of a republic, we are in fact under the absolute rule of a single man. . . . The question who shall be the next President, mingles with every measure.’ Yet Story’s expectations were by this time pitched at so low a level that he would not have been hard to satisfy. Witness his pleasure in 1840 at the success of General Harrison’s nomination. ‘ His talents are not of a high order, and at this hour he is filling the office of clerk of a County Court in Ohio. What, however, seems to give him strength, is that he is poor and honest: or as Mr. Abbott Lawrence said the other day to me, “ the people believe that he won’t lie and won’t steal.” The real truth is, that the people are best pleased with a man whose talents do not elevate him so much above the mass as to become an object of jealousy or envy. The prospect of his being President is quite encouraging.’

Meanwhile Story's sanguine view of the general aspect of American politics had long abated. As far back as 1818, he had written:—

'There is no rallying point for any party. Indeed every thing is scattered. Republicans and Federalists are as much divided among themselves, as the parties were formerly from each other. I do not regret the change. I have been long satisfied that the nation was in danger of being ruined by its intestine divisions; and fortunately among men of real talent, real virtue, and real patriotism, there are now few, if any, differences of opinion. But a new race of men is springing up to govern the nation: they are the hunters after popularity, men ambitious not of the honour so much as of the profits of office,—the demagogues, whose principles hang laxly upon them, and who follow not so much what is right, as what leads to a temporary vulgar applause. . . . I have done with party politics: my heart is sick of the scenes of strife and sometimes of profligacy which it presents. I have no desire ever again to enter the contest for popular favour. Yet, I hope, I love my country and its institutions, and I know that I reverence the principles of liberty and the constitution of the United States.'

By 1835 the prospect had further darkened:—

'Nothing is more extraordinary than the fact that the House of Representatives, so often lauded as the true protector of the rights and interests of the people, is ready, under the strong bonds of party union and executive patronage, to yield up both. The duration of their office is too short to secure independence of action, and the elections are too much under the power of mere demagogues. Hence the gradual change of public men from a lofty firmness to a temporising policy.'

A letter to Mr. Charles Sumner in 1845 is still more desponding:—

'In every way which I look at the future I can see little or no ground of hope for our country. We are rapidly on the decline. Corruption and profligacy, demagoguism and recklessness, characterise the times, and I for one am unable to say where the thing is to end. You, as a young man, should cling to hope: I, as an old man, know that it is all in vain.'

In this same year the change of opinion from those of the 'Old Court,' especially on great constitutional questions, is given as the main reason of his intended resignation.

'New men and new opinions have succeeded. The doctrines of the Constitution, so vital to the country, which in former times received the support of the whole Court, no longer maintain their ascendancy. I am the last member now living of the old Court, and I cannot consent to remain where I can no longer hope to see those doctrines recognised and enforced.'

As an enlightened friend to republican institutions, Mr. Justice Story was a zealous advocate for every form of educational training, by which he conceived that the condition of the people might be elevated. From their direct tendency to raise mechanics and artisans to the rank of scientific engineers, he set a high value on Mechanics' Institutes; predicting that 'they were destined to work more important changes in the structure of society and the improvement in the arts than any single event, since the invention of printing.' But he was even more desirous to qualify his fellow citizens for the discharge of the political franchises which the constitution entrusted to them, than to cultivate their inventive powers as intelligent mechanics. He has expressed as forcibly as Washington himself his sense of the difficulty of complying with the conditions on which alone a Republican form of government can be a blessing to a people, or probably be prolonged. In a lecture read before the American Institute of Instruction, he particularly insists on the science of Government, as being an indispensable branch of popular education in connexion with popular institutions.

'A Republic, by the very constitution of its government, requires on the part of the people more vigilance and constant exertion than all others. The American Republic, above all others, demands from every citizen unceasing vigilance and exertion; since we have deliberately dispensed with every guard against danger or ruin except the intelligence and virtue of the people themselves. It is founded on the basis that the people have wisdom enough to frame their own system of government, and public spirit enough to preserve it; that they cannot be cheated out of their liberties; and that they will not submit to have them taken from them by force. We have silently assumed the fundamental truth that, as it never can be the interest of the majority of the people to prostrate their own political equality and happiness, so they never can be seduced, by flattery or corruption, by the intrigues of faction or the arts of ambition, to adopt any measures which shall subvert them. If this confidence in ourselves be justified (and who among Americans does not feel a just pride in endeavouring to maintain it?) let us never forget that it can be justified only by a watchfulness and zeal proportionate to our confidence. Let us never forget that we must prove ourselves wiser and better and purer than any other nation yet has been, if we are to count upon success.'

It was in this view that he thought so highly of Lieber's 'Political Ethics;'* and, besides abridging his own Commentaries for

* He considered De Tocqueville's work on America to have been overrated; and the son complains that no notice is taken in it of his

the Law School, himself drew up a book called the *Constitutional Class Book*, in which 'the principles of the government of the United States are familiarly explained; and which was published in the "School Library" and introduced as a text book into various schools.*' When may we hope to see any thing of the sort written by a judge for the National Schools of England? The nearest approach to it at present is the 'Political Philosophy' of Lord Brougham.

Of the many forms which political controversy may assume in the United States, that of Negro slavery is the most hateful and most exciting. The side taken by Mr. J. Story in behalf of the oppressed races of both the southern and western States, was at once determined by the rectitude of his principles and the humanity of his heart. The wrongs inflicted on the Cherokee nation by the State of Georgia wrung from him the exclamation, 'I never in my whole life was more affected by the consideration, that they and all their race are destined to destruction. And I feel, as an American, disgraced by our gross violation of the public faith towards them. I fear, and greatly fear, that in the course of Providence there will be dealt to us a heavy retributive justice.' The 'institution' of the South found as little favour with him. When he learned on his New England Circuits that the Slave Trade was still carried on there, so vehement was his denunciation of it in his charges to the grand juries, that he greatly contributed to put an end to it. He disregarded the threat 'of hurling him from the bench,' equally with the obloquy, to which his judicial decisions in cases of slavery exposed him, as either side might happen to be offended by them. Though ever opposed to slavery, he took his stand, *as a judge* on the Constitution; and when his decision in the case of *le jeune Eugenie*, was more liberal than that of the English Courts, he still retained his confidence in his own judgment, observing only on the hardship of having Sir W. Scott and the King's Bench on his back. When at liberty, as a pri-

father's work. 'You know (says the author of the Commentaries in a letter to Lieber) 'ten times as much as he does of the actual working of the system, and of its true theory.'

* 'School books for children on History might very beneficially begin with a short and plainly written account of our present Constitution, including a concise statement of the nature and administration of the Law. These subjects appear to me quite as important for a poor child to learn, as about the battle of Hastings or the Wars of the Roses. . . . For children as a class-book Chambers' "Political Economy for use in Schools" may advantageously be adopted.'—*Symons' School Economy.*

vate citizen, to act on *legislative* considerations, he enlarged his views proportionally. So strong was his feeling on the Missouri compromise, that the only exception which he made, after he was on the Bench, in meddling with anything which could be called politics, was taking part in a meeting to protest against it.* He was further stung by the insolence of Randolph's claim for Virginian supremacy; and he frequently reverts to the question, as he put it to Mr. Ticknor in 1828: 'Depend upon it, whatever may be the present cross-current of debate, the question must come to the sheer point, whether the South shall govern the East now and for ever.' In 1833 he writes to Mr. Peters, 'Upon politics I am fixed. The late compromise is a surrender of the Constitution to which under no circumstances will I be either a party or a quiet looker on.' This evil was consummated in his opinion by President Tyler, in the annexation of Texas and the creation of a new Slave State. While the admission of Texas into the Union was yet pending, he declared that

'It would be a grossly unconstitutional act; and one which he should not be surprised if it should lead to a dissolution of the Union. It will for ever give the South a most mischievous if not a ruinous preponderance in the Union.'

The means are described, in a letter to his son, as being of a piece with the end:—

'Pray do not ask me how all these things are brought about. I should blush to put on paper what my belief is. There are ample means to accomplish any ends in power and patronage, &c. &c. &c., and Lord Coke has told us that &c. &c. are signs full of meaning in the law. I think they have a still more pregnant meaning out of the law. This government is becoming daily more and more corrupt; and the decline and fall of the American Republic will not be less a matter of history in an age or two at farthest than that of other republics whose fate is recorded in past annals. However, the present crisis will soon be forgotten and forgiven by the people; and we shall go on as we may, until by some convulsion we come to a full stop. When that will be I pretend not to prophesy. You may live to witness it.'

His aversion to the compromise was scarcely more decided on the ground of its affirming the perpetuity of slavery, than on the ground of its destroying the proportions upon which the balance

* He did not, however, think it necessary to abstain from voting at elections. Since it was a joke in the family, his voting one way, and his coachman who drove him to the polling booth, voting the other.

of the South and East had been settled in the Constitution. He was convinced, as fully as Clay or Webster, that their last and only security is in the Union; but in his opinion, the weight given to the disturbing forces by the compromise adds to the difficulty of preserving it.

It is time to pass on to Mr. J. Story's peculiar province — jurisprudence. All the great orators of America, with the exception of Mr. Everett, have been lawyers. The law, as studied there, seems to enlarge the mind as well as sharpen it. But a single session of Congress (1808-9) satisfied Story that it would be more for his happiness and his fame to withdraw from political and party controversy, and apply himself with singleness of heart to the study of the law, 'at all times the object of his admiration, and almost exclusive devotion.' He was made a judge in 1812, at the early age of thirty-two; and he died in harness after a service of four and thirty years. We will not here enter on the examination of any of even his most celebrated judgments during this long and eventful period. It will be enough to notice the annual course of those official duties, — duties so unwisely underpaid in America, that Story himself, though most indifferent to money, can only speak of the position as one of splendid poverty. The observation he has made on the extent of knowledge required of a legislator for so many States applies almost as forcibly to a judge of the Supreme Court, sitting the winter months at Washington. In his case, six months of every year were taken up on circuits — his own circuit being the great maritime district of Maine, New Hampshire, Massachusetts, and Rhode Island. Kent might truly say to him, 'You have, fortunately for yourself and for your country, the best section in the country for the application of your powers, and have much more reason than Montesquieu had, to thank Heaven that you were born and educated where you are placed.' At that time the Commercial Law and Admiralty Jurisdiction of America were pretty much what they had been in England before the times of Lord Mansfield and Lord Stowell. Story never passes an opportunity of expressing his admiration of those two eminent men; and this not only in public, but also in his private correspondence; as, for instance, in answer to Adams, who had declared that they were no more to be quoted than the Court Calendar. His account of the condition of Equity Jurisprudence throughout America at this period is equally unfavourable. It was created principally by Kent, who was made Chancellor of New York in 1814. So rapid, however, was the subsequent progress of equitable science, that by 1841 a Court of Chancery had sprung up in every county of almost every State, where all

proceedings originated, and 'an able local bar had been created, by whom the business was so well-managed, that small causes seldom got into the Appellate Court.' There is ample opportunity of comparison between the different systems in America. Some States altogether exclude Equity as distinct from Law, some confer an equitable jurisdiction on their Courts of Law, others separate Equity and Law into distinct Courts, as in England. Story on the whole leaned to a separation, but the mechanism both of the Courts of Chancery and of a Chancery suit differed so widely in the two countries, that, notwithstanding his respect for Lord Eldon, he assures Mr. Field, 'the English system could not have existed in America without calling forth legislative interference to prevent delays, to lessen costs, and to give simplicity to proceedings.'

Story was fed in youth on the dry dust of what Bentham called *Grim Gribber*. He began life with a profound study of the black letter law of England; and to the last, when gratefully summoning up the list of his instructors, delighted to revert to Tidd. But, fortunately, he had also felt a higher call. Though he pays Kent the compliment of having instructed so many of their contemporaries in the truth, that the gift of uniting a deep respect for precedents with an habitual inquiry into their consonance with principles, is not unattainable, however rare, it is clear he had already found the principles in the wisdom of the Civil Law, and that he had trained his own well-constituted nature after the example of Pothier and Domat. No man can have ever possessed in a higher degree the happy faculty which he attributes to Mr. Justice Washington, of yielding just the proper weight to authority.

Recent as is the greater part of American Law, it has shot up with so vigorous and succulent a growth that it is natural that the profession in the United States should be both surprised and mortified at the little notice which its jurisprudence has attracted in England; 'being passed by with utter neglect, as belonging only to a colonial or foreign law. There is however at this very moment (1831) in the States composing the Union a population of about thirteen millions, all of which claims the Common Law as its birthright, and all of which is accustomed to study the Treatises and Reports of English Jurisprudence, as a necessary preparation for practice in the profession of the law. In several of the States Commercial Law may be said to form a principal business of the Courts; and to be examined with a diligence and ability equal to its vast importance. Not an English decision or treatise is published three months, before it finds its way to our libraries, and

‘is there studied and criticised with profound attention.’ It will be a proud distinction to Kent and Story, that they have done more than any other men to put an end to the indifference of English lawyers to the learning of their American brethren.

Story, mentioning the praises given to Kent’s Commentaries in some English legal publications, adds, ‘this is as it should be; for, England is deeply interested in cultivating a thorough knowledge of American jurisprudence: and it would betray a lamentable want of professional ambition, not to master a work which has become our first juridical classic,’ — the American Blackstone, or something more. The testimony borne to the services of Story himself is of a more direct and higher order. Mr. Justice Patteson gratefully acknowledges the obligations under which he has laid all the members of the profession of the law, especially those who have to administer it, by his profound and learned treatises;’ adding that ‘the respect paid to American Reports and Law Treatises is rapidly increasing; and tends much to the improvement of our theory and practice.’ Mr. Baron Parke’s opinion is equally favourable. Mr. Justice Colridge, after stating, that he had read no modern treatise of our own production with any thing like the pleasure and instruction he had received from Story’s ‘Conflict of Law,’ goes on to say, ‘I think you would be pleased with the feeling, which exists in our Courts at present in respect to American jurisprudence. It is one of the highest respect; we do not indeed allow your Reports to be cited as authority; but that, I believe, is out of consideration to the Bar, who are already overburdened with the expensive and troublesome multiplicity of our own Reports.’ He elsewhere admits, ‘a comparison with your course is not very flattering to your brethren on the English Bench: we are, it is true, very much engrossed by practice before we are made Judges, and by our duties afterwards; perhaps somewhat more so than is your lot in America.’ Still that will not account for the whole difference between us.’ Lord Campbell, informing him that his library was now enriched with the whole of his published works, proceeds to say, ‘I survey with increased astonishment your extensive, minute, exact, and familiar knowledge of English legal writers in every department of the law. A similar testimony to your judicial learning, I make no doubt, would be offered by the lawyers of France and Germany, as well as of America, and we should all concur in placing you at the head of the jurists of the present age.’ In fact, Savigny and Mittermaier have given in their adhesion in the present volumes under their own hands: And to crown these fervent tributes after the most approved English

fashion, when the great American jurist proposed to visit London, Lords Brougham and Denman, and the other judges, prepared to celebrate his reception by a public dinner at Serjeants' Inn.

For the last sixteen years of his life, Mr. Justice Story added to his labours as Judge those of a Professor: and it is to this last appointment that we are indebted for his most important works. His earlier publications had been those of an English practising lawyer — such as a supplement to 'Comyn's Digest,' new editions of 'Chitty on Bills,' 'Abbott on Shipping,' 'Lawes on Assumpsit.' But in 1830, soon after his acceptance of the Dane Professorship at Harvard, he expressed his anxiety to set to work with the law students, and prepare some written lectures, 'in the terrible deficiency of good elementary books.' Accordingly his 'Treatise on Bailment' appeared in the following year, as the first fruits of this good intention, and as the first volume * of a series on Commercial Law. Next followed 'Com-

* Mr. Justice Story furnished an admirable article to the 'North American Review' on the *Literature of the Maritime Law*. It is contained in a notice of Jacobsen's 'Laws of the Sea with reference to Maritime Commerce during Peace and War.' Towards the conclusion of the article he states that the principal value of Mr. Jacobsen's work to an American (and what is true of the American must be true also of the English) lawyer, 'is the minute accuracy and fulness with which it gives us the positive and customary law of all the maritime nations of the Continent. And this, in our judgment, is a most interesting, and, in a practical view, a most important accession to our judicial literature. Of the maritime law of Russia, Prussia, Denmark, Sweden, and Germany, we have hitherto known very little. Yet with all of them we carry on an extensive trade; and the principles of their jurisprudence as to maritime affairs, both in peace and war, are of incalculable importance to our merchants, nay more, to our government. This is not all. A great variety of curious and difficult questions are perpetually arising in our judicial tribunals, where the positive regulations or usages of other continental nations would greatly assist us in forming decisions, which should comport with general convenience, as well as with the general principles of Law. Many are the cases in which the foreign usage ought to incline the scale. We owe indeed a full moiety of our present commercial law to the positive ordinances or usages of France, Italy, and Spain, as they have been delivered to us by their eminent jurists. They seem now inclined to borrow from us in return; and thus perhaps national comity may gradually establish a nearly uniform system of commercial jurisprudence throughout the whole civilised world.' Mr. Justice Story was a great commercial lawyer; there has been no greater. After the above passage, we may conceive the satisfaction with which he would have welcomed the great work of Mr. Levi, and the project of an International Commercial Code.

‘mentaries on the Constitution of the United States.’ It was announced by him, as another portion of the labours devolving on him in execution of the duties of his professorship; and it immediately placed his authority as a constitutional lawyer on a level with that of C. J. Marshall himself. ‘Whoever,’ says Mr. Bancroft, ‘would understand our form of government, must study the Commentaries of Story.’ His greatest work (at least he himself thought it so), was his next payment in discharge of his duties to his Law School. It was published in 1834. Appropriately eulogised by C. J. Tindal and the Jurisconsults of France and Germany, it met with its most eloquent admirer in Mr. Webster: —

‘It is a great truth that England has never produced any eminent writer on national or general public law, no elementary writer, who made the subject his own, who has breathed his own breath into it, and made it live. In English judicature, Sir W. Scott, it is true, has done much to enlighten the public mind on the subject of prize causes, and in our day Mackintosh has written a paper of some merit. But where is your English Grotius? Where is your English Barbeyrac? Has England produced one? Not one! The English mind has never been turned to the discussion of general public law. We must go to the Continent for the display of genius in this department of human knowledge. What have the Courts of Westminster Hall done to illustrate the principles of public law? With the exception of a tract by Mansfield of considerable merit, more great principles of public law have been discussed and settled by this court within the last twenty years, than in all the Common Law Courts of England within the last hundred years. Nay, more important subjects of law have been examined and passed upon by this bench in a series of twenty years than in all Europe for a century past, and I cannot forbear to add, that one in the midst of you has favoured the world with a treatise on public law, fit to stand by the side of Grotius, to be the companion of the “Institutes,” — a work that is now regarded by the judicature of the world as the great book of the age, — “Story’s Conflict of Laws.”’

Another year had scarcely passed, and then came out his ‘Treatise on Equity Jurisprudence.’ It was not only received in America as calculated ‘to teach its transatlantic teachers,’ but Lord Campbell took it with him to Dublin in that character, and has recognised how, on a particular point peculiarly English, he found more information in it than in any English publication. Its philosophical merits at once carried its fame over the Continent, where Mittermaier has borne witness that its extensive views must make it interesting to the jurists of all nations. By this time, now aged fifty-six, he says, he had published seven volumes; and in five or six more could accomplish all he pro-

posed. But of these, all he lived to complete was a Treatise on Agency, and another on Partnership. The miracle is, how he performed so much, considering the demand made on his time over and above his judicial duties by superintendence of his Law School, by two hours lectures daily there, and by presiding over its extra moot courts.

The grades of the profession in America are not distinguished by the formal etiquette of England.* 'Every solicitor is a councillor, and every councillor acts at times as a solicitor. We find no inconvenience from this course,' says Story. So at the other end of the profession, the Judges do not think it beneath their judicial dignity to take part as teachers of incepting students. In the eulogy on Professor Ashmun, it is mentioned incidentally that he had been associated early with Judge Howe, who had established a Law School at Northampton of very high character. When Kent ceased to be Chancellor of New York, in consequence of the absurd enactment, by which any person above sixty years of age is disabled from holding a judicial office, he only added to his honours by those lectures at Columbia College, of which the world has since the benefit as represented in his Commentaries. Story's case is still stronger. America and the whole civilised world are the wiser and the better for the absence of prejudice, by which he was allowed to unite with his office of Judge of the Supreme Court that of Professor of Law at Harvard College.

We have reserved for the last an account of his Law School. It may instruct and animate the new establishments now forming (better late than never) in the English Inns of Court. In the year 1828, he had declined the Royal Professorship of Law at Cambridge, U. S., on the ground that it would oblige him to devote all his leisure time to drilling and lectures, and judicial conversations. 'The school,' he answered, 'cannot flourish except by such constant efforts; and I should not willingly see it wither under my hands. The delivery of public lectures alone might not be oppressive; but success in a law school must be obtained by private lectures.' These objections, however, were fated to give way at no greater distance of time than the

* The preface or dedication of a recent work, 'The Advocate,' by Mr. Cox, is a protest addressed to Lord Denman against the breach threatened to be made in the etiquettes and centralisation of the profession of the Law in England, by the successful opening of County Courts. American experience appears to be as much lost on our legal alarmists as on some of our public offices. Yet in his chapter on *Professional Studies* Mr. Cox assigns their rightful place to the writings of Mr. Justice Story.

following year, in consequence of Mr. Dane subjecting his new foundation to the one condition of Mr. J. Story being the first Professor. The condition was eminently wise and fortunate; as much so as if Mr. Viner had stipulated with Oxford for the nomination of Blackstone on his endowment. The annual number of law students had previously averaged eight, and the year before it had been reduced to one. His reputation raised the number the first year to thirty — than which, he says, in 1831, that he ‘never calculated upon more.’ But in 1838, he could say, ‘we had sixty good fellows last term.’ They had grown, in 1842, to one hundred and twenty; in 1844, to one hundred and fifty-six. By 1845, the numbers the students whom the school, during the previous sixteen years, had turned out into the world, over every part of the Union, at upwards of eleven hundred. What a blessing to the profession, and to his country such a leading mind!

This success was not owing more to his prodigious industry and accomplishments than to the charm of his character. He was a great master in the art of communicating knowledge, and of winning affection and respect. ‘While Mr. Greenleaf testifies that he never forgot his position as a Judge, his cheerful influence over ‘the boys,’ as he called them, was boundless. ‘I have ‘given,’ he writes to Mr. Sumner, in 1838, ‘nearly the whole ‘of last term, when not on judicial duty, two lectures every ‘day: and we broke in on the sanctity of the *dies non juridicus*, ‘Saturday. It was carried by acclamation in the school; so ‘you see we are alive. They begin already to be wide awake ‘to the dignity of the law, and its morals.’ Mr. Dane, the popular author of ‘Two Years before the Mast,’ was one of his pupils. They afterwards honourably co-operated in redressing the wrongs of American seamen. From his picture of the school, in a beautiful letter of reminiscences, drawn up in 1851, (vol. ii. p. 317.), Mr. Dane is justified in his conviction ‘that ‘such a peculiar combination of qualities to constitute a teacher ‘of the science of Law to young men, is not likely to be found ‘again for many generations.’

He conducted his lectures as conversational exercises on different text books: and held moot courts two or three times a-week for arguing fictitious cases. He was what Roger North would have described as an excellent ‘put-case:’ and, on his return from Washington, always brought home a sheaf of them, ‘which he had prepared during the sitting of the Court, and ‘which, at the time of his death, amounted to several hundred.’ These were argued by the students, senior and junior counsel, according to their standing. The jury trials, which were held

twice a-year in their crowded library, became a college festival: Mr. J. Story took great delight in them, and delivered elaborate judgments; and the students on their part prepared their cases with so much care, that 'he used to say of their arguments, 'that they were quite as good as, and sometimes better than, 'those of the counsel engaged in the real cases.' We may cease to wonder that, after such scenes, every other subject became secondary with him to the Law School. When, at sixty-five, he contemplated resigning his judgeship, 'to quit the Law 'School (his son tells us) was out of the question. This insti- 'tution he had built up, and it was the delight of his life. His 'duties there were pleasures, which afforded him an agreeable 'and honourable occupation. To gather around him a circle of 'young men, into whose minds he might instil sound doctrines 'of Law and Equity, and whom he might dismiss into the 'world with high principles and pure motives; to employ his 'leisure in giving a permanent written form to the learning 'with which he had stored his mind, and thus to smooth the 'path of the student, and to recommend and establish the Law, 'was a prospect which was constantly before him, to charm his 'imagination.' The legal perpetuity he desired, in praying that his name might be associated with his favourite Law School, will assuredly be granted him.

The object which Story kept most immediately in view in all his teaching, whether oral or written, was to reconcile the continental style of treating judicial subjects with the English method, — to join the scientific arrangement of principles as developed by the civilians with the chain of precedents and practical illustrations exemplified in English text-books. In one of his earlier prefaces, a union of the two plans, it is affirmed, 'would be a great improvement in our law treatises; and 'would afford no inconsiderable assistance to students in master- 'ing the higher branches of their profession.' It was under these hopes that he took so seriously to heart the death of Mr. Legaré, Attorney-General for the United States, as a national misfortune. 'I had indeed looked to him with great fondness 'of expectation; I had looked to see him accomplish what he, 'was so well fitted to do,—what I know was the darling object 'of his pure ambition*,—to engraft the Civil Law upon the juris-

* Kent and Story concurred on the necessity of attaching a complete civilian library to the National Library at Washington. One, which had been carefully made on the Continent of Europe, has been appropriately presented to Harvard College. Kent says, that its collector could not see a copy of the most important of these works in any of the public libraries of London, while nearly all of them were to be found in the Advocates' Library at Edinburgh.

‘prudence of this country, and thereby to expand the Common Law to greater usefulness and a wider adaptation to the progress of society.’ In this view he had been just encouraging his friend to translate Heineccius’s Elements with notes so as to adapt its principles to the existing state of the Common Law. His answer to Mr. Kennedy’s inquiries on behalf of the Dublin Law Institute is in accordance with these opinions, and contains a full and final statement of his experience on the best method of teaching law.

‘I have been long persuaded that a more scientific system of legal education than that which has hitherto been pursued is demanded by the wants of the age and the progress of jurisprudence. The old mode of solitary unassisted studies in the Inns of Court, or in the dry and uninviting drudgery of an office, is utterly inadequate to lay a just foundation for accurate knowledge in the learning of the law. It is for the most part a waste of time and effort, discouraging and repulsive. It was, however, the system in which I was myself bred, and so thoroughly convinced was I of its worthlessness, that I then resolved, if I ever had students, I would pursue an opposite course. It was my earnest desire to assist in the establishment of another system, which induced me to accept my present professorship in Harvard University, thereby burdening myself with duties and labours which otherwise I would gladly have declined.

‘The system pursued by my learned brother Mr. Professor Greenleaf and myself, in our juridical instructions, has had the most entire success. The Law Institution here has flourished far more than I ever dreamed it could in a country like America, where the administration of law is not, as with you, concentrated in Dublin, or in Westminster or Edinburgh, but spreads over the whole territory. Our system of instruction is not founded upon written lectures (which, I am persuaded, is a very inadequate mode,) but upon oral lectures connected with the daily studies of the students in the various works which they study, and in the lecture-room where they are all assembled in classes, and where they undergo a daily examination; and every lecture grows out of the very pages of the volume which they are reading. In this way difficulties are cleared away, additional illustrations suggested, new questions propounded, and doubts raised, and occasionally authorities criticised, so that the instructor and the pupil move along *pari passu*, and the pupil is invited to state his doubts, and learns how to master his studies.’

With what interest would the writer of this letter have read the following passage in the late Report of the Council of the Society for the Amendment of the Law, and have watched the progress of the experiment proposed by our Inns of Court:—

‘Little real progress has yet been made towards the establishment of a good law school, with effective examinations; the late recommendations of the inns of court your Council cannot

‘ but consider as insufficient; but we trust that both the pro-
 ‘ fession and the public at large are becoming more and more
 ‘ alive to the necessity for such a provision, and that the heads
 ‘ of the inns of court are becoming more aware of the serious
 ‘ responsibility which rests upon them in this respect. We are
 ‘ glad to find the subject of legal education mentioned in the
 ‘ report of the commissioners appointed to inquire into the state
 ‘ of the revenues of the University of Oxford, and are gratified
 ‘ at seeing the opinion of this Society adduced in support of a
 ‘ proposal by the commissioners to apply a portion of the funds
 ‘ of the university to imparting a knowledge of the laws of the
 ‘ country. We hope to see the same recommendation in the
 ‘ report on the University of Cambridge, and that in the course
 ‘ of a few years there will be at each of these seats of learning
 ‘ an efficient law school.

‘ Still more do your Council hope and believe, that from the
 ‘ present inns of court will at length arise a complete and satis-
 ‘ factory law university, endowed with the funds originally
 ‘ vested in those societies for legal education, and which cannot
 ‘ be better devoted than to the purpose of teaching the law.
 ‘ Nor can your Council entertain a doubt that if the benchers do
 ‘ not so apply these funds, their proper application will be
 ‘ enforced by the Legislature. Thus the law student would
 ‘ have an opportunity of commencing and afterwards continuing
 ‘ his studies under able professors, both in the Universities and
 ‘ in London, with all the advantages that the wealth of those
 ‘ bodies and of the inns of court could command. While on
 ‘ this subject we would throw out the suggestion, that interest-
 ‘ ing and instructive popular lectures on the laws of the country
 ‘ might be given at Mechanics’ Institutions and other similar
 ‘ places. The publicity of our courts of justice, the presence of
 ‘ a jury of fellow-countrymen, and the practice of oral exami-
 ‘ nation, render our trials matters of universal interest, and
 ‘ several branches of the law, by means of such lectures, might
 ‘ be brought to the knowledge of the community which is bound
 ‘ to obey them.’

The excuse made for the incuriousness of practitioners in our courts of justice concerning Continental and American jurisprudence, by reason of the superabundance of our own, has no application here. It will not avail to cover our neglect of the successful example set by Mr. Justice Story as Professor, and by Harvard University as a school of law. Lord Coke loved to hear the Inns of Court called a third university. It is time they did something to deserve that name. What a change in the learning of two great professions, were Oxford and Cam-

bridge really to take to teaching divinity to our future clergy, and the Temple and Lincoln's Inn to fulfilling the trust of watching with proper academical interest, over the instruction and progress of their respective students!

ART. III.—1. *Kœmpfer's Histoire de l'Empire du Japon.* French Translation. By SCHEUZER. The Hague: 1729.

2. *Golownin. Memoirs of Captivity in Japan.* 3 vols. London: 1824.

3. *Nippon; Archiv zur Beschreibung von Japan.* Dr. Von SIEBOLD.

4. *Raffles' History of Java.*

5. *Charlevoix. Histoire du Japon.*

6. *Ashby's Collection of Voyages and Travels:—*

1. *The Voyage of Captain John Saris.*

2. *Tracts by Mr. Richard Cocks, Cape Merchant, of what passed at Firando during the General's absence.*

3. *The Voyage of William Adams, Pilot, to Japan.* Written by Himself.

FOR upwards of two centuries the internal constitution and social arrangements of the Japanese have been concealed under a well nigh impenetrable veil by the jealous policy of their rulers, and the ready obedience of the people. It is true that we have been able from time to time to obtain a glimpse of what was passing within the Forbidden Land. Students who have felt any especial interest in the subject may have endeavoured from a series of disjointed fragments to construct a whole for their own individual contemplation and satisfaction; but yet Japan remains to us a vague and shadowy idea.

The moment has at length arrived when we may look forward to a better knowledge of these secluded islands, and of their inhabitants. There was a time when the Japanese were as anxious to extend as they have since been to narrow their intercourse with their fellow creatures. The written traditions of the nation still bear witness to the fact that before the policy of the Government had carefully debarred the Japanese from all connexion with other countries, they carried on a successful and important commerce with traders from thirty or forty different nations. Nor did this commerce decline from any cause fairly referable to the political or social condition of the islands, or to any falling off in their own powers of consumption, or in

their staples of return. We know why the magnificent regions at the eastern extremity of the Mediterranean sea — we know why Spain, why the Hanseatic towns, have, by comparison with their former greatness, dwindled down into insignificance. Their decline is to be attributed to the great discoveries in navigation, to erroneous maxims of general policy, to an unavoidable shifting of the great centres of commercial activity. But with the Japanese there had been no falling off, either in the desire for commerce, or in the supplies necessary to feed commerce, or in the opportunities for commerce. On the contrary, a spirit of mercantile adventure was beginning to pervade the nation; the Japanese had been taught to appreciate the products and capacity of their own soil; they had already secured the custom of the Asiatic world, and the merchants of Europe were knocking importunately at their gates, when in a moment, by a thunder-clap as it were, all the subjects of the great empire of Japan were hurled back upon the interior of their own country, and all strangers were driven away from their shores. It was not that the inhabitants of other countries were to be to them henceforward as publicans and sinners, but their very existence was to be ignored. Such distinctions have obtained as Jew and Gentile, Greek and Stranger, Chinese and Outer Barbarian — and the contrast has carried with it more or less of inconvenience to the weaker party — but, from the time of the great Interdict, Japan was to be the exclusive possession of the Japanese. Human beings might be born or might die beyond its precincts — they might pray, trade, fight with each other, as they liked — but with them the Japanese had no concern. The only notice taken of non-Japanese who might be driven by stress of weather on their inhospitable coasts would be to give them notice to depart; and, if the notice were neglected, to put them to death. It was death to a Japanese to have intercourse with them; death to a Japanese who might be detected in the attempt to depart from his native land; death to a Japanese who might have been driven by an angry sea from his own shores, and have sought refuge among strangers, if he ever ventured to return. This Interdict against humanity was launched upwards of two centuries back, and, with the slight exceptions we shall presently have occasion to name, it has been steadily and successfully maintained.

The governments of the world have for so long a time respected a mystery which they had at any moment a right to dispel. The reason of this forbearance must be attributed rather to any cause than an acquiescence in the churlish system. The situation of the Japanese islands removed them from the sym-

pathies and the schemes of most European nations. Five only among these, Spain, Portugal, Holland, Russia, Great Britain, were likely to bestir themselves in the matter. The political and commercial importance of the two first-named countries had so far declined as to preclude anxiety for distant enterprise. Russia was too busy with her projects of European aggrandisement to direct her attention with much effect to her distant province of Kamschatka and the adjacent seas. An embassy was sent to Nangasaki under Count Resanoff—the northern Kurile islands were successively seized—but there the matter dropped. No notice was taken by the merchants or rulers of Great Britain of the sullen seclusion of the Japanese for a century after the attempt at a renewal of intercourse had failed in the days of Charles II. In the year 1792 a Select Committee of the East India Company took into consideration the export trade of Great Britain to the East Indies, and concluded their Report by observing, ‘that the trade with Japan never could become an object of attention for the manufactures and commerce of Great Britain.’ The reason assigned was that we must take our returns in copper, an article which is the produce of Great Britain, and must be disposed of in India to the prejudice of our own mines. So great and so singular were the apathy and the error of our English merchants trading to the East. It was not probable that the Dutch would make any efforts to unloose the spell. On the contrary, since for two centuries they have enjoyed a miserable monopoly of commercial intercourse with the Japanese, they have directed their most strenuous efforts, as might have been expected, to the maintenance of that system of exclusion which banished all their rivals from the markets of Japan.

It is impossible to believe that the system could have been maintained many years longer, even had not the Government of Washington determined to despatch a powerful expedition, under the command of Commodore Perry, to demand satisfaction of the authorities at Jedo for various acts of outrage and inhumanity perpetrated by the Japanese on the crews of United States’ ships engaged in the whale fishery. The sailing of that expedition has been for a short time deferred in consequence of the recent singular misunderstanding between the cabinets of Washington and St. James, but whether that particular armament is deferred, or even abandoned, matters but little. Now the question has once been mooted, the blow is not the less certainly about to fall upon the Japanese Council of State. The moment then appears to us an opportune one for directing the attention of the reader to a subject which has lain some-

what remote from the studies of most Englishmen. However, whether we will or no, we can no longer affect to treat, with apathy or indifference the existence of a powerful and intelligent nation which has remained a mystery for two centuries, but which is about at length to be brought into communication with the Western World. Others will be eager to take advantage of the opportunity, if we neglect it. It can only be necessary to point to those sources from which fuller information may be derived, to rouse the attention of every intelligent man to the present condition of the empire of Japan.

We propose in a very few pages to indicate what is known of a government under which thirty or forty millions of human beings are at this moment living, secluded from all intercourse with the external world—what are their forms of religion, what the character of their laws, what the genius of the people. They are Asiatics, it is true, and therefore deficient in that principle of development which is the leading characteristic of those ingenious and persevering European races which have impressed the traces of their footsteps on the fervid deserts of the tropics, and moored their ships to the blue icebergs at either Pole: but amidst Asiatics the Japanese stand supreme. Can the tribes of India, or the teeming swarms of China, for a moment contest the palm with the chivalrous Japanese? We refuse to accept the architectural monuments of India as tests of civilisation. They are proofs of superstition and slavery—nothing more. With regard to China, again, the Japanese have held the inhabitants of the Celestial Empire at arm's length through many a long century, and esteemed them, not without reason, to be an inferior race. They think of them and speak of them as Brian de Bois Guilbert would have thought and spoken of Isaac, the Money-changer, in Scott's romance. We can find no nation or tribe in history with whom we might compare the Japanese but by an effort of misplaced ingenuity. They are warlike and yet averse to conquest; they are as slavishly obedient to authority as a *bourgeois* of Nanking, and yet as turbulent and unmanageable if that authority should overstep the limits which public opinion has affixed to its exercise, as a Flemish burgher of the Middle Ages; they will select a wife from a place which might have astonished a boon companion of the Regent Orleans, but they judge a violation of conjugal faith as severely as a Scotch Puritan, and punish it with the inexorable sternness of a Spanish hidalgo; they are not religious in sentiment, but devout worshippers in practice; they are most cruel in their punishments, but most reluctant to inflict pain; they are gentle and courteous in their social inter-

course, but more tenacious of a vindictive purpose than a Corsican mountaineer; they are most eager to extend the bounds of their knowledge in the arts and sciences, yet they have shut themselves out from all intercourse with those nations from whom alone they could expect to receive that information which they most desire to obtain.

When we come to ask ourselves what we really do know of Japan, we find that we know both more and less than we had supposed until we sat down to express our information in a precise form. It would be simple enough in a few pages to relate the fantastic legends of their early mythology. All this can be found in the introductory pages to the Japanese Annals, which were brought to Europe by President Titsinghe. We can tell when and how the mystic doctrines of Buddhism, and the calmer ethics of Confucius, passed into the hearts and minds of the Japanese — we can speak of their Kami—the ‘objects of their primitive adoration. We know how the sceptre passed from the hands of the ecclesiastical emperor, the descendant of the Sun Goddess at Meaco, into the firmer grasp of the Ziogoon at Jedo — how in turn, the successors of this ‘Mayor of the ‘Palace’ have become mere ‘puppets in the hands of a kind of Venetian oligarchy, which is described as the Council of State — and how, again, the members of this nominally Supreme Council are in their turn kept in the strictest subservience to that hoary custom which alone constitutes the supreme authority in Japan. We know in general outline the system under which the princes, or great feudal magnates of the empire, are held in subjection, and a good deal of the organisation of that general system of espionage amidst which Fouché would have felt himself at home, and which constitutes one of the distinguishing features of the Japanese Government. It will be our duty presently, for the assistance and, we fear, to the confusion of all pains-taking bookmakers, to indicate those existing sources of information from which all requisite particulars of the ceremonies and social customs of this singular people may be obtained. Birth, marriage, and death are the three most important points in a man’s life. In these books we shall find how the red crape shawl is with great state and formality bound beneath the bosom of a Japanese wife whose pregnancy has been declared; how after giving birth to her child bags of rice are placed under her arms that she may be maintained in a sitting posture, and how she is not suffered to close her eyes for nine whole days and nights, lest she should change this constrained attitude; how the children of both sexes and of all ranks are at first educated together in primary schools — some-

thing on the Prussian system—until the time has arrived when the sons of the nobility and gentry are removed to finishing establishments, in which they are indoctrinated in the mysteries of good-breeding and the science of etiquette, and, above all, in the sublime knowledge of the Hara-kiri, or ‘happy despatch.’ By this phrase is meant the art of abdomen-ripping, or suicide. The young Japanese noble is carefully instructed as to the occasions on which it is proper, that he should put an end to his own existence, whether out of regard to his personal dignity, or to avoid for his descendants the consequences which would ensue from tainted blood—the result of conviction for particular crimes. We may follow then the young Japanese through his morning calls and his making of presents—both matters of the most vital importance—his water parties and his *sakee*-revels, until he decides that his wild oats are sown out, and that it is time to settle down into respectability. We shall find the Japanese Romeo running to the house of his lady love with the bough of a particular shrub. If the young lady dislike the suitor, the branch is suffered to wither and die; if, on the contrary, she smile complacently on his passion, the Juliet of Nippon instantly blackens her teeth, withholding the crowning favour of plucking out her eye-brows until the wedding-day. A time must unhappily come, even in Japan, when the funeral baked meats have to take the place of the gay wedding-banquet. On that sad occasion Romeo’s family and friends will array themselves in the deepest white to indicate their grief; all the screens and doors in the house will be turned topsy-turvy, and the clothes of the assistants be worn inside out. The belief which recommends a plate of snakes as a national dish at Jedo in the faith that the wisdom of the serpent may be communicated to its aspiring gastronomists, is akin to the superstition which raises the price of tiger’s flesh in the Chinese market: in neither case very encouraging instances of the higher philosophy of diet.

We must not, however, give way to the luxury of describing. Our purpose simply is, by the mention of half-a-dozen of the strangest customs which obtain among this singular people, to indicate that there exist sources of information which would satisfy the curiosity of the future Adams or Potter of the Japanese Empire. Ample descriptions, too, will be found of the five great imperial towns,—Jedo, Meaco, Okosaka, Nangasaki, and Sakai. Naturally the information relative to Nangasaki is more precise, as that town is the solitary point of permanent contact between Japan and so much of the world as is not Japan. It is not a very great stretch of assump-

tion to presume that the municipal arrangements of other great towns throughout the empire are similar to those which prevail at Nangasaki, and with these — thanks to the prisoners in the Dutch Factory at Dezima — we are so familiar, that any industrious compiler might fairly undertake at the present moment the article ‘Nangasaki’ for that ‘Handbook of ‘Japan’ which we already see looming in the not far distant future. Then, again, the great perfection to which the roads and highways of the empire have been brought give evidence of constant intercourse between the most distant points of the empire, and, consequently, of a considerable degree of civilisation. But these and other matters of equal interest we are compelled for the moment to pass over with nothing more than this cursory notice.

The population of Japan has been estimated by different writers at sums varying from 15,000,000 to 45,000,000, and even to 50,000,000. Looking only to the broad features of evidence in the case, namely, the extent of territory contained in the four islands of Kiu-Siu, Sikok, Nippon, and Jezo, and to the concurrent testimony of all travellers in Japan, from Kœmpfer down to Siebold, we appear justified in taking the population as equal to that of the British Isles. In this conclusion we are disposed to acquiesce, even more upon the authority of ancient than of modern writers. If Kœmpfer’s statements as to the amount of the swarming population be correct, then — as the empire has enjoyed profound peace for two centuries, and as the acquiescence of the inhabitants in their enforced system of isolation may be accepted for proof that population in Japan has not pressed unduly upon the means of subsistence, — there is every reason to suppose that Kœmpfer’s millions must have increased during the last four and five generations in a very creditable ratio. Large towns are not wanting. The population of Jedo, the capital, is, they say, not inferior to that of London at the present moment. Captain Golownin, upon hearsay, talks of 8,000,000, but the calculation involves too many and too transparent absurdities to merit serious notice.

We will devote but a few words to the probable origin of this singular people. There are, of course, two ordinary methods of arriving at a conclusion upon such a point as this, namely, by the evidence of form and the evidence of language. A glance at the portraits given in Siebold’s great work ‘Nippon’ will suffice to show that the Japanese belong to the Mongolian or Tartar variety of the human race. The shape of the forehead, the high cheek bones, the obliquely placed eyes, the expression of the lips, offer unmistakable proof of the fact. Truth, how-

ever, compels us to add, that Siebold's Japanese Beauty is a far more comely personage in European eyes than any Mongolian belle whose features we have yet seen delineated, at the same time that there is considerable delicacy and dignity about the portrait of the man which is engraved upon the same page. There is no doubt a strong resemblance of form between the Chinese and the Japanese; the difference is of degree, but of a very high degree. When we turn again to the evidence of language, we must frankly confess that we are unable to offer any suggestions of our own upon this point; but we find in the pages of Klaproth an authoritative statement that the languages of China and Japan are essentially different in their radicals and their structure. As is well known, the Chinese language is monosyllabic, that of Japan polysyllabic to excess. The inference, then, to be drawn from these two statements amounts to this, that although the Japanese may belong to the same variety of mankind with the Chinese, yet they are an essentially different people. It is very true that from time to time Chinese colonists have imported the arts and knowledge of China into Japan, but the Japanese incorporated them with their own civilisation, after the same fashion as the Romans did the learning and philosophy of the Greeks. The tribes of Latium were not Hellenes, because Cicero was familiar with the dialectic system of Socrates, and because Jupiter was worshipped in the Roman capital; nor are the Japanese Chinese, although they hold the doctrines of Confucius in extreme respect, and although old Buddha is worshipped among them with a fervour which would gladden the hearts of the Lamas of Tibet. This last statement does not rest purely on hypothesis; there are yet existing legends which refer to the early introduction among the Japanese of civilisation from China, if, indeed, there were not intrinsic evidence to prove the fact. Certainly there has never been any thing like a successful invasion of Japan from the side of China. Something of the sort was attempted by that dread lord of Coleridge's poem who held summer-state in Xanadu. But Kublai Khan was a Mongolian, not a Chinese. The invasion was no more a Chinese invasion, than the French invasion of Russia in 1812 was a Saxon or a Neapolitan invasion because Saxon and Neapolitan troops had been pressed under Napoleon's banners. The armament met with the same fate as the Spanish Armada, which caused so much anxiety to the counsellors of Elizabeth: three only of the combatants who set out with such swelling hopes of conquest returned to their Mongolian master to relate the tale of their defeat and his humiliation. In the earlier annals of the

Japanese we find abundant mention of endless squabbles between the Government of Japan and the Celestials upon the subject of various States of the Corean Peninsula. Just as the smaller States of Greece at the outbreak and during the course of the Peloponnesian War were perpetually oscillating in their dependence between Athens and Lacedæmon, so was it with these petty Corean principalities; hence diplomatic entanglements, and actual collisions without end.

But we are again reminded, that the imperfect statements we may venture to offer upon the past history of Japan itself must be of the briefest kind. We purpose, then, to say a few words upon the singular manner in which this Empire became known to Europeans, and, after pointing out the various works from which all requisite information on the subject of Japan can be obtained, to devote a very few pages to the discussion of the singular constitution under which this Empire is at present governed. This done, we would pass on at once to that point which is of the greatest interest to Europeans at the present moment, namely, the isolation of Japan from the comity of nations. Strange and singular as every thing we have heard about Japan undoubtedly is, nothing is so strange or so singular as the determination of the inhabitants to resist all intercourse with their fellow-creatures, except it be the fact that they have been able to act upon the resolution with effect during upwards of two centuries. It is this consideration which sheds a tinge of romance about the operations of the American Squadron. The attack upon Japan is more than an expedition, it is an adventure. In the midst of the all-absorbing prose of the every-day world we suddenly feel as if we were at once transported to the domain of Ariosto and of Knight-errantry. The founders of the system did ill to enlist against their cause the principle of curiosity, the most constant and powerful impulse of frail humanity. Let the plainest woman in the three kingdoms cover her face with a thick brown veil, and appear to shun observation, and she will soon be followed by an inquisitive crowd. The flavour of forbidden fruit has smacked racily on mortal lips from the days of Eve downwards. Be the impulse right or wrong it exists, and as it will most surely be acted on, it must not be ignored. The affair, however, is one of far too vital importance to be treated in a light or jesting spirit, for we have every reason to suppose, and to fear, that the resistance of the Japanese to the invaders will be of the most determined character. Great bloodshed and great misery will probably precede the 'opening up' of Japan. However necessary and however justifiable such a step may be, we are not of those who

can contemplate the slaughter of a gallant people, however mistaken their cause, without a pang of regret.

It would be difficult to convey a better idea of the physical conformation of Japan than by describing it as a peninsula of islands. From the Straits of Diemen on the south to the nearest point of Kamschatka, this fantastic peninsula extends. For a considerable portion of the distance, from Cape Lopatka to the Straits of La Perouse the Kurile Islands, indeed, constitute rather stepping-stones to Japan than Japan itself. The territory of the Empire may be said to begin with the great island of southern Jezo; although the island was for a long time reckoned a mere tributary of the Empire, and its government was confided to the Prince of Matsmai. It is to the illustrious navigator La Perouse we owe the knowledge that Kiu Island is separated by an arm of the sea from southern Jezo. In the year 1787, he succeeded in effecting a passage between the two; and the Russian Captain Krusenstern has completed his work. We will venture then to include the island of southern Jezo in the enumeration of the territories of Japan Proper since it has received an imperial governor, although, substantially, the strength of the empire lies in the great island of Nippon, in which the ecclesiastical and civil capitals lie, continued across the Straits of Van-der Capellen by the island of Kin-Sin. In this island is situated Nangasaki, the only port of the empire to which strangers are admitted. This port—the Liverpool of Japan—can dispose of its statistical returns of exports and imports by heading in the bills of lading, and invoices of the return cargoes, for two Dutch trading-ships, and ten Chinese Junks every year. These two islands then, Nippon and Kin-Sin, together with the island of Sikok, which is thrown in to fill up a curve described by the united sea-boards of the two, constitute the only Japan with which European nations, save Russia, are for the moment concerned. It would be mere idleness to detain the reader upon the 3000 or 4000 rocks and islets which Japanese geographers and statisticians include in their maps and returns. Marco Polo has left it on record, that in his day the Chinese navigators talked of 7,440 such dependencies of the great empire of ‘Cipango;’ but we will confine our attention to four alone. We presume that a Japanese reviewer who was preparing an ‘article’ upon the three kingdoms for the information of the grave heads at Jedo, or the amusement of the polished circles of Meaco, would scarcely detain his audience upon the islands of Arran, and Colonsay, and Jura, and Mull, or even upon Skye, despite of the interest which

would naturally attach in the eyes of the Japanese fair to the famous rough terriers which bear its name.

Nippon, Nipon, Zipon, Zipangou, or Cipango—for by all these names the island which is the seat of the Japanese Empire has been known—was in former years the bait which tempted Christopher Columbus to give his sails to the wind in the harbour of Palos. According to his calculation this rich island of ‘Cipango,’ with all its treasures, lay 750 leagues to the westward of the Canaries. He steered west, missed his object, but stumbled on the New World. It was on the famous 14th of November, 1492, that he landed on what he called ‘Cipango,’ which the Indians style Colba (Cuba). The discovery of the real Cipango was not to take place for another half-century, and even then through accident rather than design. Three Portuguese merchants, being on their way to China, who were driven out of their course by stormy winds, were the first Europeans who ever set foot upon Japanese soil. The names of these three merchants should be preserved from oblivion; Anton Mata, Francesco Zeimata, and Anton Pexata. It is a curious coincidence, if true, that in the very same year a Chinese junk should have visited Japan for the first time. We have as guarantee for the truth of the fact the word of Fernand Mendez Pinto, a writer who enjoyed a somewhat evil reputation until late years; but, as with Abyssinian Bruce, his fame for veracity is on the increase. The Portuguese were well received. From the year 1542, the date of their landing, until 1611, they, together with the Spaniards, carried on a most lucrative, and well-nigh unrestricted commerce with Japan. In 1611, the Dutch succeeded in supplanting their rivals. In the year 1613, privileges, set forth in certain articles to which we shall have occasion to allude, were granted by Ogoshosama, Emperor of Japan, to Captain John Saris on behalf of the ‘Honourable and Worshipful Adventurers to the East Indies.’ These concessions were not violated on the part of the Japanese, but were gradually suffered to fall into desuetude by the English themselves. After many years’ cessation of intercourse, and subsequently to the marriage of our Charles II. with the Portuguese Infanta, the English presented themselves to seek a renewal of commerce, but they were balked of their purpose by the Dutch. The Portuguese and Christianity had been expelled definitively from Japan in 1640. The Dutch had merely to represent to the Court at Jedo that the English Monarch had connected himself by marriage with the Portuguese Royal Family, and that the interests of the two nations were identical. For upwards of two centuries Japan has remained a sealed book to European nations,

but for the information we have derived from persons attached to the Dutch Factory at Dezima. Slight attempts at intrusion have been made by the Russian Government, by Sir Stamford Raffles from Batavia, by isolated Americans and Englishmen, but they have invariably been foiled by the Japanese. Until now the Governments of the world have respected their secret.

We must at this point indicate the sources of information to which the student who desires to acquire ampler information on the subject of Japan than can be jotted down in a few pages should have recourse. Our knowledge of the internal condition of Japan comes to us mainly from the factory physicians who have been connected with the establishment at Dezima. Dr. Kœmpfer is the first of these in order of time. His work, which is contained in two folios, is more formidable from its bulk and shape than from its contents. It is in point of fact light 'gossip' reading enough; and when due abatement is made for the space occupied by the fantastic maps and engravings, and by matter irrelevant to his Japanese experience, the work need not frighten any but the most timid reader. Dr. Kœmpfer spent two years in Japan; he twice accompanied the Embassies to Jedo in 1690—92. The narrative of this writer is second in fidelity and clearness to no other. For ourselves, we must confess, even after the study of the works we are about to name, a lingering partiality for the quaint folios of old Kœmpfer. The next work of this kind is from the pen of Dr. Thunberg, a Swede, who in the year 1775 was attached to the Factory in the same capacity of physician. He also visited Jedo, and appears to have had a considerable intercourse with the Japanese. There is marvellous correspondence between this writer and his predecessor. Every thing, however, is so immutable in this empire that things remain at the present moment in Japan pretty much as they were in Kœmpfer's time. Indeed, the modern Japanese have expressed their astonishment at the accuracy and extent of information collected two hundred years ago, but which holds good even at the present day. The third and last of these medical writers is Doctor von Siebold. The plates and engravings which accompany his great work 'Nippon' are indeed a splendid addition to our stock of Japanese knowledge. Here we are introduced at once to Japanese ladies and gentlemen, to soldiers, sailors, and artificers in their proper costume. We find representations of their houses, their furniture, their pottery, their saddlery,—in short, all that can be desired in a collection of this kind. Above all, the work contains many excellent sketches of Japanese scenery, which do more to impress the mind with the realities of things in Japan than volumes of letter-press. A

morning spent over this interesting book is the best substitute for a visit to the Japanese Museum at the Hague. Of Siebold's text we would be glad to speak in terms of equal praise, but in point of fact the matter is so ill-digested, and so destitute of arrangement, that no reader but for a very special purpose would be troubled with the work. In the courses of the years 1839—40, there appeared in the 'Asiatic Journal' a very pleasing compilation from the works of these Factory writers, mainly from Siebold, which contains much matter of interest in a very readable form. We are indebted for this work to the industry of a lady.

These three physicians are not, however, the only persons who have raised their voice from Dezima. Heer Izaak Titsinghe was President or Opperhoofd of the Dutch factory towards the close of the last century. His contributions towards our Japanese knowledge are valuable in this particular, that they consist of annals written by the Japanese themselves. These *Fasti* come before us in a most uninviting form, however intrinsically valuable they may be, and would infallibly repel the curiosity of any ordinary student. They profess to furnish us with brief memoranda of the succession of the ecclesiastical and civil emperors, and of the most remarkable occurrences in Japan for many centuries past — nothing more. They constitute an index to history rather than history itself — still, taking them for what they are, they will prove an inestimable treasure to any writer who may hereafter venture upon so formidable a task as the history of the Japanese Empire. Then again, we have what the sea has spared of the collections of President Doeff, who remained a longer time at Dezima than any other European had done. During twenty years he accumulated slowly, and with infinite pains, a very valuable collection of Japanese curiosities. This gentleman was the opponent of Sir Stamford Raffles, and contrived to hold Dezima for the Dutch at a time that this factory constituted all that was left of Holland in the world. It is then not a little singular that when he left Dezima for Europe his Japanese collections should have perished at sea, and that Sir Stamford's collections should have met with the same fate, when he set forth on his return home for the last time. We can admire strenuous patriotism even when its operations are directed against the interests of our own country, and shall have occasion again to advert to Heer Doeff's ingenious manoeuvres to foil the attempts of the English to open a commercial intercourse with Japan, when Java had capitulated to the British flag. In addition to these there are two other works by persons connected with the Dutch factory; one by President

Meylan, the other by Warehouse-Master Fischer, in which any student conversant with the Dutch language will find considerable information as to the manners and customs of the Japanese.

From the factory writers we turn with considerable reluctance to the Jesuits. It has been our misfortune, in the course of our Japanese studies, to read many of the reports and books prepared by the zealous fathers of this order for the information of their general at head-quarters. Despite of the eloquence with which many of these are written, and, we are willing to hope, the piety of the writers, we cannot for a moment lose sight of the fact, that in perusing their works we are but assisting at an arch deception. We will admit to the fullest extent the spirit of self-sacrifice and devotion by which S. François Xavier, the apostle of the Japanese, was actuated. But we know that the struggle between the government of Japan and his successors was for temporal dominion. The combat was for life or death on either side, and the Japanese conquered. The Jesuits at the outset were well received. Every facility for converting the people was given to them by the court and princes of Japan. They were even allowed to push their teaching to Meaco, the seat of the ecclesiastical emperor, which is much the same thing as though the Pope had allowed Dr. Cumming to make converts openly at Rome, and to open a chapel in the Corso. The Jesuits presumed on their success, they calculated prematurely on the strength of a position which wanted nothing but time and patience to render it secure. They had procured the favour of so many of the magnates of the empire, that they thought they could with impunity beard the great officers of state. Nay more, their audacity at last reached such a point that when a dispute arose as to the succession to the Ziogoonship, the Jesuits, erroneously as it turned out, threw their weight into the ascending scale. Their support, however, was not of sufficient consequence to turn the fortune of the day. They sided with the losing party, and with the losing party they perished. There was a general massacre of Christians throughout the empire, and mainly in the province of Arrima, the population of which was well-nigh entirely Christian. The crowning feature of the whole tale was the bloody retribution of Sinbarabara; on which occasion, to the eternal infamy of the Dutch, be it related, they assisted the heathen Japanese in carrying the place in which the last Christians of Japan had sought refuge. Save for the Dutch artillery, and the European knowledge of war, which they placed at the disposal of the Japanese, the Christians might at least have succeeded in saving their lives.

But no, the hopes of commercial gain more availed with the Hollanders than the sympathies of a common faith; and we are left to the comfortable conclusion, that Christian hands charged and aimed the guns which swept away the last remains of Christianity from Japan. However, let it not be forgotten by the student that it was state policy, not religious bigotry, which led to the extirpation of Christianity from the empire.

In studying then the works of the Jesuits on Japan, we can never for a moment forget that the writings before us are addressed *ad populum*. Could we obtain sight of those more esoteric despatches which were forwarded *ad clerum*, or in other words, intended only for the archives of the Jesuits' house at Rome, the case might be different. One can understand that a grande dame of Louis XIV.'s day, who had been brought up to think of the Jansenists as we should think of thirsty dogs in August, might have been moved even to edification by these nice little stories of nice little persecutions. They constituted the 'Dombey and Son' and 'Bleak House' of the time, but now o' days they are gone out of fashion with hoop petticoats and furbelows. Even the two quartos of Charlevoix, from which, we deny it not, much useful information may be gleaned, on circumstances which he was not concerned to misrepresent, are crammed full of the same unctuous inanities. A Christian convert is hung head downwards in a gulf, for a fortnight or so, at no greater inconvenience to himself than a slight determination of blood to the head. A stalwart executioner hacks away at the neck of another with one of those Japanese swords, the temper and edge of which are proverbial, and the patient feels nothing but a pleasing cuticular irritation. Charlevoix's ponderous volumes, which were dedicated to Fleury, will be quite sufficient to gratify the most ardent curiosity of those who enjoy this style of literature. On him and Maffei we must, however, at last mainly depend for our knowledge as to the proceedings of the Portuguese in Japan.

We come next to the three volumes of Golownin, which have, very deservedly, obtained a high popularity in Europe. We hold all the statements of the writer as to the internal condition of Japan, to be more than questionable; but at the same time, let justice be done him, he furnishes us with the measures by which we may test the value of the information he professes to impart. The book has been so popular and is so well known that it may be dismissed with a very cursory mention of the adventures of the writer, and the circumstances under which his information was collected. At the beginning of the present century the Russians had possessed themselves of certain of the

northern Kurile Islands. About the same time they sent Count Resanoff to Nangasaki, to see if it would be possible to open regular diplomatic intercourse with the Court of Jedo. The overtures were rejected with a civil negative. In revenge for this disappointment a Russian naval officer, Chwostoff, was directed to make a foray upon one of the southern Kuriles, at least such is the probability of the story, although the intervention of the Russian government was strongly denied throughout the course of the negotiations for the release of Golownin and his companions. In the year 1811 Captain Golownin in a Russian ship of war, having previously touched at one or more of the southern Kuriles, finally put into the port of Kunaschier to obtain a supply of water and other necessaries. He was imprudent enough to trust himself with some half-a-dozen companions in the hands of the governor of the town. At a given signal the mask of friendship was thrown off and they were attacked. Through opposing numbers they made their way to the sea-shore; but alas! when they arrived there the tide had receded and left their boat high and dry. They submitted without further struggle to an inevitable captivity, and with their hands tightly and painfully bound behind them, from the elbows downwards with small cord, were led away first to Chakodade, and then to Matsmai, until the government of Jedo should decide as to their ultimate destiny. In this captivity they remained two years, and in the course of the time managed on one occasion to break prison and have a run through the island, but were at last recaptured and brought back. Golownin relates, very naturally, what he actually saw and heard, and as contributions to our knowledge of Japanese character the two first volumes are invaluable; for the third, which professes to give an account of the internal condition of Japan, and the distinctive customs of the people, we are of opinion that any day-labourer in the world of books, with the help of the Factory writers, might easily have compiled a more valuable production. The introduction to the third volume contains a *rifacimento* by the translator from the tracts of William Adams, and Captain Saris, the names of which will be found at the head of the present paper. The appendix on Japan attached to Sir Stamford Raffles' 'History of Java,' is, as might be expected, from the reputation of the author, a careful and well-digested report on the subject of which he professes to treat. It is mainly upon an official report made by the Baron von Imhoff that he relies. The authors we have named will furnish the ordinary reader with abundant materials for the gratification of his curiosity. For the benefit of those who

may feel disposed to push their researches further, we would add that in the introduction to Kœmpfer will be found a copious list of Japanese, Dutch, and Jesuit authors, whose works united with those of the modern writers just specified would form a very perfect Japanese library.

We pass at once to the form of government which will be found existing in Japan. There is a good deal of popular error on the subject. If we are not mistaken, the answer which would be given by any ordinary student on the subject would be in effect that the supreme power in Japan was divided between two sovereigns, an ecclesiastical and temporal emperor; we should be told that the ecclesiastical emperors were in former times supreme in Japan, but that becoming gradually enervated by the listless indolence of the purple, the temporal sceptre slipped from their feeble fingers into the firmer grasp of their Generals-in-chief, who now exercise substantial dominion in their place. The title of the Ecclesiastical Emperor is 'Mikado,'—he reigns in Meaco—that of the Temporal Emperor, 'Ziogoon,' or 'Kubo,'—the seat of his authority is at Jedo. We are surprised that so well-informed a writer as Sir John Davis should not, in the sketch of Japan which he has affixed to his recent work on China, have thought it worth his while to explain that all real authority has departed from the Ziogoon in turn. What the Ziogoon is to the Mikado, his Council of State is to the Ziogoon. It would, in point of fact, be scarcely too much to assert that the supreme authority in Japan is exercised by the President of the Council, although no doubt he acts in theory in the name of his liege lord. For all substantial purposes the Ziogoon is relegated as a mere cipher to the luxurious seclusion of the palace at Jedo, given up to self-indulgence, to ceremonial, and to ennui.

The account so far as it goes is correct; but it stops short of the truth.

It is impossible to have any clear notion of the anomalous position of the two sovereigns of Japan without clearly understanding the sequence of events which led to the maintenance of the old, and to the establishment of a new dynasty by its side. The result might be stated, analogously, pretty much as follows. Suppose that Napoleon Bonaparte, when First Consul, had thought it a stroke of policy, previous to his seizure of the imperial crown, to recall Louis XVIII. from Hartwell to Versailles. Suppose that he had surrounded him there with all the pomp and state of a court, but carefully debarred him from all interference with the affairs of government, limiting his duties to the single necessity of wearing the crown of Saint Louis for

a given number of hours every day in the Salle des Maréchaux, with the solemn condition attached that during the time of the ceremonial he should not move his head or turn his eyes one hair's breadth to the right or left, — then Louis XVIII. would have been the Mikado of France, the idol of the Faubourg, the incarnation of legitimacy. He would have given himself up to literature, written longs and shorts, and quoted Horacé on every occasion, and so he would have done his duty. All the *littérateurs* of France, from Chateaubriand down to Frederic Soulie, would have been forthcoming at the Court of this Roi Fainéant, or his successors. Meanwhile the Ziogoon of the Luxembourg, — of the Taileries and the Malmaison, — the son of his own works, — would have carried out his schemes of policy and conquest in his own way, placed the imperial diadem upon his head, and contented himself with honouring the incarnate principle of legitimacy at Versailles with a complimentary deputation once a year at first, and then less frequently for economy's sake. Thus it was supposed that the honour shown to hereditary authority in the person of the Mikado would also be recognised for the benefit of the usurping dynasty which had possessed themselves of all the realities of sovereign power.

Our sketch however of the position of the Mikado would be incomplete did we not refer to his ecclesiastical authority. He is not altogether a fiddling Count René of Provence, he has in him a dash of the Pope, or rather of the Grand Lama. His ecclesiastical power bears however merely upon doctrinal matters. The Ziogoons of Jedo were far too practical statesmen not to have imitated our own Constitutions of Clarendon on the other side of the globe. In all questions turning upon the temporalities, whether of the Sintoists or any other religious sect, the two imperial 'Judges of the Temples' at Jedo — the 'Dsi Sin' 'Bugios' are supreme. In order to make clear this peculiar position of the Mikados, we must, in a few brief sentences, indicate their origin. Their sanctity has not come to them by succession to an office, as with the Popes, nor by the transfusion or transmigration into them of a Divine Being, as with the Grand Lamas, but simply because they are descendants of the Sun Goddess, the tutelary deity of Japan.

The history of Japan, like that of most other nations, is divided into three periods. They have their successions of gods, of demigods, and finally of men like the rest of us who crawl about the earth at the present day. The first epoch takes in an indefinitely vast period, during which seven pure spirits successively ruled over the world of Japan. This is the incomprehensible epoch. The three first of these spirits were

bachelors, the four last were married. The last of the succession was called Isanagi no Mikotto; the name of his wife was Isanami no Mikotto. Their eldest son was called Ten Sio Dai Dsin; and from him all the Japanese, without exception, are supposed to have sprung, as his brothers and sisters left no issue. The present Mikado claims as his right the hereditary throne of Japan, because he can trace his descent, from eldest son to eldest son, to this Ten Sio Dai Dsin, who was the Adam of Japan. So it is asserted, although we see certain hitches in the pedigree, which probably are considered mysteries at Meaco. Tradition is silent as to the names of his wife and the wives of his successors. It would be proper to add, that the succession of demigods is continued through five persons, each of whom reigned any number of years the fantastic imagination of the authors of these wild legends might suggest. In the year B.C., 660 — that is to say, a century or so later than the commencement of the era of the Olympiads and the legendary date assigned to the foundation of Rome — we find ourselves on firmer ground. The historical succession of the Mikados commences with SYN MU, the founder of the empire of Japan.

Not to detain the reader longer than is absolutely necessary upon the dry chronicles of the Japanese, we will at once leap over seventeen centuries. In the reign of Konjei LXXVI., Ecclesiastical Emperor, the whole empire of Japan was given up to the wildest confusion. The great feudatories of the empire were waging against each other a war more dire than anything known to the French chroniclers before the policy of Louis XI. had in some measure emaculated the strength of the nobility of France. The Mikado was feeble in council, and still more unfit for war. In order to restore something like tranquillity to the country, he was obliged to entrust plenary powers to his General-in-chief, JORITOMO. This soldier, when he found himself invested with powers such as Ferdinand conferred upon Wallenstein in a similar hour of distress, acted as the Duke of Friedland would have done had he not been met by counter-acting force without and treachery within. He saved the empire; but for himself — not for his master. He sided with that party among the belligerent princes which he deemed the most proper to second his own ambitious views. With their help, he crushed their rivals, and then crushed them in turn. The result was, that Joritomo became the first secular Emperor, or Ziogoon of Japan. This event happened A.D. 1152.

But the old Ecclesiastical Emperors did not the less hold empty state at Meaco, because Joritomo and his successors reigned in Jedo. Nay, their authority was not so completely

shorn of splendour as happened about four centuries afterwards, in the year 1585, in the days of Ookimatz CVII., Mikado. At this time there was a certain FIDE JOSI, the son of a peasant, who in early life had served in the humble capacity of porter in the family of a Japanese noble. By valour and by policy he raised himself to the highest distinction. Ookimatz, unwarned by the experience of his predecessor, confirmed him unhesitatingly in the post of Lieutenant-General of the Armies of the Empire. He acted as Joritomō had acted on the like occasion, and repaid the confidence by reducing under his own authority the few provinces which had yet held fast in their allegiance to the Mikado. As Joritomo was the first Ziogoon, so Fide Josi, or TAIKO-SAMA, as he was afterwards called, was first Ziogoon of the *whole* of Japan. He stands twenty-ninth on the list. But neither his policy nor his valour could avail to maintain his succession beyond the grave.

The aged warrior left behind him a son of tender years. To ensure his succession to the Crown, Taiko-Sama had caused his son to be married to the young daughter of Jejos-Sama, his prime favourite and chief councillor. But when death had once removed the powerful Monarch from the scene, all was forgotten in the presence of the great temptation. The minister dethroned the son of his benefactor — the husband of his own daughter — and reigned in his stead, under the name of GONGEN-SAMA. He is the lineal ancestor of the reigning Ziogoon of Japan. The usurpation took place at the beginning of the seventeenth century.

From this time the power of the Mikado has been but as the shadow of a shadow. His existence is a recognition of the principle of legitimacy amongst a people who are the willing slaves of custom and tradition. He is treated with almost divine honours, which amount, in fact, to a most painful and tedious punishment. He may not touch the earth with his foot, but is carried about from place to place on his attendants' shoulders. So sacred is his person, that it may ~~not~~ be exposed even to the cheering rays of the sun. His hair is sacred, his beard is sacred, his nails are sacred — it would be a profanation to admit the services of a hair-cutter or barber. But pious souls in Japan have discovered a way to free the object of their adoration from his holy superfluities. When he is asleep some one or other of his attendants commits a theft upon his sacred person, pares his nails, and reduces his hair and beard to comfortable proportions. He may not eat twice off the same plate, nor must any profane person use it after him; he may not wear the same clothes twice, nor may any attendant appropriate

them as perquisites. The plate must be broken and the dress destroyed. A convict in Norfolk Island is probably dissatisfied with his condition: let him think of the Mikado of Japan and the Grand Lama of Thibet, and be thankful.

It was, however, improbable that the despotism of the Ziogoon should not have contained within itself the seeds of its own destruction from the moment it had become fairly established, and had conquered all opposition. The Court of the Mikado had ceased to count as a political power — nothing remained but the scattered antagonism of the princes or great feudatories of the empire. Every precaution has been taken to prevent them from forming such combinations as might become formidable to the central authority at Jedo. They are compelled to reside in the capital, under the eye of the Ministers of State, and only permitted to visit their estates at rare intervals. Even during their absence their wives and families are retained as hostages. In the case of the Governors, who are entrusted with great commands, it is usual to appoint two — and occasionally, if our recollection serves us, even more — to hold the same office; one is required to reside at Jedo, whilst the other discharges the duties of the office upon the spot. Every year the order is reversed — the absentee takes the place of the resident, and is again brought within the watchful supervision of the Council of State at Jedo. It would *à priori* seem probable that the effective working out of such a system as this must be entrusted to the watchfulness of Ministers of State, who, if allowed to hold their offices for any length of time, would become the Richelieus or Mazarins of their helpless sovereign. Such, in fact, has been the case. The once all-powerful Ziogoon has dwindled down into the creature of his own councillors — nothing remains to him of authority but the name. He is the victim of a code of ceremonies somewhat less tiresome than those which affect his brother monarch of Meaco. Like him, he must submit to his lot, and remain the butt and object of never-ceasing compliments and prostrations to his life's end.

“There is one extraordinary constitutional custom in Japan which we cannot pass over without a cursory notice. The Ziogoon has the right of interposing with ‘*le Roi s’avisera!*’ when the Council of State present any resolution for his assent which may be displeasing to him. His veto, however, is not conclusive. If the council persist in their resolution, and the Ziogoon in his negative, the matter is referred for arbitration to persons named according to custom, and who invariably comprise certain near relatives of the Ziogoon. The consequence of their decision is fatal to one or other of the contending parties.

If they arbitrate in favour of the Council, the Monarch must abdicate in favour of his next heir; if in favour of the Ziogoon, the President of the Council is bound upon the instant to rip up his abdomen; and his fellow councillors can do little better than follow his example. No retractation is allowed on either side. This strange custom is, according to our phraseology, somewhat in the nature of a 'Conference between the Houses.' We mention the custom, however, not only on account of its singularity, but as a proof of the weight accorded to the deliberations of the Council of State according to the present constitutional theory of Japan.

The universal system of espionnage is another point which well deserves notice. Spies in Japan are not what spies are in other countries. The Government compels the nobles of the land to undertake the task, — if, indeed, compulsion is necessary when it is known to be a valid title in the eyes of the Council that a spy should have successfully denounced an absent governor or *employé*, and have petitioned to succeed him in his office. Every man is a spy upon his neighbour, and the odious service would appear to carry with it no social degradation or contempt. We will not dwell longer upon this topic; but, as the best illustration of the nature of Japanese espionnage, simply transcribe the following passage from President Meylan's work, which is quoted in the very interesting papers in the 'Asiatic Journal' to which we have before alluded: — 'Complaints of the Governor of Matsmai had reached the Court, which took its own measures for ascertaining the truth. The agreeable tidings that the Governor was displaced were speedily received, but it was not without astonishment that the capital, Matsmai, recognised in his successor a journeyman tobacco-cutter, who, some months before, had disappeared from his master's shop. The journeyman tobacco-cutter had been personated by a noble of the land, who had assumed that disguise in order to exercise the office of a spy, for which he had been sent to Matsmai by the Court.' Only conceive a state of things amongst ourselves in which Lord Ellenborough should take a small cigar shop in Dame Street, Dublin, in order to gather matter of accusation against Lord Eglintoun. We must suppose further that Lord Derby, when the point was made out to his satisfaction, should appoint Lord Ellenborough to the Lieutenancy of Ireland, vacant by the suicide of Lord Eglintoun, who could not, according to the doctrines of the 'happy despatch,' avoid the painful necessity of slitting up his own abdomen in the presence of Lady Eglintoun, his family, and his attendants. That would be a sample of life in Japan.

With regard to the great feudal nobles of Japan it is furthermore proper to add, that the jealous policy of the Council of State has missed no opportunity of weakening their strength by continuous subdivisions of the most important fiefs. Besides, no device is left untried to keep them in poverty, as poverty is the best guarantee for their subjection. They are required not only to raise and maintain troops for the defence of their own territories, in a manner somewhat akin to our old military arrangements, but also to provide a quantity of troops specifically for Imperial service. They are moreover compelled to maintain a state and display which must materially interfere with the balance at their bankers. If their fortune should survive all these attacks, the Ziogoon would simply invite himself to dine with them in his own palace at Jedo. The payment of the expenses incurred for this entertainment will speedily remove all causes of apprehension.

Brief as this sketch necessarily is, we cannot omit all mention of the various forms of religion which prevail in Japan. The doctrine professed by the Established Church is Sintoism. As it is described by Kœmpfer, the professors of this creed do not trouble themselves much as to their ultimate destiny beyond the grave. They have obscure notions of the immortality of the soul, and even of a future state of misery and bliss. They do, indeed, admit the existence of a Supreme Deity, who inhabits the highest heavens, and of deities somewhat inferior in dignity, whose seats are in the starry firmament. But to these sublimer powers they address no prayers. Their happiness is too transcendent to be ruffled by the sound of mortal supplication. The Japanese are men of practical piety, and will offer their petitions only to those lesser powers from whose influence they have something to hope or something to dread. To those, —

‘ The elves of hills, brooks, standing lakes, and groves,
And those that on the sand with printless foot
Do chase the ebbing Neptune, and do fly him
When he comes back, ’—

they willingly raise the voice of supplication or thanksgiving. But these beings of supernatural essence are not the only objects of the adoration of the Sintoist. The Deified Heroes of his own country are the chief objects of his devotion. They have been beatified in swarms which would try the imagination of a Greek of days gone by, or of a devout Roman Catholic of the present time. Such distinguished persons are called Kami, and it is for these that the orthodox Sintoist reserves his chief homages for eleven months of the year. During the twelfth he is silent, as all the Kami are supposed to be on a visit to the

Dairi, or Court of the Mikado. They are habitually worshipped in *Mias*, or Temples: in the Japanese language, we are told, this word 'Mia' signifies the dwelling of a living soul. It would require more space than we can well afford to dwell upon their ceremonial worship. One custom alone would appear to deserve notice. When the Sintoist presents himself in his place of worship, he kneels down and offers up his prayers and supplications before a mirror. As plainly as he discerns his own features in that mirror, so plainly do the beings to whom his prayers are addressed discern and comprehend the spiritual and temporal wants of their votary. There is something striking in the custom, although it might lead to abuse if introduced among devout ladies of fashion at the present day. It was not until after the Christian Era that Buddhism penetrated into Japan, nor until A. D. 543 that it made any considerable progress. Before that time the Japanese had been divided between their ancient idols and the philosophic opinions of Confucius, but the doctrines of Bouddha contained a positive promise of eternal bliss, which it was not in the nature of the human mind to reject. It is not within the scope of these observations to dwell longer on this interesting subject. Suffice it to say that Sintoism has remained the state religion of Japan, to which even those who adhere to the doctrines of Bouddha or the tenets of Confucius must outwardly conform. Christianity had at one time made considerable progress in this empire. One century, however, witnessed its introduction and expulsion. In the year 1542 of our era it came in with the Portuguese, and in the year 1640 with the Portuguese it was expelled from Japan. The last spark of the Christian religion was quenched in the blood of the victims of Sinnabara. Whenever it shall be judged proper to attempt its re-introduction, the Reformed Churches will have a great advantage over the emissaries of the Roman Propaganda. The Japanese hold the name of a Roman Catholic priest in abhorrence, as French children, in the successive periods of European history, used to abhor the names of Talbot, of Marlborough, and of Wellington.

We know not if these few observations will be sufficient to conjure up the image of Japan, as it is, before the mind of the English reader. For the present we are compelled to pass on to that portion of the subject which is of more immediate interest; namely, the records of English intercourse with this singular people,—by whom it was commenced, how it ceased, what attempts have been made from time to time at a renewal of the interrupted friendship, what has been the value of the trade in the hands of the Dutch, and what it may prove in the future,

if the ports of Japan should be once thrown open to the world. When the English negotiated for the opening of the Chinese ports, and the removal of those oppressive regulations which had stopped all rational intercourse between China and other nations, they acted in the cause of every civilised country, — not of Great Britain alone. Canton was not to remain the only port of communication with the empire. The Hong monopoly was to be abolished. The fiscal regulations upon foreign trade generally were to be revised. The tyrannical jurisdiction claimed by the Chinese over Europeans was to be brought to an end. The degrading tone of superiority assumed by the Chinese over the Western nations in the course of negotiation was to be surrendered. We can reflect with pride on the course taken by our Government on this occasion. Let us hope that the liberality of the English in China may be imitated by the United States' negotiators at Jedo; if indeed, the honour of breaking down the Brazen Wall with which the Japanese had encircled their empire is reserved for them. They should consider that they are not gone merely to obtain redress for grievances inflicted on their own citizens, nor simply to open Japan to their own commercial operations.

The first English intercourse with Japan took place on the 19th of April 1600. It was on that day that William Adams, pilot, whose name will be found at the beginning of this Paper, arrived on the coasts of the Empire in a Dutch ship, the last of five which had been fitted out by the Dutch East India Company for a mercantile cruise upon a large scale. The little fleet entered the Pacific Ocean by the Straits of Magellan, but on coasting up along the sea-board of Chili and Peru they met with so many and such dire calamities, that at length they could not muster more men than an insufficient complement for a single ship. Under these circumstances they determined to stand over for Japan, to dispose of the woollens, which formed a large part of their cargo, and which, as they supposed, would meet with a rapid sale among the Japanese. That they were disappointed in their expectation appeared by the result, but they had no ground in any other respect to complain of the reception they met with from the inhabitants of this distant land. The Europeans present in Japan did their utmost to persuade the Emperor that William Adams and his companions should be put to death. A Portuguese Jesuit* came on board the ship, and

* Neither Portuguese nor Dutch scrupled at any instrument or means which offered them a prospect of driving us from the East. Sir John Malcolm attributes the failure of the embassy of Sir Thomas

when he returned to his Japanese friends coolly assured them that Adams and his friend Timothy Shotton were pirates, and ought instantly to be crucified. The result was that Adams was sent for to court.

From the first moment a man turns his attention to Japanese subjects he cannot fail to be struck with what followed, as it is given in the simple narration of the old pilot himself.* It must be remembered that the Spanish and Portuguese—and latterly the Dutch—were the only Europeans who had any access to the Japanese. During the half century this intercourse had lasted they had abundant time for setting proper machinery to work in order to gain their ends. Human nature is the same in Japan as elsewhere; bribes, no doubt, and intrigues are not wholly without avail. Well, William Adams, this waif, this mere human *flotsam and jetsam*, was cast upon the Japanese shores, without a patron, without a friend, without an interpreter on whom he could rely. He was examined and re-examined. There was no shift or device the activity of commercial malice could suggest that was not employed by his implacable enemies. These men seemed to have an instinctive idea of the future commercial greatness of England. They dreaded the presence of an Englishman, and resolved that he should never return alive to tell the tale of what he had seen. For weeks and weeks they plied the Japanese Emperor with every suggestion most calculated to extort from his anger or his policy a sentence of death against the helpless stranger. Even the Dutchmen, Adam's own shipmates, joined in the machinations of his enemies, but all in vain; the sentence of the Emperor was, 'As yet these strangers have done no damage to me or to my subjects. It were against reason and against justice that I should put them to death!' Not only were their lives spared, but Adams rose into high favour with the Emperor, who employed him to build a ship for him, and covered him with honours and wealth. He was willing to grant him any favour, but the one the kind-hearted old seaman most desired,—permission to return to Wapping or Deptford. It was in one or other of these dingy swamps that his wife and two children were, or might yet be, living, and all the glories of Jedo grew pale in comparison with the remembered comforts of a racy Thames fog and of his own fire-side. Escape was impos-

Roe at the court of Ajmeer, in 1614, mainly to the intrigues of the Portuguese missionaries: and on the massacre at Amboyna, by the Dutch, in 1622, the English abandoned the commerce of the Eastern islands.

sible; it was not until after many attempts that poor Adams succeeded in despatching a letter to Java addressed to 'My unknown friends and countrymen.' This letter reached Bantam, and 'was read to all the merchants that they might take notice of the hopes there were of trade with Japan.'

Amongst others, Captain John Saris was present in Bantam at the time. The account of this officer, as detailed by himself, will be found of the most interesting kind. The title of his narrative is also marked at the commencement of this Paper, together with a notice of the collection of travels in which it is to be found. We may as well say, that Mr. John Cocks, Cape merchant, whose name will be found in conjunction with that of Captain Saris, was his substitute when he was absent from Firando at the Court of the Emperor, as well as later, when he had quitted Japan. But to return: Captain Saris had sailed from England in April 1611, had reached Bantam in October 1612, and with one ship only, the crew of which consisted of twenty-four Englishmen, one Spaniard, one Portuguese, and five Indians, sailed from Java for Japan, which he sighted on the 9th of June, 1613. We are particular in marking the date, as this was the first time an English vessel had ever approached the shores of Japan.

His appearance was a signal for the renewal of the same attempts which had taken place in the case of William Adams. The English were represented in the most gloomy colours to the Japanese, as mere pirates, buccaneers, &c., but all was in vain. Captain — or, as he is styled, 'The General,' — Saris appears to have got on admirably from the first with Old King Foyne, the king of the Island of Firando, who forwarded his message requesting the honour of an interview to the Court of the Emperor. We wish it were possible, within the limits to which we are necessarily confined, to give an idea of Saris's proceedings with the Japanese in his own quaint manner. What the Japanese were in his day they appear to have been since. There was the same genuine anxiety and desire to oblige, tempered with the same abject fear of 'what would be said' at headquarters. Much the same kind of precaution appears to have been used, and the same spirit displayed, in the time of Captain Saris, as the other day when Sir Edward Belcher visited the port of Nangasaki in the 'Samarang.' All this, however, we are compelled most unwillingly to pass over, in order that we may lay before our readers the copy of a charter, or, rather, permission to trade, which will show on what kind of footing the English trade with Japan once stood, and what it might have become if we had had the wit to profit by the occasion.

‘ Privileges granted by Ogoshosama, Emperor of Japan, unto the Right Worshipful Sir Thomas Smith, Knight, Governor, and others the Honourable and Worshipful Adventurers to the East Indies.

‘ I. Imprimis, We give free license to the subjects of the King of Great Britain, viz. Sir Thomas Smith, Governor, and company of the East Indian merchants and adventurers, for ever safely to come into any of our ports of our empire of Japan, with their shippes and merchandizes, without any hindrance to them or their goods. And to abide, buy, sell, and barter, according to their owne manner, with all nations; to tarry here as long as they think good, and to depart, at their pleasure.

‘ II. Item, We grant unto them freedom of custom, for all such merchandizes as either now they have brought, or hereafter shall bring into our kingdome, or shall from hence transport to any foreign part. And doe authorize those shippes that hereafter shall arrive, and come from England, to proceed to present sale of their commodities, without further coming or sending up to our court.

‘ III. Item, If any of their shippes shall happen to lie in danger of shipwrecke, we will our subjects not only to assist them, but that such part of shippes and goods as shall be saved, be returned to their captains, or Cape merchants, or their assignees. And that they shall or may build one house or more for themselves in any part of our empire, where they shall think fittest and at their departure to make sale thereof at their pleasure.

‘ IV. Item, If any of the English merchants, or other, shall depart this life, within our dominions, the goods of the deceased shall remaine at the disposal of the Cape merchant. And that all offences committed by them shall be punished by the said Cape merchant, according to his discretion: and our laws take no hold of their persons or goods.

‘ V. Item, We will that ye, our subjects, trading with them for any of their commodities, pay them for the same, according to agreement, without delay, or returne of their wares again unto them.

‘ VI. Item, For such commodities as they have now brought, or shall hereafter bring, fitting for our service and proper use; we will that no arrest be made thereof, but that the price be made with the Cape merchant, according as they may sell to others, and present payment upon delivery of the goods.

‘ VII. Item, If in discovery of other countries for trade, and return of their shippes, they shall neede men or victuals, we will that ye our subjects, furnish them for their money, as their needs shall require.

‘ VIII. Item, And that without other passeport, they shall and may set out upon the discovery of Yeadzo, or any other part in or about our empire.

‘ From our castle in Surunga, the first day of ninth month, and in the eighteenth year of our Dary, according to our computation. Sealed with our broad Seale.

Underwritten,

Minna Mottono.

Yei. Ye. Year.

In consequence of this charter an English factory was established at Firando, and was left by Captain Saris under the superintendence of Richard Cocks, to whom three Englishmen — among whom was our old friend William Adams — were given as assistants. In the course of the year 1614, when Captain Saris had left Japan, we find the directors of the factory endeavouring to open a trade with Corea, and later with Siam and the Loo Choo Islands. Indeed, it is said, that the chief motive with the English East India Company for sanctioning the establishment of the factory at Firando, was that they might introduce themselves to the Chinese markets, and cover the losses incurred by the direct trade with Japan, by fostering a general trade between China, Japan, Corea, &c. In this expectation they were baffled, and prematurely, as it turned out, resolved in the year 1623, to withdraw their establishment altogether from Japan; a false step which they have never been able to retrace.

We must, at this point, mention the expulsion of the Portuguese from Japan, as without a proper appreciation of this point it would be difficult to comprehend the difficulties thrown by the Japanese in the way of a renewed intercourse with the English. The Portuguese had for a long time driven a most thriving trade with Japan, but, as we explained in a former portion of this Paper, by the intrigues of the Jesuits, and their own unbridled appetency for gain, they had rendered themselves obnoxious to the then sovereign powers. They ventured moreover to mix themselves up in a conspiracy with a party among the Japanese, the object of which was the dethronement of the reigning Ziogoon. The plot was detected, partly, it is said, by the agency of the Dutch, who intercepted a letter at sea which contained a full revelation of the conspiracy, and handed it to the authorities at Jedo in hopes that it would give them advantage over their commercial rivals. The letter certainly produced the desired effect, for it drew forth the edict by which Japan has continued a sealed book to all foreign nations for upwards of two centuries. The Dutch only were exempted from the ban in return for the service they had rendered to the Government. The effect of this edict is stated by Kœmpfer as follows: ‘No Japanese ship or boat whatsoever, nor any Japanese born, shall dare to go out of the country. All who disobey the order shall be punished with death; the ship with her cargo shall be affected with sequestration. All Japanese who return home from abroad shall suffer death; a reward of five hundred pieces of silver is offered for the discovery of a Christian priest, for a Christian layman in proportion. All persons who spread

‘ the Christian doctrines, or bear so scandalous a name, are to
 ‘ be imprisoned. Finally, all the Portuguese, with their
 ‘ mothers, nurses, and all their property, shall be transported to
 ‘ Macao.’ The Portuguese ventured to send an embassy from
 Macao to see if something could not be done to repair the mis-
 chief. They were dismissed with a threat that all Portuguese,
 whether forming part of an embassy or not, who ventured,
 after this solemn warning, to set foot on Japanese soil should
 suffer the penalty of death. Another embassy was sent, and
 the Japanese showed with what terrible fidelity they adhere to
 engagements of this nature. The detail of this horrible transac-
 tion will be found at length in ‘ Charlevoix.’

It was not until half a century after their abandonment of
 their factory at Firando, that the East Indian Company en-
 deavoured to renew their intercourse with Japan. It may be,
 that the perpetual confusion in which England had been kept in
 consequence of the wars of the Commonwealth had somewhat
 impeded the course of commercial enterprise. But in the year
 1673 the good ship ‘ Return ’ was sent to Japan, with an assorted
 cargo, to endeavour, if possible, to renew a commercial con-
 nexion, which, it was hoped, was not broken up for ever. On
 their arrival at Nangasaki they found that the Dutch were the
 only representatives of the western nations left in Japan, and,
 of course, all their influence was exerted to procure the exclu-
 sion of their English rivals. The fortunes of the war had
 thrown an apt occasion in the way. Our Charles II. had inter-
 married with the Portuguese Infanta. The representatives of
 Holland in Japan assured the authorities that England or Por-
 tugal was all one since this union between the two Courts. In
 vain the captain of the ‘ Return ’ pleaded the charter, he only
 received the decisive answer, ‘ that there could be no trade
 ‘ between the Japanese and the subjects of a king who had mar-
 ‘ ried the daughter of their greatest enemy. With the first fair
 ‘ wind they must quit the shores of Japan, and return no more.’
 The Captain asked, if they might return again when circum-
 stances had changed. The nuptial bed of Charles was a barren
 one, and all connexion between England and Portugal must
 soon be definitively broken off, might the English, then, try
 again? He was told, ‘ They had better not.’ Since that time
 there have been various scattered attempts on the part of the
 English to procure a renewal of intercourse. In 1791 the
 ‘ Argonaut,’ merchantman, tried and failed. Then there was the
 ‘ Providence,’ surveying-vessel, Captain Broughton, 1796,—no
 one permitted to land. The ‘ Frederick,’ merchantman, from
 Calcutta, in 1803, with a cargo, ordered away in twenty-four

hours. In the year 1808, the 'Phantom Frigate,' under Captain Pellew, entered Nangasaki Bay, and well nigh drove the local authorities out of their wits. The Governor, and several of his officers were obliged to perform the ceremony of the hara-kiri. This brings us to the great attempt made by Sir Stamford Raffles from Batavia at the time of the British occupation, but it will first be proper to say a word on the situation of the Dutch in their factory at Dezima.

The position of the Dutch at Nangasaki has been far more humiliating than any thing endured by the representatives of English commercial interests at Canton in the worst of times. The amount of their trade is limited, nor are they permitted to despatch more than two ships every year. The factory at Nangasaki stands on the little island of Dezima, which is connected by a narrow causeway with the main land. Within its walls the Dutch residents are strictly confined, nor are they permitted to go out for a walk in the city or its environs without a special permission from the governor, nor even then without such a train of guards and attendants—all of whom must be highly fed and paid—as render them very reluctant to profit by the nominal privilege. They are subjected to the laws of Japan during their stay. Their ships on coming into harbour are compelled to deliver up all their ammunition, weapons of war, and religious books. Their movements are constantly watched, and their steps dogged by spies, even within the limit of their own factory. There are not many positions in the world which could be quoted as so unenviable or so hampered with tedious restraints of every kind, as that of an unfortunate Dutch *employé* in the factory at Dezima. We must not, of course, pass over in silence the journey of homage from Dezima to Jedo, to which the Dutch were at first annually subjected. It was upon these occasions that the factory physicians had such good opportunities of making themselves acquainted with the internal constitution of Japan. Therefore we have every reason to be thankful for the arrangement. Since the close of the last century these State journeys have been limited to one every fourth year, but the presents are required to be despatched annually, as before. For an account of the ceremonials at Jedo, and for the strange sights met with on the road, we must refer our readers to the 'Pencilings by the Way,' which bear the signatures of Kœmpfer, Thunberg, and Siebold.

With regard to the value of the trade, for which the Dutch have endured so many humiliations, we have very full information in a most valuable report from Baron van Imhoff, which has been dissected by Sir Stamford Raffles in the Appendix to

his 'History of Java.' It appears that for some years after the events of 1640, and until the Dutch lost possession of the island of Formosa in 1661, decent respect was shown to them. The loss of this island, which involved the loss of naval supremacy in the Japanese waters, threw the factory at Firando completely into the hands of the Government at Jedo. Still, despite of the humiliations to which they were subjected, the trade appears to have been a most profitable one for many years afterwards, as will result from the statements of Van Imhoff, which we here abridge. In the beginning, the returns from Japan consisted of silver and copper. In the year 1640 orders were issued to the factors at Japan requiring gold as a return. So successfully was this operation carried through, that the profits made upon the returns of gold coin alone amounted, during the two years 1670, 1671, to one million of florins. The exportation of silver was soon prohibited, but this mattered but little, as the great profits were made upon the exportation of gold. In 1685 the Japanese Government intervened, with a far more arbitrary regulation, limiting the trade of the Dutch to 300,000 *tahils*, two-thirds of which were to take place on piece goods and weighable articles, the other third on silks. In 1689, in place of an unlimited exportation of copper, the supply was limited to a very moderate provision. In 1700, not more than four or five ships were allowed to be sent instead of six or seven, as before; this number was finally reduced, in 1717, to two ships, and in 1743 to one ship, and one-half of the cargo. The Dutch writers, however, complain of nothing so much as of constant alterations made by the Japanese in the value of their currency, coupled with an arbitrary and compulsory valuation of their imports. The impression, however, resulting from a careful perusal of the statements made by them upon this subject is, that the fault lay mainly with the Dutch factors themselves, who did not shape their imports according to the exigencies of the time, and demand exports of such a kind as were most consistent with the political and commercial circumstances of Japan. Added to this, we have the authority of Dutch writers themselves for stating, that the ruin of the Company's affairs was far more attributable to the illicit and private trading of their own agents, to the shameful venality and peculation of the authorities at Batavia and Dezima, than to any cause over which the Japanese had control.

In the year 1813, when Sir Stamford Raffles was Lieutenant-Governor of Java, he despatched two ships to Nangasaki, as the annual traders, in hopes that he might be able to effect the shifting of the commerce from the hands of the Dutch to those of the English without exciting any jealousy on the part of

the Japanese. Heer Cassa was named to succeed Heer Doeff as president of the factory. Two commissioners accompanied the expedition, one Dutch, Wardenaar, the other English, Dr. Ainslie, who were empowered to make all necessary arrangements upon the spot. Heer Doeff, however, refused to give credence to the story either of the surrender of Java, or of the recent occurrences in Europe, and determined to maintain Dutch authority at Dezima, if it existed no where else. He gained over to his cause the authorities of the place, who well knew what consequences must ensue to themselves for having permitted the entry of English vessels into the harbour of Nangasaki. Having operated successfully on their fears, he next endeavoured to appeal to the prudence and moderation of the English agents, and with success. Why could they not return next year, and bring him full and proper assurances of the surrender of Java, and the political extinction of Holland? Meanwhile he would do what he could, he would negotiate with the Japanese for the sale of the cargoes that had been brought to Japan, as also for suitable returns. Thus nothing would be lost, and he would enjoy the satisfaction of having been faithful to his duty, and true to his allegiance to the last. A year's delay mattered little. The Commissioners assented, and went their way; but when they returned next year Heer Doeff had completely got the local authorities into his power. Any detection of the trick to which they had been parties must infallibly lead to their instant death. In conjunction with them he manœuvred so successfully, that the Commissioners were compelled to retreat a second time *re infectâ*. Meanwhile news had been received of the probable and speedy restoration of her colonies to Holland at the conclusion of the war, and so Sir Stamford Raffles was foiled.

It is evident enough upon the most cursory consideration that any statement of the comparatively trifling value of the trade between the Japanese and the Dutch factory at Dezima for the last few years can have but little interest in the eyes of commercial men. The present produce of a trade conducted with such manifest disadvantages on either side can offer no fair index to what it might become under more favourable conditions. Japan will not have, like Labuan, to trust only or principally to its coal. Common sense would inform us that a free and dignified commercial intercourse with an industrious and intelligent population of 30,000,000, or thereabouts, cannot be a matter of indifference to the producers, manufacturers, or merchants of the three kingdoms. It does not fall within our province to suggest the details of future cargoes; such matters are best left

to the practised intelligence of commercial men. But we know that the Japanese islands experience great varieties of climate, and consequently the inhabitants require many and various articles which the British manufacturer can readily supply. Nor is it possible that suitable returns are not readily within reach of our merchants if they have but the discretion to accommodate their demands to the natural productions of the country, and to the industry of the inhabitants. Many tokens would seem to indicate that the Japanese themselves — that is the population, not the Government — are prepared for the change, and anxiously desire to see themselves relieved from the spell which has hitherto kept them secluded from all intercourse with foreign nations, and to enter within the walls of the next Crystal Palace. They are too ingenious and too acute a people not to appreciate the full superiority of European progress over their own; and in the limited intercourse that has been permitted them with the factory-physicians, and others, they have always shown the greatest desire for obtaining information of every kind. Nor need we limit our assertion of Japanese anxiety for European intercourse simply to scientific and mechanical questions. When, in the year 1819, Captain Gordon arrived in the Bay of Jedo, and remained there for eight days, his ship was constantly thronged with hundreds of persons, who were most anxious to trade had not the sternness of their national customs stood in the way. The testimony of Golownin, too, may be admitted without scruple to the same effect. When he tells us of the extreme value the Japanese, even in that remote quarter of the empire, seemed to set upon the most trifling European article, it would naturally follow that to repress this desire in the richer and more populous districts of the empire must require the constant and unceasing solicitude of the Government at Jedo.

It is not for us to predict the exact results that may follow from the particular expedition which has been announced as about to sail from the ports of the United States against the shores of Japan. Before doing this we should require to know a little more of the condition of the attacking armament, as well as of the actual means of resistance at the command of the Ziogoon's ministers. It would be madness to affect a doubt as to the result if the warlike skill and discipline of Europe or the United States are once fairly pitted against the resources of any Asiatic power. The military genius and hardy frames of the mountain tribes of Upper India could not save them from defeat when they were opposed to the serried ranks and powerful artillery of the British army. The same thing may happen in the case of Japan. All

human presumptions would seem to indicate that if Commodore Perry's expedition is conducted in the same spirit of prudence and courage which has hitherto presided over the warlike operations of the United States Government, the hours of Japanese seclusion are already numbered. We have, however, the authority of English officers who have served with great distinction in those distant waters for stating that they place a wide difference between an attack upon Japan and any similar operation which has been carried out either in China or in any other district of the Indian Seas. The Japanese are a proud and warlike race. They are careless of danger and indifferent to life; where one combatant falls another will take his place, and another, and another, as though the only object of their assault were to exhaust the fire of their enemies, and then overpower them by sheer numbers. We can scarcely think, if Commodore Perry should decide to advance into the interior with the small force at his disposal, that the first attempt will end in favour of the expedition. The army of Japan consists, by the latest accounts, of 300,000 foot soldiers and 50,000 cavalry. In artillery they are of course miserably deficient, and their powder is of a most inferior quality. Still they have at their disposal an enormous population, proud of their traditions and of their native land, and determined, we should imagine, to defend it to the last drop of their blood against the invaders from beyond the dark sea.

It may be — and at this point we admit most freely that we have nothing more secure than conjecture to guide us — that the government of Jedo might be convinced of the impossibility of ultimate resistance, and would endeavour to make the best terms they could with the invader. It is certain that they are perfectly well acquainted with the rapid success of the British arms in China in 1841–42; and they may well anticipate, in their own case, an analogous result. But why should they confine their attention to China alone? there is scarcely a square mile of Asia, from the Persian Gulf to the Chinese Sea; from the Himalayas to Cape Comorin, which should not also be suggestive of prudence whilst it is yet time. That prudent negotiation would be the right course for those who would maintain the integrity of Japan, no one can doubt; but that it will be adopted, is a supposition sadly inconsistent with what history has yet told us of the march of human affairs.

Thus then we have endeavoured, in a few brief pages, to indicate to the English reader a few of the most interesting points connected with the past history and present position of Japan. What constant self-restraint it has required on the

part of the writer to confine his narrative within such slender space, only those can tell who have found delight and instruction in the records we possess of this singular and gallant people. Chapters must be condensed into sentences, and many points of great interest omitted altogether — the story, for instance, of the connexion between China and Japan, and the nature of the intercourse between the sovereign country and such dependencies as the important group of Loo Choo Islands. It is, however, our comfort to reflect that all readers unacquainted with the subject will not miss what is absent, while students of the Japanese Annals will comprehend the embarrassment of those who are compelled to confine their observations to the few leading points which may best attract the attention of a reader who is approaching the subject for the first time. At least we have endeavoured most conscientiously to discharge one part of our duty, which is to point out those sources from which all requisite information on Japan can be derived by those who feel further curiosity upon the subject.

The moment is rapidly drawing near when those who have anxiously looked for the opening of this sealed book may hope to hear more of the strange customs and fashions of Japan. But it is not from purely literary or fantastic considerations of this kind that we regard with satisfaction the speedy restoration of Japan to the comity of nations. The compulsory seclusion of the Japanese is a wrong not only to themselves, but to the civilised world. Every one is so far master at home, that the Law of Nations has been hitherto very tender of authorising a country to force its commerce or its society upon another. But the rights of independent Sovereignty must be so construed as to be reconcilable with the great principles upon which all titles of property or jurisdiction ultimately depend. It is difficult to entertain a doubt that, after so long and so patient a delay, other nations are justified in demanding intercourse with Japan, as a right of which they are unjustly deprived. The Japanese undoubtedly have an exclusive right to the possession of their territory; but they must not abuse that right to the extent of debarring all other nations from a participation in its riches and virtues. The only secure title to property, whether it be in a hovel or an empire, is, that the exclusive possession of one is for the benefit of all.

ART. IV. — 1. *The Tithe Proctor: a Novel. Being a Tale of the Tithe Rebellion in Ireland.* By WILLIAM CARLETON. London: 12mo. 1849.

2. *Valentine M'Clutchy the Irish Agent; or the Chronicles of Castle Cumber.* By WILLIAM CARLETON. Dublin: 8vo. 2nd Edition. 1848.

3. *Fardorougha the Miser; or the Convicts of Lisnamona.* By WILLIAM CARLETON. London: 12mo. New Edition. 1848.

4. *The Black Prophet; a Tale of Irish Famine.* By WILLIAM CARLETON. Belfast: 12mo. 1847.

5. *Traits and Stories of the Irish Peasantry.* By WILLIAM CARLETON. Dublin and London: 2 vols. 8vo. 1843.

THE sensitiveness of the Celtic character has been augmented by the misrule of past ages and by the system which some of her favoured children have in our own time adopted for the cure of her social and political disorders. It is hard to touch so sore a body without irritating. We think it right, therefore, to state, in the very outset, that, in commending Mr. Carleton's power as a delineator of Irish character, we abstract entirely those passages in his writings which have given just offence to religious feelings. The young peasant genius was, in the very commencement of his career as author, patronised by some of the most unbending enemies of Catholic emancipation and the most noted leaders in the angry warfare of the day: and several of his early tales copied but too faithfully the language and spirit of his new political associates. All his writings, for several years back, are, we believe, entirely, or almost entirely, free from this taint. In the later editions, too, of his earlier productions, not a few of the most objectionable parts have been cancelled, others softened down: and we have learned on good authority that, had the author been permitted to exercise his own discretion uncontrolled, what still remain would have been subjected to a more unsparing process. In the preface to one of his recent works he admits that 'a more enlarged knowledge of life, and a more matured intercourse with society, had enabled him to overcome many absurd prejudices with which he was imbued;' and that he had 'published in his early works passages which were not calculated to do any earthly good, but, on the contrary, to give unnecessary offence to a great number of his countrymen.' This is candid and generous, and deserves to be met in a candid and generous spirit.

Mr. Carleton's works are of very unequal merit. To begin with his defects. Some of his scenes and stories are utterly flat and spiritless from beginning to end; and there are here and there, in the collection of his writings, little deposits of unsavoury rubbish, which remind us of certain adjuncts such as he has himself described to be sometimes perceived, by more senses than one, beside the habitations of a particular class of his countrymen. He is now and then coarse and vulgar; even his most happy efforts are not always free from this serious drawback. Nor is the fault palliated, for it could not be excused, by an over rigid adherence to actual nature: it is generally found in those scenes where his caricatures and exaggerations are most excessive. His failures begin on his seeking to come out as a colloquial humourist or describer of outlandish incidents, on his own account; as often as he ceases to copy the real language and manners of the people, and to paint events most likely to occur among them. Of attempts at the smart or facetious not true to the usages of Irish speech, and of adventures not true to Irish life, we do not remember a single occasion in which he does not depart as widely from the common principles of good taste as from the duties of a faithful observer of men and things. Several of his dull passages are open to an opposite objection. They are indeed true copies, but copies of scenes not worth copying.

There is another fault, which a few mere strokes of the pen would cancel from all future editions. He at times breaks in upon the narrative with a little lecture on the relations of landlord and tenant, the importance of education, the duty of forethought and economy, and the like. We do not mean to insinuate that these topics are not of the first importance, or that his strictures are not just and valuable; but they are out of place. We go to the lawyer for sound legal advice, to the doctor for his prescription, and to Mr. Carleton for a capital Irish story 'racy of the soil.' We have had so many dissertations on that crowning 'difficulty'—'the Irish Evil'—so many 'remedies' for it, that we doubt if the subject could be made attractive reading in any book: in *his* books it is the portion we skip. The first rule is—stick to your story; whatever you add that is not a part of it, though ever so valuable in itself, will be an incumbrance, as a man's movements are embarrassed by a weight on the back, though it were a weight of gold. One of the merits of Mr. Carleton's best tales is, that they convey their own lessons, and require no gloss. When he epitomises himself into a lecture, it is like the exquisite singing of a beautiful song followed by a drawling recitation of the words. After

all, the faults we have noticed are but occasional, so loosely connected with the structure of the sounder and better parts, that their removal might be easily accomplished without leaving any scar behind.

It is among the peasantry that Mr. Carleton is truly at home. He tries other characters, rarely, however, and not unsuccessfully. But the Irish peasant is his strong point: here he is unrivalled, and writes like one who has had nothing to look out for, to collect by study, to select, to mould; who merely utters what comes spontaneously into his thoughts; from whom the language and sentiments flow as easily and naturally as articulate sounds from the human lips or music from the skylark. Those who have in early life dwelt among the Irish peasantry, and since forgotten that period in other and busier scenes of existence, meet again, in the pages of Carleton, the living personages of long past days, like friends returned from distant lands, after an absence of many years. Upon the whole, he paints them with an impartial hand: their excellent qualities he brings out fully, their general defects and the blacker vices which characterise certain individuals, he neither hides nor softens down. Some of his countrymen have been very angry with him for not representing his peasant as the finest in the world, if not absolutely faultless; while others, on the opposite side—his own countrymen still—have assailed him for bestowing graces and noble feelings and noble virtues where they are not to be found. We believe, however, that he wrote with full knowledge and in good faith. Neither his good nor his evil persons are ideal; but it is in the delineation of the former that he appears to most advantage. In portraying scenes of true and pure affection, of generous self-sacrifice, of tender sympathy, of silent and devout resignation, of humble domestic love and happiness, his heart is poured forth in strains too simple and natural not to impress his readers with the belief that he is but recalling a past reality, and describing what he had once seen and perhaps acted and felt himself. He tells us, in the preface to the last edition of the most successful of his longer stories, 'Fardofougha the Miser,' that the individual who sat for the character of Honor O'Donovan, the miser's wife, was his own mother. A beautiful impersonation of the purest domestic virtues she undoubtedly is; but, as the type of a pretty large class, we can assure our readers, by no means overdrawn. It is in the relation of mother or daughter or sister of an erring husband, or son or brother, that the truly devoted heart of the Irish peasant female is best tried and seen. We have known instances, — and for our opportunities of observation, not a few, — to which the portrait of

Honor O'Donovan would answer without one trait of exaggeration. We can say the same of all his other more quiet and loveable characters, as well as of most of those which interest us by their drollery, or salient absurdity, or good-humoured rustic 'cuteness.

The primary and essential value of Mr. Carleton's sketches of Irish peasant life and character unquestionably consists in this—that they are true, and so true to nature: but it is enhanced by a circumstance similar to that recently recorded and lamented by Lord Cockburn in reference to Scotland. The living originals are disappearing, some of them have already disappeared. In Ireland, since our author's youth, changes rapid and deep have taken place, which, according to diversity of prejudice, and of the other causes that generate diversity of opinions, will be referred to different sources, and be brought to illustrate different political and social theories. But of the fact there cannot exist the least doubt. The hedge schoolmaster is gone from the greater part of the country; the poor scholar is gone; we hear no more of the 'battles of the factions;' 'party fights'* are of rarer occurrence than formerly, though the bitter spirit which produced them, and was in turn nourished by them, is still far from extinct on either side. The old races for the bottle; and the old wakes, with their barbarous and demoralising games; and the old funerals, with their picturesque trains of 'Keeners,' uttering their wild, sweet, plaintive, Irish cry; and the old merry meetings in the fields, or at the cross roads, on Sunday summer eves, or in the barn, on long winter nights, with their music and fun and noisy dance and boundless humour and joy; and the old hearty sports at All Hallow-tide and other seasons; and the old prophecy man, and his prophecies too; and the old familiar beggar tramping his periodical and welcomed rounds, with his three hundred and sixty-five stories, 'a story forment every day in the year,'—they are all rapidly disappearing, and, in many places where they once seemed to enjoy an undying existence, are already numbered with the past, and perhaps the forgotten. What is of far more painful significance, the sheltered nooks, the quiet valleys, the sequestered country side, inaccessible save by lanes and footpaths, are no longer peopled with the simple and comfortable race who once lived there, rooted to the spot, as if they knew not, or cared not

* *Faction fights* took place between hostile families or clans and their respective adherents; religious animosity did not enter into them. *Party fights* took place between Protestants and Catholics; they sprang exclusively from the *political* hostility of creed against creed.

to know, of any world beyond. The old people are melting away, and their old feelings and manners, and much of their peculiar phraseology itself, are passing with them. A great deal of what is gone is in every sense well away; a great deal, too, is gone, which had better have remained; nor has the vanished evil been always succeeded by the good, or the vanished good by the better. But, for better or for worse, and from whatever cause or combination of causes, the change has set in and is in progress; how rapid or extended it may be for the future, the future alone can disclose.

To Mr. Carleton thus belongs the great merit of perpetuating a true and living image of so much of what is already, or, ere long, will be lost. So far as our acquaintance with this sort of literature extends, no other writer has approached him in the freshness and reality of his pictures. He is not only Irish, but thoroughly Irish, intensely Irish, exclusively Irish. Putting aside the few tales and incidental passages, already alluded to, as of an exotic and distorted character, and, taking his best writings, that is, the great mass of them, he stands alone as the exhibiter of the inward and external, the constitutional and the accidental, the life, the feelings, the ways, the customs, and the language of the Irish peasant. Others have given partial sketches and individual portraits, types of no one else, or of but an insignificant few. Mr. Lover, for example, has drawn some lively and tolerably true pictures, but of odd out-of-the-way characters, such as one might perchance light upon here and there, but not resembling the body of the people. Mr. Lever, in his peasant pictures, deals altogether in the grotesque: they are occasionally somewhat Irish, but generally the most un-Irish things in the world. Mrs. Hall appears in her books an exceedingly wise and benevolent person; and if the people of Ireland acted up to only one-half of the practical instructions conveyed in her story lectures, they would soon become a pattern nation for quietness, industry, and all good qualities. But she is a great deal too practical, and eternally shaping her plot and her characters to make Irishmen see what they ought to be, rather than to let us see what they are. Of the Irish peasant life she appears to us to know not much more than may be learned from books, and a drive through the principal towns and villages in one of Mr. Bianconi's far-famed jaunting cars. Now the Irish peasant is precisely one of those who are not to be well known by a passing glance, or conversation, or acquaintance, especially if the observer should happen to be of a more respectable class, of a different country, or even of a different province or county, and, we may add, of a different creed. Though the hospitable door

and tender heart of the more comfortable Irish peasant are always open at the call of want, yet to fine-dressed, fine-spoken people, who come not to appeal to his generosity, but to ask him questions and 'draw him out,' he is absolutely impenetrable. When pryed into in this way he is never sulky, never returns a rude answer; on the contrary, he is most on his guard against the appearance of incivility when he most distrusts an unknown inquisitor. By the Irish peasant only can the Irish peasant, as a body, be thoroughly known; or if by any other, he must be one who lives among them, is well known by them, is familiar with them, liked by them, and in some way has become one of themselves. Mr. Carleton is himself an Irish peasant. The son of peasant parents of the humbler class, he passed all his early life up to manhood among them, mixed in all their sports and conversations, and was in every thing one of them. To this singularly 'fortunate circumstance his singular success is, we have no doubt, entirely due — the eminent natural abilities being of course supposed, without which such fine opportunities could not have been turned to such high account. Unless another master hand should soon appear, like his, or abler than his, it is in his pages, and in his alone, that future generations must look for the truest and fullest — though still far from complete — picture of those, who will ere long have passed away from that troubled land, from the records of history, and from the memory of men for ever.

We have alluded to Mr. Carleton's peculiar success in portraying the workings of the nobler and more tender passions in the heart of the Irish peasant. His country stands not a little indebted to him for having dwelt on this part of his theme at such length, and with so much fondness. To the development of this phase of Irish character he has, in many of his stories, devoted a large, but, we think, by no means disproportionate space. In doing so he has supplied a serious omission, and contributed to the removal of a very erroneous impression from the minds of those whose estimate of Irish nature had been formed from the current novels and farces of the day, or the roaring mountebanks who, in all periods of agitation, thrust themselves into the most conspicuous positions. The poor Irishman used to be constantly represented as an impersonation of eccentricity, knavery, recklessness, and most ludicrous absurdity in speech, manner, and costume. To this day he is commonly thus represented — so far as this can be done — in pictorial broadsheets. Nor is this all prejudice or ignorance; for unquestionably there has existed, and still exists, a class of persons in that country who could not fail to be at once recog-

nised in the vulgar picture, however grossly overcharged. But they are a class who do not so much constitute a part of the stable peasant population as hang loosely about it — a kind of vagrant, gipsy brood, without homesteads, or home affections, or home habits, bearing to the fixed community very much the same relation as Mr. Mayhew's London street folks bear to the London householders. Their modes and means of existence are of infinite variety. The province of Connaught presents, in many respects, a striking contrast to each of the other three provinces; but the swarms which annually, at harvest time, migrate thence to England, strongly resemble, if they are not to be in all things identified with, the class of which we are now speaking. They lead a hard, uneven life; some through endless toil, without ever knowing the comforts of a domestic hearth; others, by their wits, as well as they can. Many of them have no local or personal predilections, move from place to place, pick up the habits of thought and the manner which best suit their circumstances for the time being, become sharp and, externally at least, plastic, acquire wonderful facilities of imitation and adaptation. The isolation, and motion, and wear and tear of such a life, prevent the accretion, as it were, of genial soil upon their hearts, and the finer feelings cannot take root there. They sometimes become gross and stupid, but far more commonly their native buoyancy gains the ascendant and, freed from the softening influence of tender emotions, displays itself in those uncouth antics which make them appear to the careless observer like mere animated machines of trick, absurdity, and buffoonery. They are indeed a combination of many strange wild habits, but habits, it is fair to add, generated by a combination of many miseries and many temptations. Their rude slyness and sharpness of observation and repartee, are fully equal to the specimens given in the works alluded to. But there cannot be a greater mistake than to take them for a class of half idiots and blunderers — at least in their own affairs. On the contrary, the pompous 'observer of men and manners,' who thinks that he has transferred their inmost thoughts and dispositions to his notebook, is the real blunderer, and becomes, the moment his back is turned, the object of a hearty laugh to the half-dozen of listening simpletons who had played upon his credulity and sounded his designs to the bottom, while he vainly fancied himself the sole keen observer in the group. We have an excellent instance of this in the interview between the mowers and their employer in the story of the 'Poor Scholar;' and another, developed at greater length, in the story of 'Phil Purcell the Pigdriver.' In one slight point hardly any caricature, whether by actor or

painter, has ever gone beyond the reality, or perhaps come up to it. We allude to the dress, particularly the head-dress, of many of this class of the Irish peasantry. There is not, we believe, on this earth any form of hat so irresistibly comical as the 'caubeen,' to be met with every day on the head of some Irish labourer or strolling beggar. Doyle has tried it, Phiz has tried it, Cruikshank has tried it; but the reality, as we have seen it a thousand times, beats them all hollow. Its size, its shape, its colour, its crown, its leaf, its band, its dinges, its twists, its set on the head, its weather-beaten, but still weather-defying endurance — as if Kehama's curse had fallen upon it — from winter to winter, from summer to summer, still the same — such a union of the fantastical has no parallel in that article of costume, or perhaps in any other.

There is another class of the Irish peasantry which, though possessing some outward resemblances of speech and manner with that just briefly described, yet is, in the most important respect, entirely and essentially distinct from it. Both are designated by the common name of peasant, and are, therefore, in plays and novels, often confounded. This second class is distinguished from the former in having a domicile, 'a house and a bit of land,' perhaps an heir-loom for some generations; and it is also distinguished by the habits which naturally grow out of this more settled and comfortable mode of life. It, of course, graduates from the independent farmer down to the mere tenant at will of a mud cabin, with its half rood of garden. But we do not include this lower gradation, which does not often substantially differ from the lowest class of peasantry. It is of the better class that Mr. Carleton's more engaging characters may be taken as fair specimens. It is among them that the scenes of deep pathos, disinterested and enduring affection, the poetic language of grief and joy are chiefly found; of course we do not speak of what is universally the fact, but only of what more commonly occurs. There is, however, a wide difference between the condition of this, which we may call the farmer class, in Mr. Carleton's native province of Ulster, especially in that part of it to which his descriptions generally refer, and the farmer class in the province of Leinster, and a considerable portion of Munster. In the former, a holding of twenty, or sixteen, or, in some places, even of twelve or ten acres of fair land at a fair rent, is considered to be a pretty 'snug' and secure condition, and would entitle the holder to the designation of 'Mister' among his poorer neighbours or his equals, and a more familiar salute from the squire or clergyman of the parish. In the counties of Meath, or Kildare, or Dublin, a much larger holding would be

necessary to raise its occupant to the same grade of comfort and respectability. We think that, in these respects, the possession of three or four hundred acres of land, in any of the three counties just named, and in some counties of Munster, would be no more than equivalent to the possession of about sixty acres in crowded and commercial Ulster. Again, the disposition, habits, and peculiar phraseology of the peasant farmer of Ulster, differ in several notable respects from those of the same class in Munster. The Ulster folks are a more hardworking race, have a more reserved stand-off manner, speak in a quicker and sharper tone; the social intercourse of the sexes is much colder and more jealous among them than among their southern countrymen. The latter are less disposed to break their hearts with work, have much more pride of descent, in such of them as can boast to be descended from the old Irish princes; they are readier with the soft word and liberal promise, enter more quickly into easy friendly terms with a stranger, and are much more lavish of substantial hospitality. The partisans of either province draw their own inference, and maintain them obstinately enough. We are inclined, however, to think that, generally speaking, the cunning and insincerity to be found in one province are of the same stamp, though wearing a different mask in the other; and that the nobler qualities of both differ less than might be concluded from their outward manifestations. Certainly the externals differ, as we have said, very widely; and to this, doubtless, it is to be attributed that Mr. Carleton is by no means so well understood or appreciated in the southern division of the kingdom as in his native province. There is one vice common to both — an evil relic of former times — still existing, though, we rather hope, in diminished and still diminishing intensity: we allude to the provincial feeling which animates Munster against Ulster, and Ulster against Munster, as though by a wide sea, a different language, a hostile creed, and the memory of recent bloody conflicts, divided them.

Of the singular characters who are rapidly disappearing from the face of the country, the hedge schoolmaster was one of the most curious. The spread of the National System of education has, more than any other cause, or all other causes together, contributed to the decline of this once numerous and popular race. Their disappearance is undoubtedly a great blessing in many respects. Nevertheless they were not to blame for the scanty measure and inferior nature of their professional qualifications; still less were the people to blame for not providing themselves with a better substitute. To teach, or to receive instruction, was prohibited by law until the close of the last century. After the re-

laxation of the penal code, there was no other teacher than the hedge schoolmaster, to whose schools the peasantry could conscientiously send their children; and, even if a better could be found, they were too poor to secure his services. To the strong love of learning, notwithstanding all difficulties and discouragements, was the existence of this remarkable class, great as were their deficiencies, entirely due. There is nothing on which the Irish peasant prides himself more than 'making scholars of his children.' His eye actually flashes with delight in witnessing one of his 'little gorsoons' displaying a bit of scholastic proficiency before strangers; and he has a thousand ingenious artifices for communicating the fact of his son being at school, and the importance he attaches to it. 'Troth, it's hard enough on me to keep our Tommy at school, between buyin' books an' payin' the mather, let alone sparin' him from the work; but it's a fine thing to have the laarnin', an'; as I can lave him nothing else, I'll lave him that any how.' To this cause, and to the extraordinary respect which the peasantry entertained for persons who had a name for learning, must be attributed the high place which the schoolmaster used to hold in their regard and affections.

The name of hedge schoolmaster originated, it is said, in the custom of teaching near hedges, at the time when it was necessary to communicate education by stealth. After the necessity had ceased, the custom was in many places kept up, partly because it was established, and in fine weather was rather pleasant than otherwise, and partly on the plea of poverty. Subsequently the term was extended to all schoolmasters of that inferior class, whether they taught under a roof or not. A wide distinction should be drawn between the hedge schoolmaster who imparted only an English education, and him who also taught classics. The *physique* of their respective schools may not, in many cases, have differed much, but in other respects they were very unlike. A great deal of what Hazlitt calls the ignorance of the learned, existed in the classical schools, but a sound knowledge of the Latin language, if not of Greek, was communicated in most of them. Lads to whom the works of the commonest standard English authors were hardly known even by name, had acquired a familiar acquaintance with the difficulties and beauties of Livy, Tacitus, and Juvenal, with the rules of Latin grammar, and Latin prosody. We have no doubt that, for solid classical acquirements, these old schoolmasters were far superior to most of the teachers in the several little seminaries which have superseded the common school, and

need not shrink from a comparison even in the important point of morals.

The peasant schoolmaster, whether classical or English, was to the lover of character a perfect gem. He had nothing in the quality, or colour, or cut of his clothes, to distinguish him from many of the people about him; but among a thousand you could not mistake him. He had the careless magisterial step as of one whose mental superiority was admitted and looked up to by all, and fixed beyond the danger of question or rivalry. He had the settled self-possession of countenance, as if he were just thinking at the moment that his education had been completed, and that nothing now remained for him but to enjoy the contemplation of his unbounded store of learning, while the rest of the world were labouring to approach, but would never succeed in approaching him. But his most laughable and distinctive characteristic was an extraordinary relish for the bombastic and the pedantic, especially in writing. These qualities of style generally excite only disgust and aversion; in him they were simply amusing; it was impossible to be displeased, it was impossible not to be entertained. The mixture of inconceivable improprieties in the use of those big words, and of stray passages from poets and orators, sometimes altered and adapted in the most ludicrous manner, — the rich vein of incongruity, — and, to complete all, the occasional touches of genuine nature and simplicity, together with the earnestness that pervaded the whole, we have never seen united together in the same way, save in the productions of this character, and of a few others who have gone through a similar course of reading and general drilling. There have been men so gifted with imitative powers as to copy the prose or poetic style of eminent authors with such success that acute judges could not distinguish the imitation from the original. But we have never seen an imitation of this class of compositions that did not turn out a complete failure: the genius of Theodore Hook, or of the authors of the *Rejected Addresses* would have failed; even Carleton has rather failed except where he has transferred and fused from the stores of his memory. We have seen a considerable number of those documents fresh and genuine — letters, petitions, remonstrances, challenges, advertisements, &c. Mr. Carleton has, in a note to his story of the Hedge School, given an authentic specimen, the production of ‘John Kelly Philomath;’ it is a good specimen, but we have seen much better. It is lengthy, and is chiefly occupied in replying to the attacks of a rival pedagogue. It closes (a common feature in those documents) with several short poetic effusions, to one

of which the redoubted Philomath subjoins the following commentary.

‘I hope, kind and extremely patient reader, you will find my piece humorous, interesting, instructive, and edifying. In delineating and drawing to life the representation of my assailant, aggressor, and barefaced calumniator, I have preferred the natural order, free and familiar style, to the artificial order, grave, solemn, and antiquated style; and in so doing, I have had occasion to have reference to the vocal metaphrase of some words; with a due circumspection of the use of their synonymy, taking care that the import and acceptation of each phrase and word should not appear frequently synonymous. I have applied the whip unsparingly to his back, and have given him such a laudable castigation, as to compel him to comport himself in future with propriety and politeness. Yes, it is quite obvious that I have done it by an appropriate selection of categoromatic terms and words. I have been particularly careful to adorn it with some poetic spontaneous effusions; and although I own to you that I have no pretensions to be an adept in poetry, as I have only sipped moderately of the Helicon Fountain, yet, from my knowledge of Orthometry, I can prove the correctness of it by special and general metric analysis. In conclusion, I have not indulged in rhetorical figures and tropes, but have rightly adhered to the use of figurative and literal language. Finally, I have used a concatenation of appropriate mellifluous epithets, logically and philosophically accurate, copious, sublime, eloquent, and harmonious. •

‘The author of this extempore production is writing a *Treatise on Mental Calculations*, to which are appended more than three hundred scientific, ingenious, and miscellaneous questions, with their solutions. Mental calculations, for the first time, are simplified, which will prove a grand desideratum and of the greatest importance in mercantile affairs. •

‘JOHN O’KELLY, *Literary Teacher*,

‘And a native of Drumcolloher.’

This we pledge ourselves, is genuine in every word.

We have a great deal more to say about the Peasant Schoolmaster, but we must content ourselves with sending our readers to Mr. Carleton’s pages, especially to the story of the Hedge School, already referred to. The picture there given is in all essential points just, and not at all too severe, so far as a large, perhaps the greater proportion of the class is concerned. But a picture remains to be drawn of the exceptions, which our author’s still vigorous intellect and constitution give us ground for hoping to see executed, together with other important omissions, to be one day filled up by him. Undoubtedly the peasant schoolmaster was often addicted to tippling, often a prominent associate in the secret societies which have been one of the blackest curses of Ireland, stained with acts of inhuman

cruelty in the exercise of his profession, and with other lesser faults; but there have been many, many of the class industrious, humane, sober, and with gifts and acquirements, however limited, fully equal to the humble and dreary occupation of their lives. As a general proposition it would be perhaps correct to say that, as were the public and private morals, and the state of civilisation among the peasantry of any district, such were the morals of their schoolmaster; in some places low enough, in others respectable.

Another of the characters which are now passing or passed away entirely, is the Poor Scholar — not the ordinary poor scholar who receives an eleemosynary and merely elementary education in English, but he who migrates from a neighbourhood in which no cheap good classical school exists, to a more fortunate region, chiefly Munster, to learn Latin and Greek, with the view of becoming a priest, or perhaps a classical schoolmaster in his native province. The poverty of his parents, and the want of a school at home are the causes that impel him to seek elsewhere gratis what he cannot acquire for love or money in his own neighbourhood. The interest excited by the delineation of this character is not so much from the poor scholar himself as from the development of so many charming, and some repulsive traits of Irish feelings and manners, which are brought on the scene in the course of his singular career.

Carleton's story of 'The Poor Scholar' is, we think, the best that has ever been written on an Irish subject by himself, or by any other. It occupies about one hundred pages in the new octavo edition of the 'Traits and Stories of the Irish Peasantry;' and, from beginning to end, there is not more than a page that we could wish or bear to see omitted. It is true to the whole Irish character in its better aspect — with which it principally deals — as the engraving to the plate that impresses it, — as the faithful mirror to the face it represents. The parting of the young wanderer from his native home, the cordial hospitality of Lanigan, — the pomposity and kind-heartedness of one schoolmaster, and the cold cruelty of the other, — the active generosity and practical sense of the curate, — the genial goodness, and no less genial humour and shrewdness displayed about the sick boy, — the rapacious agent, — and well-meaning, but misled landlord, — the scene between the latter and old M'Evoy, and then between M'Evoy and his own family, — the death of Lanigan, — the return of the poor scholar, — are, together with the minor incidents, all drawn to the very life. The story itself, as a mere story, is extremely touching; but it is the fidelity throughout to characters and manners that makes it so delightful to all who,

having been once familiarly acquainted with those characters and manners, can therefore fully appreciate so true a portrait of them. The tender heart and innate delicacy of feeling under an uncultivated exterior, the brave independence of spirit sustained under continued trials, the strong confidence in the right with the hope that 'still hath life when life seems o'er;' the enduring sense of genuine religion that overlooks not the ordinary solace of misery, or ordinary means of escaping from it, but is always trusting to the 'firm foundation,' if they should fail; the tide of pure happiness flowing back upon hearts it had left so long, as if it had departed to return no more; the reawakening of long buried joys and long suppressed affections, like peace after weary war, like life after the grave;—these are pictures which all are moved by, but those most to whom the individual scenes and personages grouped therein are the scenes and personages of their early years and their native land.

The story of the *Poor Scholar* is very simple. Dominick M'Evoy, an honest industrious farmer of the better class, dwelt on the estate of Colonel B., a landlord who, like so many Irish landlords now, as well as then, was at once embarrassed in his circumstances and an absentee. The estate was managed by an agent named Carson, more commonly known by the nickname of 'Yellow Sam,' a rapacious, unscrupulous villain, one of whose many dishonest practices was to keep back receipts on some false pretext from the tenants, and then exact the full rent a second time. Carson having fixed his eye on M'Evoy's farm as a most desirable spot on which to establish an individual married to his own illegitimate daughter, in due course, and by the usual means, succeeded in gaining his double object. M'Evoy, thus driven almost penniless and heart-broken from the comfortable home of his fathers, was compelled to take, at a rack rent, a small holding on a hard barren hill-side called Esker Dhu. Toiling on this unproductive soil day after day with his son James, wasted in strength and heavy at heart, he was barely able to eke out the most miserable subsistence for himself and family. One bitter winter day, while both were thus working hard against the obduracy of the soil and the inclemency of the weather, they rested for a moment on their spades, and, after comparing together their present condition with that of their more comfortable neighbours and with their own past, young James, suddenly grasping his spade with both hands and flinging it from him, exclaimed —

“ Here, father, here goes; to the divil once an' for ever I pitch

slavery.* An' now, father, wid the help o' God, this is the last day's work I'll ever put my hand to. There's no way of larnin' Latin here; but off to Munster I'll start, an' my face you'll never see in this parish, till I come home a priest an' a gintleman. But that's not all, father, dear; I'll rise you out of your distress, or die in the struggle. I can't bear to see your grey hairs in sorrow and poverty."

"Well, Jimmy," his father replies, "well, agra — God enable you, avourneen; 'tis a good intintion. The divil a one o' me will turn another spadeful aither, for this day; I'm dhrookin' † wid the rain. We'll go home an' take an air of the fine — we want it; and aftherwards we can talk about what you're on for." †

With some difficulty Jemmy's mother is induced to give her consent; the parish priest, a jolly kind-hearted man, is made acquainted with his determination, approves of it, and on the next Sunday announces a collection to be made for him at the chapel on that day week. The collection, to which Protestants contributed liberally, is described at length: the custom is, we believe, now defunct in every part of Ireland. The preparations and the parting over, our young hero sets out on his journey. We pass over the beautiful episode of his kind reception on the way by Lanigan, and transfer him at once to the favoured spot on which the far-famed Munster teacher — a learned but tyrannical knave — resides. Here, on the day of his arrival, Jemmy accidentally falls in with the curate of the parish, an intelligent and worthy man, who quickly discovers the noble designs and fine disposition of the lad, and takes an earnest interest in his future welfare. It so happened that Colonel B., M'Evoy's former landlord, actually resided in this very district, and that the curate had been formerly tutor in his family. The Colonel, however, was so deeply in Carson's power, in consequence of certain money transactions between them, that the curate thought it expedient to defer laying M'Evoy's case before him, to some more favourable opportunity. Jemmy now commences his new work with the Latin grammar, and soon becomes a favourite with all his schoolfellows, among whom those whose fathers were substantial farmers in the neighbourhood, bring him home night about or week about. Things continued in this way for nearly three years: he advanced rapidly in his studies, and continued to win the affections of every one, except his tyrannical master, who, for reasons mentioned in the story, hated him from the beginning, but was prevented from seriously illtreating him by the fear of his patron schoolfellows, the indignation of whom, and of whose parents, it would have been

* Oppressive labour.

† Determined on.

† Dripping — very wet.

dangerous to provoke. Gradually, however, these dropped away from the school to fall into their respective callings in life. At the close of the third year all his former sturdy friends and defenders had departed; his little stock of money was exhausted, and the barbarity of the teacher towards him increased. The good curate was too poor to afford him pecuniary assistance; but he helped him in the best way he could, and kept a constant friendly eye upon him. At this time famine and fever began to rage in the parish; most of the wealthy farmers who formerly befriended him had emigrated: every day became darker and darker. At last the poor boy caught the fever himself, and on the first symptoms appearing, he was immediately driven from the school by its inhuman master. In this condition none of his schoolfellows would take him home, and so he wandered in the fields, until at length he fell down exhausted and overpowered. It was midsummer, and a few mowers, who were eating their dinner near the place, ran up and, recognising 'the poor scholar,' put their heads together and resolved to build a shed for him in the field —

“No one will take him in, for fraid o' the sickness. Why, I'll tell you what we'll do: let us shkame the remainder o' this day off o' the Major, an' build a shed for him on the road-side, just against the ditch. It's as dhry as powdher. Then we can go through the neighbours, an' get them to sit near him time about, an' to bring him little *dhreeniens* o' nourishment.”

“Divil a purtier! Come thin, let us get a lot o' the neighbours, an' set about it, poor bouchal. Who knows but it may bring down a blessin' upon us, aither in this world or the next.”

We pass over the adventures about the fever shed, with their mixture of roguish fear and tenderness, thoroughly Irish throughout. Through the care of the labourers — the curate was laid up himself at the same time — Jemmy recovered, and, as soon as he was able, again sought the school. His presence was hailed by his schoolfellows with delight, which so irritated the unfeeling tyrant that he assailed the delicate boy with the most opprobrious language, and, on his resenting this in a becoming manner, beat him unmercifully. Jemmy now turned his steps to the house of his old friend the curate, who, on hearing the account of the schoolmaster's conduct, immediately expressed his determination to see Colonel B. on the next day in company with his young client. The Colonel, by the way, had just returned from the Continent, and, having lately succeeded to another large and unencumbered estate, was now completely out of the clutches of his agent. The Poor Scholar was introduced to him, and the simple history of his father's misfortunes,

and of his son's endeavours and trials, backed by the urgent and influential appeals of the curate, opened at once the eyes and the heart of the high-minded and generous man. His indignation against the schoolmaster, and far more against his own agent—of whose conduct he only then heard the first authentic account—was equalled by the kindly interest which he manifested in the young sufferer before him. The result was that Jemmy was placed at a respectable boarding school, with a promise that the expenses of his future education, until his entering the priesthood, would be defrayed by the Colonel. Not long after this interview, the Colonel set out to visit his old estates, with a determination to sift the administration of 'Yellow Sam,' M'Evoy's case especially, to the bottom, and to award ample justice to all parties. The investigation which took place is interesting, but too long to quote, and too full of detail to bear contraction. The result may be easily conjectured: the agent was discarded; M'Evoy was restored to his old farm, having heard from the Colonel's own lips of the happy fortune of his darling son; the Colonel himself became on the spot the very idol of his tenantry, and

'His address to Carson soon got among the assembled tenantry, and a vehement volley of groans and hisses followed the discarded agent up the street.

"Ha! bad luck to you for an ould villain! You were made to hear on the deaf side of your head at last! You may take the black wool out o' your ears now, you rip? The cries and curses o' the widows an' orphans that you made and oppressed has ris up agin you at the long run! Ha! you beggarly nager! . . . Three groans for Yellow Sam, the extortioner! A short course to him! Your corners's warm for you, you villain!"

The analedictions and blessings of the old Irish peasantry, we may remark in passing, are often of the most imaginative kind, and exhibit that strange mixture of strong passion and playfulness, of the solemn and the ludicrous, which enters so largely into the Irish character, and presents such an inexplicable riddle to those who are entirely strangers to it. Thus, on one hand, 'Divil scald his tongue out! Hell bellows the sowl out of him,' &c. &c.: on the other hand, 'May the heavens be his bed this night! May every hair on his head be a mowld candle to light him to glory,' &c. &c.

The following is the account of M'Evoy's interview with his own family, after his return, on the evening of that eventful day:—

'At length, he was seen coming slowly up the hill; the ladies

were thrown aside, and the whole family assembled to hear "what was done."

'The father entered in silence, sat down; and after wiping his brow, and laying down his hat, placing his staff across it on the floor, he drew his breath deeply.

' "Dominick," said the wife, "what news? What was done?"

' "Vara," replied Dominick, "do you remember the day — fair and handsome you wor then — when I first kissed your lips, as my own darlin' wife?"

' "Ah, avourneen, Dominick, don't spake to me of them times. The happiness we had then is long gone, acushla, in one sense."

' "It's before me like yestherday, Vara, — the delight that went through my heart, jist as clear as yestherday, or the blessed sun that's shinin' through the broken windy on the floor there. I remember, Vara, sayin' to you on that day — I don't know whether *you* remember it or not — but *I* remember sayin' to you, that if I lived a thousand years, I could never feel sich happiness as when I first pressed you to my heart as my own wife."

' "Well, but we want to hear what happened, Dominick, achora."

' "Do you remember the words, Vara?"

' "Och! I do, avourneen. Didn't they go into my heart at the time, an' how could I forget them? But I can't bear, somehow, to look back on what we wor then, bekase I feel my heart brakin', acushla!"

' "Well, Vara, look at me. Amn't I a poor wasted crathur now, in comparishment to what I was thin?"

' "God he sees the change that's in you, darlin'; but sure t'wasn't your fau't or mine either, Dominick, avillish!"

' "Well, Vara, you see me now — I'm happier — before God, I'm happier, a thousand degrees, than I was thin. Come to my arms, asthore macree — my heart's brakin' — but it's wid happiness — don't be frightened — it's wid joy I'm sheddin' these tears! Jemmy is livin' an' well, childhre, — he's livin' an' well, Vara — the star of our hearts is livin' an' well an' happy! Kneel down, childhre — bend before the great God, an' thank him for his kindness to your blessed brother — to our blessed son. Bless the Colonel, childhre; bless him whin you're down, Protestant and all as he is. Oh! bless him, as if you prayed for myself, or for Jemmy, that's far away from us."

' He paused for a few minutes, bent his head upon his hands as he knelt in supplication at the chair, then resumed his seat, as did the whole family, deeply affected.

' "Now, childhre," said he, "I'll tell yez all; but don't any of you be so poor a crathur as I was to-day. Bear it mild and asy, Vara, acushla; for I know it will take a start out of you. Sure we're to go back to our own owld farm. Ay, an' what's more! — oh, God of heaven bless him! — what's more, the Colonel is to stock it for us, an' help us; an' what's more, Yallow Sam is out! out!"

' "Out!" they exclaimed, "Jemmy well, an' Yallow Sam out! Oh, father, surely" —

“Now behave, I say. Ay, an’ never to come in again. But who do you think got him out?”

“Who? — why God he knows. Who *could* get him out?”

“Our son, Vara—our son, childhre! Jemmy got him out, an’ got ourselves back to our farm. I had it partly from the noble Colonel’s own lips, an’ the remainder from Mr. Moutray, that I met on my way home. But there’s more to come: sure Jemmy has friends aquit to the Colonel himself; an’ sure he’s at a Catholic boordin’-school, among gintlemen’s childhre; an’ in a short time he’ll be a priest in full ordhers.”

The conclusion of the story will not bear to be told in other words than those of the author. The journey homewards of the poor scholar, after his ordination, his interview with the dying farmer who had treated him so kindly on his first journey, and his meeting with his parents and brothers and sisters, make one unbroken strain of soft sweet pathos, like the burthen of an old Irish melody, like the holy and happy decline of a holy and happy life—the sunshine of the better world falling on the sorrows of this, mellowing and brightening them.

We must here close our sketches and extracts. The stories of ‘Peter Connell’ and ‘Tubher Dag, or the Red Well,’ belong, in a great measure, to the class to which we have referred the ‘Poor Scholar;’ and, though inferior, are yet excellent, and in some scenes exquisitely touched. ‘Valentine M’Clutchy’—bating the coarse passages and the *sermonising*—and ‘Fardlo-rougha, or the Miser,’ are the best among Mr. Carleton’s longer and more ambitious, but, we think, not more successful, productions. Very little, if at all, below these in merit, are ‘The Black Prophet’ and ‘The Tithe Proctor.’ We, as has been already intimated, contemplate the merits of these tales and novels principally by the standard of fidelity to Irish character and Irish manners. If he could be induced to avoid for the future the blemishes which we have, with no unfriendly purpose, noted at the commencement of this Article, and would expurgate his already published works on the same principle and with an unsparing hand—putting into an Appendix or Notes, if not absolutely eliminating, the strictures and reflections already alluded to, whether uttered in his own proper person or through the lips of his interlocutors—we have no doubt that he would win for himself an extent of solid fame far beyond what he has already acquired, though not beyond what he even now deserves.

Since the preceding Article was put in type Mr. Carleton has given to the public a new Irish story, in two little volumes, —

‘The Squanders, of Castle Squander.’ It contains more of the faults already pointed out, and fewer of the characteristic excellences, than any one of his preceding works. The incidents are little else than a rehearsal of portions of ‘Valentine M’Clutchy,’ and of some of his ‘Traits and Stories.’ Several of the more interesting characters, too, are old acquaintances, and we see very little of them — they are so completely kept in the back ground by the thick heavy folds that hang over the front of the stage. We get a brief glimpse here and there of true Irish life: the rest is all about tenant-right and a multitude of other topics connected with politics and political economy. The volumes resemble certain editions of the Greek and Latin classics, in which a line or two of text at the head of the page rests on two long massive columns of notes. Or rather, they resemble a drama, which is interrupted every ten minutes with a sermon of half an hour’s length. The sermons, moreover, are neither very well written nor very well seasoned, and they swarm with small inaccuracies in statements of fact. Why will Mr. Carleton persist in spoiling his stories — to say nothing of the *needless* offence given to a large portion of his readers — by dissertations on topics which any fourth-rate newspaper correspondent would handle much better than he has done, leaving that field in which he stands without an equal among the living or the dead? We write in sorrow, not in anger. He is himself a true Squander of Castle Squander, neglecting the fine gifts with which nature has endowed him, and feeding on garbage and offal. We trust that this is the last of the prodigal: for there can be nobody, who will rejoice more heartily than we ourselves in seeing him return from the lecture room and the debating club to his true home in the heart and soul and every day life of the Irish peasant. We hope to meet him soon, reclaimed and ‘himself again.’

ART. V.—1. *Report of the General Board of Health on the Epidemic Cholera of 1848 and 1849. Presented to both Houses of Parliament by command of Her Majesty. London: 1850.*

2. *General Board of Health Report on Quarantine. Presented to both Houses of Parliament by command of Her Majesty. London: 1849.*

THOSE great modern innovators, the steam-boat and the railway, fix attention upon all the impediments which obstruct the progress of the traveller, or check the free com-

mercial intercourse of nations. Of these none is more conspicuous, none more vexatious, than quarantine; while the successful invasions of every country in Europe and America by Asiatic cholera, despite all the opposition presented by quarantine laws, lazarettos, and *cordons sanitaires*, have given to the whole civilised world, in our own day, a very significant intimation of the impotence of those laws to resist the incursions of epidemic disease. And our Chancellor of the Exchequer himself, in his manifesto of June 2nd, has proclaimed that 'the spirit of the age tends to free intercourse; and no statesman can disregard with impunity the genius of the epoch in which he lives.'

The system of quarantine is to be vindicated or condemned by *facts*, of the truth or falsehood of which every shrewd man of the world is as competent a judge, and upon which, if true, he is as capable of reasoning correctly as if he were a member of the medical profession. Nay, without adopting the sarcasm of the great anatomist, that 'the ancients endeavoured to make physic a science and failed; the moderns have made it a trade and succeeded,' we must not forget that, in this country, the office of the physician is, not to prevent but to cure disease; and that, accordingly, the art of preserving health and preventing disease is taught in no regular course of lectures at any of the great schools of medicine in the United Kingdom. Experience, indeed, teaches us that professional men are not the most fortunate advocates of professional reforms. For a quarter of a century we have witnessed successive Chancery reformers, and professional commissions of inquiry, labouring in unsuccessful attempts to remove the inveterate abuses of our Courts of Equity; they made demonstrations, indeed, and skirmished with the outposts; and new judges were created, and new courts were opened: but it was not until the administration of Lord John Russell appointed a commission, which included among its members two unprofessional men of vigorous minds, great sagacity, and extensive knowledge, whose feelings and sympathies were all with the client and against the system, that the stronghold of injustice and chicanery was forced to capitulate, and the gigantic abuses of the Master's Office were surrendered. So has it happened with the question under consideration; successive governments have followed with undeviating uniformity the notable precedent established by a celebrated club, of which it is recorded that the venerable members, having occasion to complain of the quality of their wine and of the size of the measures in which it was served to them, appointed a committee to investigate the grievance and devise a remedy, of which committee they nominated the landlord of the tavern where they held their meet-

ings to be the chairman, and his waiters to be the members. In like manner, the most unfortunate circumstance connected with the investigation of questions respecting the origin and prevention of epidemic diseases, is, that governments have been in the habit of relying implicitly on the authority and advice of persons employed in quarantine departments; although it is manifest that the official instincts, the prejudices, and the self-interest of such persons utterly disqualify them from giving a sound opinion on the subject. Nor are instances wanting, even in recent times, where a Report, in which loose statements of events in remote places are so manipulated as to present a plausible *prima facie* case of an epidemic having been imported through disregard of the principles of quarantine, has gained for its author the patronage of that department, and some mark of distinction, or some lucrative preferment in the public service.

This subject, however, being now happily emancipated from the trammels of a purely professional question, is no longer to be discussed upon merely technical grounds; and the time having arrived when it cannot fail to receive at the hands of statesmen and legislators that attention which its importance entitles it to demand, we shall endeavour to present the case fairly before our readers upon its practical merits, and to disabuse the public of some of those professional fallacies upon which has been constructed a system not less repugnant to the dictates of humanity than injurious to the interests of commerce—a system utterly powerless to arrest the progress of epidemic disease, but most powerful to multiply its victims and aggravate its horrors. The constitution of the General Board of Health, whose Reports upon Quarantine have drawn our attention to this subject, has been highly favourable to an enlightened, disinterested, and searching investigation of the question; for, while medical science was ably represented there, the majority of its members, being unprofessional, had nothing to unlearn; unfettered by the traditions of the schools, and unbiassed by professional prejudices, their feelings and sympathies were naturally with the patient and against the unchristian edict which said to him—
 ‘Thou art sick, and we visit thee not; thou art in prison, and we come not unto thee.’ And, accordingly, their Reports present a favourable contrast to most of the disquisitions on the subject so long as it was monopolised by medical writers, whose treatises commonly betray a lamentable ignorance of the most obvious rules of evidence, and a want of inclination or of ability to analyse the testimony by which statements of occurrences at distant places are supported. Loose general assertions by ignorant or interested people, and vague hearsay rumours, which no

court of justice would listen to for an instant in any question involving property of the most inconsiderable amount, are by an unreasoning credulity, which is perfectly incomprehensible in members of a learned profession, accepted without investigation or inquiry as indisputable facts, and are published and argued upon as conclusively proving the truth of doctrines upon which the health and the lives of whole communities depend. We have therefore perused with less surprise than shame the advice which, so recently as the year 1831, was addressed to the Executive Government by the most eminent physicians of London; and which was adopted by the Privy Council, and proclaimed to the public by Order in Council on the 20th of October in that year, when the steady march of epidemic cholera from Asia over the continent of Europe towards our own shores, warned us of the approaching danger at the same time that it demonstrated the utter futility of quarantine regulations, by overleaping every barrier which had been interposed to stop its progress, even in countries whose governments could command all the machinery necessary to execute such despotic regulations with all the rigour and precision of military discipline. The recommendations of this venerable body, true to the traditionary lessons taught in the schools, and blind to the lessons of experience taught by the events which were passing around them, proved that practically medical science had in this respect made no progress for upwards of two centuries; for they actually revived, and even surpassed, the barbarous counsels which prevailed in the days of King James the First, who inaugurated his reign in England by an 'Act for the charitable Relief and ordering of Persons infected with the Plague,' whereby, after reciting that 'persons infected being commanded to keep their houses, or otherwise separate themselves from company, do notwithstanding very dangerously and disorderly misdemean themselves,' it was enacted, 'that if any person infected, or being in an infected house, shall be commanded to keep his house and shall disobey, offering and attempting to break out and go abroad or to resist, and going abroad and resisting such keepers and watchmen as should be appointed to keep them in, it should be lawful for the watchmen, &c. with violence to enforce them to keep their houses, and if any hurt come by such enforcement to the disobedient persons, the keepers, watchmen, and their assistants shall not be impeached therefore.'* The Rules and Regulations, bearing date, College of Physicians, October 20th, 1831, 'for the purpose of prevent-

‘ing the introduction and spreading of the disease called cholera morbus in the United Kingdom,’ not only fully adopted the principle of this arbitrary statute, but sought to extend the application of its principle to whole communities instead of confining it to individual cases. They were signed Henry Hallford, President of the Board; and the Board comprised the following members:—Dr. Maton; Dr. Turner; Dr. Warren; Dr. MacMichael; Dr. Holland; Dr. Seymour (Secretary); Dr. Sir James MacGrigor, Director of the Medical Department of the Army; Dr. Sir William Burnett, Director of the Medical Department of the Navy; Dr. Sir William Pym, Superintendent-General of Quarantine; together with the Controller of the Navy, and the Deputy Chairman of the Board of Customs. After declaring that ‘the measures of external precaution for preventing the introduction of the cholera morbus BY A RIGOROUS QUARANTINE HAVE HITHERTO BEEN FOUND EFFECTUAL,’ these learned persons proceed to enunciate certain arbitrary regulations, founded upon this bold but incautious assumption, which are too numerous and minute to be given in detail; but we shall select some of the more vigorous measures which were proposed by them to the Executive Government for adoption; and which were ordered by the Privy Council to be ‘published in the “Gazette,” and circulated in all the principal ports, creeks, and other stations of the United Kingdom, with a view that all persons may be made acquainted therewith and conform themselves thereto.’ They claim a close affinity to the legislation of the olden time.

‘To carry into effect the separation of the sick from the healthy, it would be very expedient that one or more houses should be kept in view in each town, or its neighbourhood, as places to which every case of the disease, as soon as detected, might be removed, provided the family of the affected person consent to such removal; and in case of refusal, a conspicuous mark (“SICK”) should be placed in front of the house, to warn persons that it is in Quarantine; and even when persons with the disease shall have been removed, and the house shall have been purified, the word “CAUTION” should be substituted, as denoting suspicion of the disease; and the inhabitants of such house should not be at liberty to move out, or communicate with other persons, until, by the authority of the local board, the mark shall have been removed.’

‘It is recommended, that those who may fall victims to this most formidable disease should be buried in a detached ground in the vicinity of the house that may have been selected for the reception of cholera patients. By this regulation it is intended to confine as much as possible every source of infection to one spot; on the same principle, all persons who may be employed in the removal of the sick

from their own houses, as well as all those who may attend upon cholera patients in the capacity of nurses, should live apart from the rest of the community.'

'Wherever objections arise to the removal of the sick from the healthy, or other causes exist to render such a step not advisable, the same prospect of success in extinguishing the seeds of the pestilence cannot be expected. Much, however, may be done, even in these difficult circumstances, by following the same principles of prudence, and by avoiding all unnecessary communication with the public out of doors; all articles of food or other necessaries required by the family should be placed in front of the house, and received by one of the inhabitants of the house after the person delivering them shall have retired. Until the time during which the contagion of cholera lies dormant in the human frame has been more accurately ascertained, it will be necessary, for the sake of perfect security, that convalescents from the disease, and those who have had any communication with them, should be kept under observation for a period of not less than twenty days.'

'All intercourse with any infected town and the neighbouring country must be prevented by the best means within the power of the magistrates, who will have to make regulations for the supply of provisions.'

This regulation calls to mind the exploit commemorated by Milton, 'of that gallant man who thought to pound up the crows by shutting his park gate.'

'OTHER MEASURES OF A MORE COERCIVE NATURE MAY BE RENDERED EXPEDIENT FOR THE COMMON SAFETY, if unfortunately so fatal a disease should ever show itself in this country in the terrific way in which it has appeared in various parts of Europe; AND IT MAY BECOME NECESSARY TO DRAW TROOPS OR A STRONG BODY OF POLICE AROUND INFECTED PLACES, SO AS UTTERLY TO EXCLUDE THE INHABITANTS FROM ALL INTERCOURSE WITH THE COUNTRY; AND WE FEEL SURE THAT WHAT IS DEMANDED FOR THE COMMON SAFETY OF THE STATE WILL ALWAYS BE ACQUIESCED IN WITH A WILLING SUBMISSION TO THE NECESSITY WHICH IMPOSES IT.'

That regulations, such as these, which are alike contemptible in the eyes of science and opposed to every sound principle of legislation, should be advocated by superintendents of quarantine and their hangers-on, would excite no surprise; but that they should have been deliberately promulgated by a body of English physicians, among whom, besides the President of the College himself, were some of the most eminent of their day, is a phenomenon worthy to be recorded by the historian who marks the scientific progress of a nation.

The state of mind which admitted of incredulity respecting the influence of local causes in the propagation of this class of diseases, was of course incompatible with an appreciation of the

true value of such preventive measures as are founded on a knowledge of that influence. No sooner, however, was the Order in Council published which contained such outrages upon common sense and common humanity, as actually to contemplate the drawing 'troops or a strong body of police around infected places'—Liverpool, Manchester, Leeds, Hull, Bristol, Sunderland, or London itself, for instance—'so as utterly to exclude the inhabitants from all intercourse with the country,' than its reception showed that, if ignorant of nothing else, its authors were profoundly ignorant of the state and the strength of public opinion in their own country. They were quickly convinced, that laws, which might have been 'acquiesced in with a willing submission' in the reign of King James the First, were simply impossible in the reign of King William the Fourth. Accordingly, the subject being more fully and more closely investigated, the opinions were revised and the recommendations considerably modified. In less than a month, the public were assured, by a circular issued from the Council Office on the 14th of November, 1831, that 'with regard to precautions as to intercourse with suspected, or really infected persons or places, the Board are confident that good sense and good feeling will not only point out but *morally* establish, as far as may be practicable, the necessity of avoiding such communication as may endanger the lives of thousands. But they **STRONGLY DEPRECATE ALL MEASURES OF COERCION FOR THIS PURPOSE WHICH, WHEN TRIED UPON THE CONTINENT, HAVE BEEN INVARIABLY PRODUCTIVE OF EVIL.**' But so capricious is the exercise of arbitrary power, and so reluctant is poor human nature to withdraw altogether from error which has become habitual, that the measures which had been abandoned on shore as 'invariably productive of evil,' were, by a disgraceful inconsistency, retained on the water, where they could be enforced without encountering the universal opposition of the public at large. Thus at the very same time that the intercourse of Sunderland and Seaham with all other parts of Great Britain, by land was perfectly free and uninterrupted, so that even the attendants upon the sick and the dying might and did remove to any part of the country by land without let or hindrance, intercourse by sea was interdicted; and the very colliers arriving in the Thames were subjected to a rigid quarantine of fifteen days, from which the day and night coaches, with their full complement of passengers, were altogether exempted. Such were the counsels which prevailed during the cholera epidemic of 1831-2. 'At that time,' as is justly remarked in the First Report of the Metropolitan Sanitary Com-

missioners*, 'not only had no knowledge been acquired by
'experience of the true character of this disease, but nothing
'was known of the real condition of the classes which proved
'to be its first and easy victims, nor of the state of the locali-
'ties in which they lived. The metropolis of the poor has
'nothing in common with the metropolis of the rich, and as the
'map of London exhibits no trace of the lanes and alleys of the
'poor, so the very names of these places would at that time
'have sounded as strange to the inhabitants of our great
'thoroughfares and squares as the names of the streets of a
'foreign country.' But the very ignorance and incapacity
which were manifested on the occasion of that epidemic, coupled
with the opportunities which its outbreak in different places
afforded to intelligent people for observing facts with their own
eyes — particularly among the classes and in the localities where
the mortality was 'greatest — shook their faith in the vulgar
error of contagion, and caused them to look elsewhere for the
true sources of pestilence. Public attention, so long abused by
idle fables of epidemic fevers imported from abroad into low
lodging-houses in the foul clothes of seafaring men frequenting
those hotbeds of disease, was at length awakened to the pestilen-
tial condition of the districts themselves in which such lodging-
houses are situate; where diarrhoea and scarlet fever are ever
present to sacrifice youth, typhus manhood, and where, when
that epidemic influence prevailed, cholera invariably found its
victims of every age. The epidemic, however, having spent
itself, subsided; nor were the public taught, by any overt act
or even by any proposal of reform, to believe that the learned
persons themselves, to whom the guardianship of their health
had been confided, had turned the knowledge which they might
have acquired during the progress of the disease, to any prac-
tical account: they still clung to the doctrine that diseases are
imported and spread by contagion: no antiquated opinions were
retracted; nor were any remedial measures suggested founded
on the hypothesis that the low sanitary condition of a popula-
tion — as bad drainage, ill-ventilated and overcrowded dwellings,
offensive sewers, unwholesome water, and the thousand other
kindred abominations which afflict the poor — could exercise
any perceptible influence in producing and fostering epidemic
diseases. 'But quarantine pays no regard to these conditions.
'Blindly intent on accomplishing an impossible object, it over-
'looks the circumstances on which the existence and extension
'of disease really depend; and after the experience of centuries

‘ has shown the inutility of the securities it offers, it still proposes to go on reposing implicit confidence in them and in ‘ them only.’ (*Report on Quarantine*, p. 16.) It was not until six years afterwards, namely, in 1838, that men’s minds were strongly directed to these local influences. In that year the deplorable sanitary condition of large masses of the population in London was forcibly described by Dr. Southwood Smith, in a Report to the Poor Law Commissioners on the physical causes of sickness and mortality to which the poor are particularly exposed, and which are capable of removal by sanitary regulation. This and similar Reports by Dr. Arnott and Dr. Kay (now Sir J. Kay Shuttleworth) on the same subject, were published by the Poor Law Commissioners in their Reports of 1838 and 1839. The facts disclosed by these Reports necessarily attracted the notice of Parliament, and on the motion of Mr. Slaney, the late very useful member for Shrewsbury, a Select Committee was appointed by the House of Commons in 1840, to inquire into the circumstances affecting the health of the inhabitants of large towns and populous districts, with a view to improved sanitary regulations for their benefit.

The subject had now acquired such importance that by special direction of the Home Secretary the Secretary to the Poor Law Board was, in 1842, instructed to report fully upon the sanitary condition of the whole labouring population of Great Britain. His carefully revised and elaborate Report, justly produced a powerful impression on the minds of all thinking men, and had great influence in preparing the way for sanitary legislation: it was followed in 1844 by the appointment of Commissioners to inquire into the present state of large towns and populous districts, and the causes of disease among the inhabitants; and in 1847, by the appointment of Commissioners for inquiring whether any and what special means may be requisite for the improvement of the health of the metropolis. The frightful disclosures contained in these several reports, and particularly in the valuable report of the Metropolitan Sanitary Commissioners, proved that all these classes of epidemic or zymotic diseases invariably prevailed in the same localities, ravaged the same classes, and were dependent for their severity and extension upon the same sanitary conditions. A general conviction followed, when the cholera epidemic of 1848-9 was impending over us, that the preservation of the public health by removing the local causes of pestilence was one of the duties of Government which had been too long neglected. At the end of the Session of 1848 the Public Health Act, and the Nuisances Removal and Diseases Prevention Act (which had been introduced by Lord Carlisle)

were placed on the Statute Book; and a General Board of Health was constituted to administer their provisions. But, unfortunately, this favourable opportunity for revising the Quarantine Laws, and for placing the whole sanitary administration of the country in the hands of one efficient and responsible body, was lost.

When this new Board was appointed, comprising as it did the names of men who, having been most active in conducting the previous inquiries, were, by long study and accurate observation, completely masters of the subject in all its details, their attention was diverted from the duties which in ordinary times would have devolved upon them, by finding themselves forced to grapple with the epidemic of 1848, now threatening to spread itself over the country. Happily the knowledge acquired in their previous inquiries enabled them to encounter with promptitude, vigour, and success the difficulties of the crisis. They knew both the places where and the classes among which the disease would inevitably appear, if it appeared at all; they warned the local authorities of the dangers which menaced them; taught them to estimate the exigence of the moment, and the value of that moment well employed; instructed them in the means of averting these outbreaks, and if such means should be neglected, and the outbreak should occur, taught them how it could be suppressed. The complete success which attended the adoption of the measures recommended is shown in the Report on Cholera, as exemplified in the Metropolis, in Glasgow, in Bristol, in Dumfries, in Paisley, and in other places. The result at the same time furnished absolute demonstration of the soundness of the principles upon which the Board was acting. While they were engaged in these useful labours, and endeavouring to instruct the people in the true causes of these outbreaks, and in the true means of preventing them, another department of the executive made known its existence by placing in quarantine all ships, British and foreign, coming from Hamburgh or any other suspected port; and these needless severities were continued until the cholera, with its customary disregard for the orders placing it in quarantine, made its appearance in different parts of the United Kingdom. As was anticipated and predicted, it returned to the same countries, to the same cities and towns, and even to the same streets, houses, and rooms, which it ravaged in 1832. It is true that many places were attacked in the recent epidemic which had escaped in the former; but very few indeed that suffered then, escaped now, except in some few instances in which sanitary improvements had in the meantime been effected. In some instances

it reappeared on the very spot on which it first broke out sixteen years before. The first case which occurred in the town of Leith, in 1848, took place in the same house and within a few feet of the very spot from whence the epidemic of 1832 commenced its course. On its reappearance in the town of Pollokshaws, it snatched its first victim from the same room and the very bed in which it broke out in 1832. Its first appearance in Bermondsey was close to the same ditch near which the earliest fatal cases occurred in 1832. At Oxford, in 1849, as in 1832, the first case occurred in the county jail. This return to its former haunts has been observed in innumerable other places. The same has been the case abroad. At Gröningen, in Holland, the disease in 1832 attacked in the better part of the city only two houses, and the epidemic made its first reappearance in these two identical houses in the visitation of 1848. In numerous instances medical officers, who had attended to the conditions which influence its localisation, pointed out, before its return, the particular courts and houses on which it would seize. 'Before cholera appeared in the district,' says the medical officer of the Whitechapel Union, speaking of a small court in the hamlet, 'I predicted that this would be one of its strongholds.' Eighteen cases occurred in it. Before cholera appeared in the district, the medical officer of Uxbridge stated that if it should visit that town it would be certain to break out in a particular house, to the dangerous condition of which he called the attention of the local authorities. The first cases that occurred broke out in that identical house. In a place called Swain's Lane, in the healthy village of Highgate, near London, there is a spot where the medical officer felt so confident that the disease would make its appearance, that he repeatedly represented to the authorities the danger of allowing the place to remain in its existing condition, but in vain. In two houses on this spot, six attacks and four deaths took place; yet there was no other appearance of the disease, during the whole epidemic, in any other part of the village, containing 3000 inhabitants.* 'Before the appearance of the disease in this country,' say the Board of Health, 'we warned the local authorities that the seats of the approaching pestilence would be the usual haunts of other epidemics.' This conviction was founded on evidence to which subsequent experience gave the force of demonstration; for, as the Board had anticipated and predicted, the usual haunts of typhus and diarrhoea in ordinary seasons actually became, when the epidemic influence aggra-

* Report on Epidemic Cholera, pp. 18, 19.

vated the form of these diseases, and for the time banished almost every other form of disease, the chief abiding places of cholera.

We will not weary our readers with the instances cited from Bethnal Green, from Rosemary Lane, Whitechapel, from Plymouth, from Manchester, from Barnard Castle, from Doncaster, from Wolverhampton, from Alnwick and Canongate, from Gainsborough, Burslem, Nantwich, Clitheroe, Penzance and elsewhere, which establish the fact beyond the possibility of doubt.

The disease often attacked definite spots in the districts which it invaded, confining its ravages to particular streets, the adjoining streets escaping; and even to one side of a street, scarcely a single case occurring on the opposite side. Thus at Rotherhithe, in a street where numerous deaths occurred, the attacks were almost entirely confined to one side of the street, occupied by several respectable private families, the disease appearing in only one house on the other side. 'The disease,' says the medical officer of the parish, 'passed right through and across several of the streets like a cannon ball.' At Bedford two streets are named as having each suffered on one side severely, the other nearly escaping. At Bristol, and in several other towns, the same fact was observed, and it has been noticed in foreign cities, particularly at St. Petersburg. In this respect, also, cholera bears a marked resemblance to typhus, yellow fever, and plague. While the pestilence thus passed over adjoining spots, it sometimes attacked places in groups; that is, it seized on a certain number of courts, alleys, or streets, decimated their inhabitants, then ceased, and broke out in a similar manner, often at the opposite extremity of the district, occasionally returning again, after an interval, to the first locality. In this manner the occurrence of six, eight, or even more deaths was not uncommon in a particular house; but such a house did not form a centre from which the disease spread to neighbouring houses, and thence over the district. On the contrary, simultaneously with the attack in this particular house, or as soon as the work of death had been accomplished in it, the disease reappeared at a considerable distance, the intervening houses escaping. The history of its progress from Asia to Europe, and through the several countries of Europe, shows that it advanced not by a strictly continuous, progressive, and uninterrupted course; but that at one time it sprang at a single bound over a vast tract of country, while at another time its course was retrograde. Its progress through a city was similar, there being in general no regular continuity in

its course, but its progress consisting in a succession of local outbreaks. Hence in the course of the house-to-house visitation, which will be described hereafter, the disease having disappeared from one district, the medical staff were obliged to follow it to another, and thence to a third, and so on from district to district till the whole local epidemic seizure was at an end.

This law of the disease, that it spreads not by continuity of time or place, but occurs at irregular periods, and extends by a succession of local outbreaks, is decisive proof that it is propagated not by the contact of one infected person with another, but by a general influence operating on particular localities and persons, according to certain localising conditions and predisposing causes. We have not space to detail the horrible particulars, contained in the Report on Cholera, of the localising conditions and predisposing causes which existed in the spots where the epidemic raged with its greatest virulence. The effects of over-crowded, ill-constructed, and badly ventilated dwellings were evidenced by the outbreak of cholera in the workhouse at Taunton, where in the course of one week 60 of the inmates were swept away; in the lodging of the hop pickers at East Farleigh, near Maidstone, where the inmates were so huddled together that each individual had for respiration about 50 cubic feet of air, and where in a population of about 1000, within four days of the first seizure there occurred upwards of 200 cases of diarrhoea, 97 of developed cholera, and 47 deaths. Precisely similar was the onslaught of cholera on the pauper children at Tooting. But the most striking effects of over-crowding are seen in climates where the conditions of disease are the most intense, as in India, where in the native town of Kurrachee, consisting of ill-ventilated mud hovels, 1 inhabitant in 10 died of cholera; whereas of the same class of persons inhabiting the Bazaar, which was well constructed and ventilated, the proportion of deaths was only 1 in 30; while in the over-crowded jail at Hyderabad, of 400 prisoners 96 were cut off in 48 hours.

The baleful effects of an atmosphere contaminated by the emanations arising from filth accumulated in and about dwellings are now universally acknowledged that we pass over the instances in which such localities are proved to have been the foci of epidemic disease. Such were — manufactories of artificial manure; the noxious animal effluvia emanating from bone-boiling establishments; offensive sewers and piggeries; grave-yards; foul canals and ditches; want of drains, bad drains, and sewers unskilfully constructed; unwholesome water; and all the impurities which pervade those parts of any town where sanitary

measures are neglected, or, as too frequently happens, are so badly carried into effect as to increase the evil they are intended to remedy. The evidence which traced the disease to these causes is complete and incontrovertible. But the case does not rest here. As we have shown that where sanitary precautions are neglected, there epidemic diseases will prevail, we shall proceed to complete the demonstration by showing that the converse is equally well established, and that where sanitary measures have been applied, there epidemic diseases will be avoided. Large groups of people who were living, during the whole course of the epidemic, in the localities where it was raging, and who belonged to the classes that were the chief sufferers, altogether escaped.

‘ Among the most remarkable of these exemptions were the establishments provided in the metropolis for lodging the poorer classes, founded for the express purpose of proving the influence of sanitary arrangement in preventing excessive sickness, and improving the physical well-being of the inhabitants.

‘ In George Street, Bloomsbury, and Charles and King Streets, Drury Lane, there are establishments for lodging single men, in which, though the sanitary arrangements are by no means perfect, the inmates are exempt to a considerable extent from the evils of bad drainage, accumulations of filth, over-crowding, and personal uncleanliness.

‘ These houses contain 210 inmates, among whom, with one exception, there was no case of cholera, the exception being an old man of intemperate habits, who rarely tasted animal food. All the other inmates escaped. It is remarkable that in George Street there were ten and in Charles Street two cases of diarrhoea, thus demonstrating that the epidemic influence was upon them, but that the improved sanitary conditions under which they were placed enabled them to resist it. In the house in King Street there was no case either of cholera or diarrhoea.

‘ In the Lower Pentonville Road, there is a group of buildings consisting of 24 houses, containing between 80 and 90 inhabitants. Here the sanitary conditions are upon the whole better than those of the establishments in Bloomsbury and Drury Lane, and the inmates of these houses enjoyed a complete immunity both from cholera and diarrhoea.

‘ In the Old Pancras Road is situated a large structure, called “Metropolitan Buildings,” which is let out as separate tenements to families. It contains upwards of 500 inmates, of whom about 350 are children. This building is well drained, is kept clean, and an abundant and constant supply of water and other conveniences are provided for the inmates. Though the structural arrangements of this building admit of considerable improvement, yet its sanitary condition is far superior to that commonly found in the dwellings of the poor. A corresponding improvement has taken place in the health

of its inmates. Taking the full period of its occupancy, its total mortality as compared with the general mortality of the metropolis, has been diminished one half, and as compared with the mortality of the worst parts of the metropolis it has been diminished two-thirds; while its infant mortality, the most delicate test of the healthfulness of a place, has been at least five times less than that of some parts of the metropolis. From its remarkable exemption from disease in general, and especially from the zymotic class of disease, notwithstanding it contained so large a proportion of infants, a confident hope was entertained that it would escape any visitation from cholera: and that hope was realised, for not a single case of cholera occurred among its inmates, and only seven cases of diarrhoea, although at a distance of between 300 and 400 yards from the building there were three deaths from cholera in one house; in an adjoining court the disease was very prevalent and mortal; the whole neighbourhood was afflicted severely with diarrhoea; and in this parish, though at some distance from this particular spot, within a space of 200 feet in length 20 fatal cases of cholera occurred.

‘ On board the American ship “Eagle” a sudden and violent outbreak of cholera took place precisely similar to an outbreak in a village, or the localisation of the disease in the district of a town. Here the sufferers were exclusively steerage passengers. They were over-crowded, and had no proper ventilation. There were in all 250 of these passengers, of whom a large proportion were attacked with diarrhoea, 21 with developed cholera, and 13 died. The cabin of this ship was large, commodious, clean, and well ventilated; and while the epidemic was raging in such close proximity to them, the passengers in this better conditioned part of the ship enjoyed a complete exemption not only from cholera but even from diarrhoea.

‘ In the Model Prison, at Pentonville, in the structure and arrangement of which important sanitary improvements have been introduced, out of an average of 465 prisoners, there was no attack of cholera and very little diarrhoea.

‘ Giltspur and Newgate prisons enjoyed, the former a complete, and the latter all but a complete, exemption from the disease, though situated in a district which suffered with extraordinary severity from the epidemic.

‘ In the House of Correction, Cold Bath Fields, in the epidemic of 1832, when the number of prisoners was 1,148, there occurred 319 cases of premonitory diarrhoea, 207 of developed cholera, and 45 deaths. At that time the drainage of the prison was defective, the sewers, which were dry-built, without mortar, had in places fallen in, and were choked with soil; and, owing to the defective structure of the drains, their contents were not carried off. Subsequently the whole sewerage of the prison was rebuilt, and, on a late examination of it, was found to be in good order. The ventilation had been improved, and a small open fire, placed in each of the day rooms, appears to have operated beneficially, by preventing cold and dampness. In the late epidemic, among 1100 prisoners, there was not a single case of cholera, and only a few cases of diarrhoea, which, by

prompt attention, were prevented from passing into the developed form of the disease.

Bridewell Prison, in 1832, is described as having been in a most filthy state, the dirt on the walls being merely covered with lime-wash, so that when a thorough purification took place the walls were found coated with filth to the depth of two inches; three prisoners were allowed to occupy a single cell, no attention was paid to personal cleanliness, and there was a deficiency of medical superintendence. In the epidemic of that period 12 of the prisoners were attacked with cholera, and four died. The prison is now kept clean, personal cleanliness is enforced, only one inmate is allowed in a cell, and the prisoners are under strict medical superintendence. In the late epidemic cholera raged on all sides of this prison, in houses closely contiguous, separated only by a narrow court; yet, among 90 prisoners, no case of cholera occurred, and only one case of diarrhoea, though fresh prisoners were daily brought in of the lowest class, and in the greatest state of filth.

Attention has already been directed to the violent outbreak of cholera in the workhouse of Taunton, in which only 68 cubic feet of space was allowed to each child. In the county jail, situated in the same town, the space allowed to each prisoner ranges from 819 to 935 cubic feet; each cell is perfectly ventilated, and an equable temperature is maintained through the twenty-four hours. Every prisoner has an unlimited water supply, and personal cleanliness is strictly observed. The inmates of the jail, being thus surrounded by the appliances of health, escaped without experiencing the slightest touch of the epidemic; while,—and the contrast will excite not only the attention of the philanthropist, but also that of the statesman,—of the 276 inmates of the workhouse, no fewer than 60, or nearly 22 per cent. of the whole number, died of cholera within one week, and nearly all the survivors suffered to a greater or less extent from cholera or diarrhoea.

Proceeding from the jail and the workhouse to the lunatic asylum, we find that Bethlem contains, on an average, 400 inmates. During the late epidemic no case of cholera occurred in this establishment, which enjoyed a similar exemption in 1832. Yet cholera prevailed extensively and severely within a hundred yards of the building. Mr. Granger states, —

“Some years ago a particular gallery attracted the attention of the authorities, in consequence of the inmates suffering from fever and diarrhoea. This was the more unexpected, because the gallery was one of the most favourably situated in the whole establishment; it was lofty, very airy, and not at all crowded, and the patients were of the healthiest class. Upon examination it was ascertained that, owing to some defect in the water-closet, a leakage of the soil had taken place beneath the floor. This was corrected; the sickness ceased, and this gallery has ever since continued as healthy as any part of the Institution.”

From the report of the resident medical officer of the asylum at Hanwell, it appears that no case of fever has occurred in that institu-

tion, containing 961 inmates since his appointment—a period of four years, and that he has been unable to find any record of such an attack for a much longer time. There is unmistakable evidence that during the late epidemic this institution was not exempt from its influence, for 140 females were attacked with diarrhoea, 17 in one night, together with one nurse, all in the same ward, the diarrhoea being attended by great exhaustion, but none of these cases passed into the developed form of the disease, and no case of cholera occurred.

‘ We are next conducted to the great hospitals of the metropolis. In St. Bartholomew’s Hospital, for example, 478 cases of cholera were admitted into some detached wards. The average number of ordinary patients is 500, and there are upwards of 100 female attendants; out of this large number of nurses not a single case of cholera occurred. It is stated that great attention is paid to the sanitary condition of the establishment, and that in the year preceding the late epidemic the sum of 2000*l.* was expended in improving the drainage of the hospital, which is represented as being now in a very efficient state.

‘ Similar exemptions are described as resulting from improvements recently introduced into St. Thomas’s Hospital and Middlesex Hospital.

‘ Dr. Sutherland, after giving an abstract of the localising causes in the various cities and towns under his inspection, and pointing out the circumstances under which certain portions of them were exempted from cholera, sums up the result of his experience as follows:—

“ In every district which it attacked its ravages were most fatal where the sanitary conditions were the worst. It took a smaller number from amongst those who lived in healthier localities; and, as a general rule, it may be stated, that those parts of our cities and towns which careful observation would pronounce as likely to be the most healthy, escaped almost entirely. The epidemic was no respecter of classes, but was a great respecter of localities—rich and poor suffered alike or escaped alike, according as they lived in the observance or violation of the laws of their physical well-being.”

Even when the exemption was not (as in the preceding examples) complete, numerous instances occurred in various parts of Great Britain in which marked benefit was experienced from even minor sanitary improvements. But we should abuse the indulgence of our readers by pursuing this branch of the subject further.

In every European city, as well as in the United States of America, the pestilence gave distinct warning of its approach, and intimated, by signs not to be mistaken, the severity of the impending attack. An extraordinary prevalence and mortality

of the classes of disease which have been observed usually to precede it foretold its approach and intensity: —

‘At Moscow, at St. Petersburg, and other Russian towns, its outbreak was preceded by a general prevalence of influenza and intermittent fever, the latter in many continental cities taking the place of typhus in this country. Diarrhoea also was generally prevalent before the actual outburst. At Berlin, intermittent fever, dysentery, but especially diarrhoea, were epidemic. The same diseases, but particularly intermittent fever, scarlet fever, and influenza were prevalent at Hamburgh. In London there had been during the preceding five years a progressive increase in the whole class of zymotic diseases, amounting to an excess above the average of 31 per cent.; while the mortality from typhus, which in 1846 considerably preponderated over that of 1845, was still higher in 1847, and exceeded in 1848, by several hundred deaths, the mortality of any preceding year. The deaths from scarlet fever were also greatly above the average; and such was the mortality from influenza, that in 1847 and 1848, almost as many at the earlier periods of life perished by this disease as by the more terrible epidemic that followed it; but the malady which all along continued its course with the most steady progress was that which was the most nearly allied in nature to the approaching epidemic, namely, diarrhoea; the deaths from this disease in the five years ending with 1848 amounting to 7580; whereas in the preceding five years they were only 2828; while taking separate years in this series, the deaths were in 1848 more than seven times greater than in 1839, and nearly five times greater than in 1841. All these circumstances indicated an epidemic force extending over the metropolis and steadily increasing, which justified the prediction of the Metropolitan Sanitary Commissioners — founded on their observation of the increased crowding of the population, its state of filth, its low sanitary condition, and the actual prevalence among the people of the diseases that precede and give warning of the approach of the pestilence, — that the impending epidemic would be more severe than that of 1832; and the event fully realised the prophecy.’

These facts attest the soundness of the conclusions to which the Board of Health are led in their Report on Quarantine: —

‘But there is another consideration which alone appears sufficient to show that no reasonable confidence can be placed in quarantine as a means of protection against the introduction of pestilential diseases. Epidemics are in general really present in a country, and disorder the health of the people, before they are manifested in their peculiar and recognised forms. The significant signs by which their presence is declared are commonly called premonitory symptoms. These premonitory symptoms are more than warnings — they are indications of the actual presence of the disease — evidences that it has already commenced its work.

‘It has long been observed that great epidemics are usually preceded by circumstances evidentiary of a change of condition in the

health of the people, which is commonly regarded as constituting a predisposition or susceptibility to their influence some time before they make their decided and general attack. Thus it was observed by Sydenham, who has left a record of the epidemics that prevailed in London in the middle of the 17th century, for a successive period of sixteen years, including the time immediately before and after the great plague, that a remarkable change took place in the character of fevers and other diseases, approximating the general type of disease in several striking features to the distinguishing characteristics of the pestilence at hand, some months before that dreadful malady assumed its distinct and proper shape, which it did at last quite suddenly.

‘ A similar observation was made and recorded by Dr. Southwood Smith with reference to the type of fever in London six months before the visitation of cholera in 1832. During the six months immediately preceding the first appearance of cholera in this country, the character of fever in London so entirely changed, that typhus, which for a long series of years had been essentially an inflammatory disease, became a disease of debility, so closely resembling cholera, that the fever into which cholera patients commonly fell could not be distinguished from the primary fever found in the wards of the Fever Hospital when cholera was at its height, which had appeared there for the first time six months previously, but which has never disappeared since.

‘ Before the erection of quarantine as a barrier, therefore, the disease is already in the country busily in action, vitiating the blood of the most susceptible of the population, and preparing the way for its general outbreak.’ (*Report on Quarantine*, pp. 12, 13.)

The cases of cholera in London in 1848 were among the first that appeared in Great Britain. The Board of Health had made the best provision, not only to prevent its extension, but also to watch its progress; and, aware of the importance of accurately observing the earliest cases of an epidemic, with a view to judge of its mode of propagation, they made arrangements for specially investigating on the spot every case that might occur the moment it was reported. Dr. Parkes, who had had much experience of the disease in India, was charged with this duty. The first undoubted case of Asiatic cholera occurred on Sept. 28.; from that day to the 10th of October there were in all 28 cases. Dr. Parkes's report gives the following results of the inquiries into them:—

‘ 1. These 28 cases occurred in 10 different localities.

‘ 2. These localities were not near each other, but were situated at remote distances.

‘ 3. In not a single instance, as far as could be traced, had the first person attacked in one locality been in contact or proximity with a person previously sick in another locality, and in some instances such contact or proximity was impossible.

' Thus the first case occurred (September 28th) at Horsleydown; two days afterwards (September 30th) two more cases occurred simultaneously, the one at Lambeth and the other at Chelsea; on the following day (October 1st) another case occurred in the City, in Harp Court, Fleet Street; the next day (October 2nd) a case occurred in the Justitia Hulk, at Woolwich; and three days afterwards (October 5th) the disease broke out simultaneously in the Dreadnought (hospital-ship) off Greenwich, and in Spitalfields.

' A convict was seized in the Justitia hulk at Woolwich on the 2nd of October, but the convicts at Woolwich, though they work in the dockyard, are watched by armed soldiers, and are allowed no intercourse whatever with other persons, while the Justitia herself lies about three miles below Greenwich, far apart from any other vessel except the convict hospital ship, no merchant vessel anchoring at this point of the river; so that, if cholera had been raging in Woolwich, and had been prevailing in the vessels in the Thames above Woolwich, the origin of cholera in the Justitia would not have been attributable to contagion. But there was no cholera in Woolwich, or in the merchant vessels in the Thames; and the only cases in London which were anterior in point of time to this in Woolwich were those at Horsleydown, seven or eight miles distant; Lambeth twelve or thirteen miles distant, Chelsea thirteen or fourteen miles distant, and Fleet Street ten or twelve miles distant. The occurrence of contact or proximity between these individuals and the convict at Woolwich may therefore be said to have been absolutely impossible.

' So again in the Dreadnought hospital-ship a man was attacked on the 5th October. The Dreadnought, as has been just stated, lies off Greenwich three or four miles distant from the Justitia, with which it holds no kind of communication; it is also many miles distant from Horsleydown, Lambeth, Chelsea, and Fleet Street. This man had been on board the hospital-ship under treatment for another complaint a month before his seizure; he could not therefore have been in contact or proximity with any of the nine cases which occurred previous to his attack, and no sailor arriving from any infected place had been admitted with any complaint whatever for some considerable time. "By permission of the officers," says Dr. Parkes, "I took the opportunity of inspecting the admission book, and learned that no sailor arriving in a ship from any port in or near which cholera was or had been prevalent had been admitted for any complaint whatever for a considerable time. The disease therefore could not have been brought on board by the clothes of some non-infected individual arriving from an infected ship."

At Glasgow the same results were obtained:—

' The parochial surgeon of the district in which cholera first broke out states that no communication could be traced between the individuals first affected; and that 21 cases occurred under his own charge before he saw an example of two persons *consecutively* attacked in the same house or even in the same neighbourhood, that is, in the same street or lane. In 13 instances relatives lay in the same beds

with the sick without being affected. In 9 cases children were suckled by women labouring under the disease, and yet not one of them was attacked.

‘ In numerous instances a person in sound health and living habitually in a pure atmosphere, on going into an infected locality and remaining there a short time, but without seeing or holding any intercourse with an infected person, imbibed the poison, went back into the country, and there sickened of the disease and died. • In no instance that has come under our notice did such an individual communicate the disease to his nurse or to any member of his family, and in no case was his return followed by the spread of the disease in the neighbourhood.’

From the 15th to the 22d of October fifteen cases of cholera occurred among the convicts in Millbank Prison. The first was that of John Fisher, who had been there upwards of five months: he had no communication with any persons except the officer of his ward, the supervisor of his pentagon, the schoolmasters, the chaplains, and occasionally other prisoners of his own ward. None of these officers had been in any district where cholera prevailed; no prisoners had been received from Woolwich, and no stores from any place known to be infected. No prisoner in the same ward, or even on the same floor of the pentagon, was afterwards attacked, and the succeeding cases occurred for the most part in the most distant and separate parts of the building. In one instance two men occupying contiguous rooms were attacked, the one two days after the other; but the two rooms did not communicate directly with each other, and the two men had no direct intercourse; but there were several other prisoners in the cells with them, none of whom were attacked.

‘ “In the Infirmary,” says Dr. Baly, Medical Superintendent of the Prison “where there was the most chance of infection occurring, “since, although a special room is set apart for the cholera patients, “this room communicates with the other parts of the Infirmary, none “of the patients admitted for other diseases have been attacked with “cholera; and excepting the instances above referred to, the men “attacked with cholera in the pentagons have all been in different “wards, and where two cases have occurred in one pentagon this has “been even on different floors. In each of these cases it appears to “me there would be the same difficulty in accounting for the produc- “tion of the disease by contagion as in the case of Fisher. After an “unbiased consideration of all the facts, therefore, I can but con- “clude that cholera has not shown itself to have a contagious cha- “racter in this prison.”

‘ From the preceding evidence the conclusion is inevitable that the first cases of cholera in London, whether occurring in the metropolis generally or in particular establishments, did not originate and spread by contact or proximity of the infected with the uninfected. This

observation is in accordance with the facts recorded with reference to plague by those who have had opportunities of observing the progress of this disease in the countries and cities in which it prevails as an epidemic, who state that on its outbreak the first cases are in like manner isolated; that they appear in localities remote from each other; and that there is no traceable communication between the persons first attacked.'—*Report on Quarantine*, p. 29.

'An attentive consideration of the course of the disease from nation to nation is not favourable to the view of its propagation by contact from person to person. But an inspection of the dates when the disease first made its appearance in the several towns and cities of this country is still more decisive against this opinion. For example, on its first outbreak in 1848 cases of it occurred, as reported to us, on the same day at Lasswade, near Edinburgh, Sunderland, and Hounslow; on another day at Falkirk, Tynemouth, and Chelmsford; on a third at Greenock, Preston Kirk, Monckland, Blantyre, Thornhill, and Cambridge, and the like instances might be multiplied to a great extent.

'In Dundee, Bristol, Liverpool, Hull, and every town in Great Britain in which the first cases were accurately observed, its invasion was similar; so that this approach by isolated attacks, at considerable distances as to place, and intervals as to time, may be regarded as one of the laws of the epidemic. The popular notion that cholera is sudden in its invasion of a place, or district, is as unfounded as the former prevalent opinion that it is sudden in its attack of the individual person. Experience has refuted both these opinions, and established the very opposite fact, namely, that, at least in this country, it is gradual and even slow in its approach. And the recognition of this law is of the highest importance in a practical point of view. These isolated cases occurring in any locality during the prevalence of a general epidemic constitution, are unequivocal and certain signs that an outbreak is impending over that place. They are warnings not to be mistaken, demanding the immediate and energetic adoption of preventive measures.'

From the facts—that this disease is not sudden in its attack, that it gives warning of its approach in time for the adoption of effectual means to arrest its progress, that even where its prevalence is most extensive its presence is confined to circumscribed localities, that in those very localities the mortality is restricted within an exceedingly narrow space, and that it seldom continues long at any one point, but attacks numbers of points in succession,—the practical inference was deduced that if those precious moments which intervene between the premonition and the attack were properly employed, the actual attack might be averted. Accordingly, a staff of qualified persons, consisting chiefly of medical students and young men commencing practice, was organised to make a house-to-house visitation in every locality in which the disease might break out, taking

with them appropriate remedies for the premonitory stage, which they were instructed to administer on the spot. It was found that a large staff was not needed for this service, but that if those who undertook it devoted their whole time to the work, and performed it with the precision of a military movement, a small number of persons could visit every house in an infected locality once, twice, and even three times daily. This was actually done in every part of the kingdom visited by this plague where the advice of the General Board of Health was followed. The following are among some of the most remarkable results:—

1. The discovery of a number of dead bodies in the houses visited, the individuals having died of cholera without having received any medical assistance whatever.
2. The discovery of great numbers of cases of cholera in various stages of development, rapidly proceeding to a fatal termination, without medical assistance, or the slightest apprehension of danger on the part either of the sufferers or their friends.
3. The discovery of a vast number of cases of premonitory diarrhœa, without any medicine being taken, without any change being made in diet, without any thought of sickness, and much less without apprehension of the actual presence and positive commencement of a mortal malady.
4. A sudden increase in the number of applications at dispensaries for the supply of medicines, one special duty of the visitor being to direct all persons who might be taken ill after his visit to make instant application for aid to the nearest dispensary.
5. An immediate and progressive diminution in the number of developed cases of cholera.
6. An apparent increase in the number of the premonitory cases; premonitory diarrhœa taking the place of developed cholera.
7. A decided diminution in the number of fresh attacks.
8. A decided diminution in the mortality.
9. Sometimes a rapid cessation of the disease, and invariably a steady progress towards it.

Thus, at Dumfries, with a population of 10,000, before the visitation system was commenced, 147, and before it was in full operation, 250 of the townspeople had perished. On the three first days during which the system was in partial use, the fresh attacks daily were respectively 37, 38, 23; and the deaths, 9, 6, 9; on the three succeeding days, when it was in full activity, the attacks diminished to 11, 14, 12, and the deaths to 7, 3, 6; and on the following three days the attacks sunk to 8, 4, 2, and the deaths to 6, 4, 5; in three days more the epidemic was at an end. At Charleston, a suburb of Paisley, when the system of visitation commenced, the fresh attacks amounted to 23 daily; on the fourth day after the system was

in complete operation they fell to 3 daily, and in a few days more the pestilence ceased. At the small village of Nordelf, out of a population of 150 souls, there had occurred no fewer than 50 attacks of cholera. At this point the visitation system was introduced, after which only four new cases occurred, and these were saved. Out of the large and peculiarly predisposed population of Glasgow, 15,000 cases of premonitory diarrhoea were promptly brought under treatment; of these 1000 had already advanced to the stage of rice-water purging, yet out of this total number only 27 passed into developed cholera. The results were still more striking in the Parkhead district of the Barony Parish, Glasgow; where the system of visitation proved that the premonitory cases were to those of developed cholera in the proportion of 3000, 3300, 5900, and even 6000 per cent.; and where, tracking the pestilence by its invariable sign from street to street, and house to house, and room to room, it arrested its course, and prevented it from passing beyond the premonitory stage. The result was similar in the Metropolis, in Manchester, in Bristol, and other large towns. We forbear to give the details. It may suffice to state that the most earnest testimony is borne to the extraordinary efficacy of this mode of dealing with the pestilence from every place in which it was tried, and that it is now admitted by all — medical men and others — who have turned their attention to the results of this most important and instructive experience, — that if epidemic cholera should again break out in this country, the first duty of the Government and of local authorities will be to organise a plan for carrying this measure into prompt and efficient operation.

A most elaborate Report on Epidemic Cholera as it prevailed in the United States, in 1849–50, has been given to the world by Dr. James Wynne, Chairman of the Medical Department of the National Institute and Chairman of the First Committee of the Public Hygiene of the American Medical Association. The rise and progress of the disease in several different parts of the Union where it appeared are traced with minute accuracy; the first cases of seizure in each place are examined with the greatest care, and are found to have arisen among the same classes of persons, and in the same kind of places, while the mode of attack was the same, as in Great Britain. The haunts of the ordinary autumnal fever of the country supplied the epidemic with victims. In fact, we find in Dr. Wynne's Report a perfect counterpart of the history of the epidemic in Great Britain. Wherever the atmosphere was polluted by filth, foul drains, overcrowding, and the other local sources of pestilence, there the

epidemic commenced and flourished, in the new country as in the old; and it is most satisfactory to find that the same sanitary measures of precaution which we have shown to have averted the epidemic wherever they were adopted in Great Britain, are proved by Dr. Wynne to have been alike successful in the United States of America. His Report covers a large and diversified field, including New Orleans, Memphis, Nashville, St. Louis, Louisville, Cincinnati, Buffalo, New York, Albany, Newark, Philadelphia, Boston, Rhode Island, and Baltimore: it is more full and positive than the Report of the Irish Commissioners, and concludes thus:—

‘ In all these circumstances, the adjuncts in the production of cholera are found to maintain a striking resemblance to those which produce malarial diseases. If the question was propounded to me, After the collection of all these facts, can you tell what is the nature of the cause that produces cholera? I should unhesitatingly reply that *I could not*. But I should give the same answer if I were interrogated concerning the nature of autumnal fever. It is true I might reply, in regard to fever, that it depended upon the presence of malaria. But what is malaria? It is the decomposition, under certain known circumstances, of vegetable matter.* These circumstances are the presence of air, heat, and moisture. Whenever these elements unite in due proportion, fever is produced, but if either be wanting, malaria is not generated. Hence during the cold of winter and the dryness of midsummer we have no fever, but with the decomposed vegetation of autumn, united with the heat and moisture of that season of the year, fevers prevail. Heat and moisture cannot produce fever; it requires decomposed matter, uncleanness, and filth. These are precisely the circumstances under which cholera makes its appearance, and the reader will have had frequent occasion to observe how much it is under the conjoint influence of elevated temperature and moisture, and how steadfastly it dwells among filth and uncleanness.

‘ I do not assert that the cause of autumnal fever and cholera are identical, but I do aver that the whole history of the epidemic, as it prevailed in the United States, proves that it cannot exist in the absence of those conjoined elements known to produce fever; and no facts more fully substantiate this position, than those connected with its prevalence at the Baltimore almshouse, and its absence in the city as an epidemic. No person will fail to recognise, in the filthy condition in which this establishment was kept, a sufficient cause for disease, and no one can doubt the influence it exercised over the spread of cholera in this immediate locality.

‘ If this position be fully substantiated, have we not the means in our own hands of arresting its desolating ravages? Does not this disease present itself as a teacher as well as a scourge? Every one must admit the justice of the following observations of Professor Caldwell:—

“Cholera, though a fatal scourge to the world, will, through the wise and beneficent dispensation under which we live, be productive of consequences favourable alike to science and humanity. Besides being instrumental in throwing much light on the practice of physic, it will prove highly influential in extinguishing the belief in pestilential contagion, and bringing into disrepute the quarantine and sanitary establishments that have hitherto existed.”

‘If these facts should prove to be true, and if they arouse the public authorities of large towns to the immense responsibility under which they hold their offices, these pages will not have been written in vain.’

Such was the pestilence — such the subtle morbid agencies which were to be counteracted by ordering vessels from Ham-
burgh to perform quarantine in the Humber. The practical ill effects of that order drew forth a powerful remonstrance addressed by the Board of Health to the Privy Council*, on the 9th of November, 1848. Among other causes of just complaint, it appears that no provision was made for prompt medical attendance in case of sickness occurring on board vessels in quarantine. The roads where these vessels were stationed are distant eight miles from the port of Hull, where only was medical assistance procurable.

Considering the fearful rapidity with which cholera runs its course, it does appear to the Board to be a defect to place a number of persons who have been exposed to the cholera poison in a situation in which, even in the day-time, and under the most favourable circumstances, they cannot be reached in less than three or four hours; and under unfavourable circumstances, scarcely within six hours. The inspector of the river indeed says, — “it would, in general, be eight or nine hours.” But the difficulty and delay must be still greater, if any persons on board these vessels are seized suddenly during the night, which experience shows is the time when the subjects of this formidable disease are most commonly attacked.

‘It appears to the Board, that if wayfarers, passengers, merchants, and foreigners are subjected to the anxieties of suspicion, the disadvantage of confinement, and the inconvenience and loss of delay for

* Quarantine was introduced into this country by an Act passed in the ninth year of Queen Anne (9 Ann. c. 2.), on the appearance of the plague in the Baltic. The present law was passed in the reign of George IV. By a curious anomaly, the provisions of the Quarantine Act are administered, even in their minute details, by the Privy Council, acting, it is presumed, under the guidance of the Superintendent-General of Quarantine, who, with the other officers of Quarantine, however, is for the purposes of salary treated as belonging to the Board of Customs and not to the Privy Council, whereby the establishment escapes the annual scrutiny of the House of Commons in voting the estimate of the Council Office.

the presumed safety of the public, justice requires that all practical precaution should be taken for lessening their danger, affording them assistance, and mitigating the evils of their unfortunate position.'

Several instances, indeed, occurred of persons leaving Hamburg apparently in perfect health, who were seized with cholera on their passage to Hull; some of them being in a state of hopeless collapse, and others dead, on the arrival of the vessel at that port. Mr. Hardey, the Medical Superintendent of Quarantine at Hull, writes: —

'As I stated in my last, the two cases of Asiatic cholera to which I have been summoned on board these quarantine steamers have both been found in collapse when visited; whereas had they been at hand and early attended, they might probably have been relieved. The "Rob Roy" on Sunday had to break her quarantine ground, and steam to Hull Roads for assistance, but it was too late. She went down again after the death, and as I have heard nothing from her, I hope all continue well on board.

'The Board of Health would call the attention of their lordships to the anxiety and distress which would probably be excited in some of the passengers, on finding that this vessel had in vain broken her quarantine to obtain assistance, and that she had returned to the spot in which they had already experienced that all relief was hopeless.'

The letter from the Board of Health to the Privy Council is, in fact, an unanswerable exposure of the inutility and mischief of quarantine as administered on that occasion. Its statements have never been controverted. The actual working of the system is well exemplified, from his own personal experience, in the following letter from the Vice-Chairman of the General Steam Navigation Company: —

'Referring to the conversation had with reference to the quarantine regulations, to which ships coming from Hamburg have been subjected on their arrival in England, I beg to state that on my arrival at Hamburg on the 12th of October last, when returning from Schleswick, and with the intention of proceeding from that place direct to London the following night by the mail steamer, I learned that intelligence had reached Hamburg that on the 6th of October an order in London had been issued, "that all ships coming from Hamburg were to perform quarantine for six days, to be reckoned from the time of departure; but, were also, in case of any illness being on board, or which came while lying in quarantine, to remain so, not only until the party or parties were convalescent, but for six days more after such convalescence," therefore making the quarantine almost for an indefinite period.

'On inquiry whether such an order had been issued, as it would very seriously impede the usual commercial intercourse, I found that such was really the case, and I found also that the same had created the greatest astonishment and surprise among officials, merchants,

and captains; because, as they very justly said, that the cholera was in England, even in London; and the regulations as regards passengers were completely useless and vexatious, as those from Hamburg who had occasion to proceed to England were not compelled to go by sea, but had other routes open to them, the land route by Holland, as also the route by Belgium and France, and either of which would of course be taken by them, not being subject to any quarantine, nor suffering any inconvenience excepting that the journey would be much more troublesome, be twenty-four to thirty-six hours longer, and more expensive, but which was to be preferred to the annoyance of performing quarantine on board a ship, moored within sight of land, and surrounded by water and fogs sufficient to give those on board the ague, if not a worse disease.

‘In order, therefore, to avoid all this, I, as well as several other individuals, proceeded by land through Hanover, Prussia, and Belgium to Ostend.

‘I have also inquired of some of the captains of the Hamburg mail steamers during the period the quarantine regulations were lately enforced, whether any instructions had been received by them how to act, in case any serious case of illness or cholera had occurred while lying in quarantine, and if no instructions had been given, how they would have acted in case of such an occurrence either happening in the day or by night? It was admitted that in regard to such an occurrence they had been without instructions, and added, that if unfortunately such an occurrence had taken place, they would have hardly known how to have proceeded, as no communication with the shore was allowed; perhaps, in the first instance, they would have probably administered a dose of cholera medicine which they have on board, and then have made a signal in the hope that the authorities would come to the ship; a person, therefore, before any assistance could come might be dead, or in such a state that there would be no hope of recovery.

‘I believe I may, in conclusion, safely say, that withdrawing this useless regulation has given universal satisfaction, at least among mercantile and seafaring men, not because the one is thereby relieved from an inconvenience in travelling, or the other from imprisonment, but really on account of its utter inutility.’

‘From these statements (and many similar representations have been made to the Board) it appears that even assuming the doctrine of contagion to be true, quarantine regulations are calculated to defeat their own object; for neglect, inconvenience, delay, expense, and loss, all operate as so much bounty on misrepresentation, false swearing, and evasion.’

We have devoted so much time to the History of the Cholera Epidemic of 1848-9 because, of the three diseases which are the especial subjects of quarantine, viz., plague, yellow fever, and cholera, the last is the most personally interesting to the inhabitants of Great Britain, which it appears to be now steadily

approaching in its former track* ; and because the facts are less liable to distortion from having occurred in our own country, in very recent times, and before the eyes of hosts of living witnesses. The three diseases are of the same family, differing in external aspect, and in the internal organs which principally suffer, but agreeing in the following material points :—

‘ They are all fevers, they are all dependent upon certain atmospheric conditions, they all obey similar laws of diffusion, they all infest the same sort of localities, they all attack chiefly the same classes, and for the most part persons of the like ages; and their intensity is increased or diminished by the same sanitary and social conditions.

‘ The consideration of these common properties of pestilence, under whatever form or name it may occur, has led to the general conclusion that the true safeguards against pestilential diseases are not quarantine regulations, but sanitary measures—that is to say, measures which tend to prevent or remove certain conditions, without which pestilential diseases appear to be incapable of existing.

‘ The whole machinery of quarantine is based on the assumption that by an absolute interdiction of communication with the sick, either by the person or by infected articles, it can prevent the introduction of epidemic disease into an unaffected community.’

* It has again begun in Persia, advanced to Russia, and visited Warsaw in a more terrible manner than ever; there having been in that city nearly 6000 deaths, and according to the most recent advices half the attacked dying. From Warsaw it has spread to Dantzic and the neighbouring country, and at the same time advanced westward, having, according to the public papers, already reached Magdeburgh, about 150 miles from Hamburgh. In 1848 it was at Hamburgh in September, and in Edinburgh in October. In our own metropolis, as well as in many provincial towns, diarrhoea is now (September 9th) more epidemic than it was in 1848, before the actual appearance of the pestilence, and not a day passes without accounts being transmitted to the Board of Health of fatal cases of cholera, so exactly resembling Asiatic, that no difference is appreciable. Under these circumstances we are glad to perceive that the Government has appointed, as medical inspectors, to watch the progress of the disease both at home and abroad, and to make preparation for its outbreak should it occur, Dr. Sutherland and Mr. Grainger, who during the whole course of the last epidemic, ‘ more than any private practitioners, and more probably than any other public servants, were engaged in a personal and laborious examination of the conditions connected with the propagation of the disease, and in superintending in different towns in various parts of the kingdom, the application of the measures which, on the best consideration, were judged necessary to meet the most formidable attacks of the disease.’ (*Report on Cholera, p. 2.*)

‘But this assumption overlooks the essential condition on which epidemic disease depends, namely,—the presence of an epidemic atmosphere, without which it is now generally admitted that no contagion, whether imported or native, can cause a disease to spread epidemically. Allowing, therefore, to contagion all the influence which any one supposes it to possess, and to quarantine all the control over it which it claims, there remains the condition, the primary and essential condition, which confessedly it cannot reach, namely, the epidemic atmosphere.’

The letter to the Privy Council was followed in 1849 by a Report upon Quarantine, in which the facts bearing upon that subject are brought out with clearness, the arguments are logically deduced, and the whole question is investigated in the true spirit of philosophical inquiry. Although it did not excite in this country the attention which it deserved, yet on the continent of Europe, having been translated into French and Italian, it was extensively read, producing a powerful effect, especially in France, Austria, and Russia; and it appears to have materially accelerated the formation of a general congress, which the leading governments of Europe had for some years been earnestly labouring to convene, for the purpose of effecting a general revision of the practice of quarantine; accordingly in July 1851, at the invitation of France, a conference of representatives from different nations (*Conférence Sanitaire Internationale**) assembled at Paris to consider this question. The countries sending representatives were Austria, France, Spain, Great Britain, Greece, Naples, Portugal, Rome, Russia, Sardinia, Turkey, and Tuscany.

The reasons for summoning this conference were ‘the excessive and unnecessary severity of the Quarantine Laws in the Mediterranean, their inequality in different States, their arbi-

* During the fight on the Boulevards of the 4th December, 1851, amidst the roar of artillery and the fusillades of the infantry, the Conference was in Session, and refused either to accept the protection of guards or to discontinue its labours. While the battle was going on, the Conference was calmly discussing the great question of Sanitary Reform in the East, and the spread of civilisation and commerce among its inhabitants. It was at this meeting that it was decided to recommend the erection of the Boards of Health at Constantinople and Alexandria into Boards having special reference to the introduction of sanitary reforms over the whole extent of the Turkish Empire. The sanitary propositions were contained in a Report on the subject drawn up and signed by Dr. Sutherland.

This steady perseverance of the Conference, in its special work, drew forth the strongest expressions of thanks from the French Government.

‘trary and irresponsible nature—the enormous losses they
 ‘inflicted on commerce, which were estimated by the French
 ‘authorities at 100 millions of francs for France alone—the
 ‘strong doubts which have of late years been entertained by
 ‘scientific men of the highest reputation as to the possibility
 ‘of importing epidemic disease, and consequently as to the utility
 ‘of quarantine, had begun to throw discredit on the system,
 ‘while the inevitable march of events, the all-conquering power
 ‘of steam, hastened the reconsideration of all its disadvantages
 ‘—Steam would not much longer submit to lose the benefits of
 ‘improved speed in transit from being placed under arrest by
 ‘the health officer—Lastly the evident contradiction between
 ‘the doctrines of quarantine and that necessity of intercourse
 ‘which Providence is now, as it were, revealing and urging on
 ‘the human race. In the face of these reasons, it behoved us
 ‘to demand of quarantine a justification of the faith that was
 ‘in it.’

We are glad to perceive that towards the end of the last Session of Parliament, Lord St. Germans, in a very able and statesman-like speech, moved for the production of the proceedings of the *Conference*. From the debate on that motion, we learn that the *Conference* agreed in the recognition of the great principle contended for in the Report on Quarantine—the substitution of sanitary precautions for quarantine, coercion, and isolation. This is indeed substantially announced by the President of the *Conference* himself, M. David, who in presenting his Report said,
 ‘In so far as concerns measures of Hygiene, they will be obligatory in all cases and against all diseases, for you have understood the importance of these measures, which at no distant date will render useless (*inutile*) by their efficacy all the other precautions, so onerous, which we are yet obliged to take against these destructive scourges, of which, without doubt, the civilisation of the 19th century will demand the reason.’

The Medico-Chirurgical Academy of Genoa has recently given some account of the proceedings and main results of the *Conference*.

We believe that the following is, so far as it goes, a correct outline of the changes recommended:—

1. The equalisation of quarantine throughout the Mediterranean.

2. The reduction of the period of quarantine.

3. The total abolition of *suspected* bills of health, which would sweep away the great majority of the quarantines at present exacted.

4. The issuing of foul bills of health only on competent and responsible authority.

5. The immediate admission of clean bills of health to free pratique in every port.

6. The restriction of Quarantine to three diseases only, namely Cholera, Yellow Fever, and Plague.

7. The total abolition of the former distinction between susceptible and non-susceptible articles, — distinctions which filled volumes, — and the reduction of all articles to three classes:—

a. Those which in time of disease must undergo quarantine and purification, namely, hides and skins, animal refuse, rags, wool, and silk.

b. Those with reference to which quarantine and purification are optional, namely, cotton, hemp, and flax.

c. All other substances, which go free.

8. That all steam boats carrying passengers should have a medical officer on board.

9. The responsibility of quarantine administrations.

10. The medical and other care of the sick in establishments properly adapted for their accommodation and treatment.

11. The reform of quarantine dues.

12. The application of measures of Hygiene against foul and infected ships and sea-ports, rather than quarantine against the country from which such ships may have taken their departure. It may be matter of surprise that with such views the *Conference* did not at once abolish quarantine. This, however, was impossible, because most of the members had specific instructions to the contrary, and there are unfortunately other and latent considerations connected with quarantine besides the mere question of the public health. All that could be done was to adopt sound principles as extensively as possible, to reduce quarantine to a minimum, and to equalise it over all the contracting States. These are reforms not to be rejected; commercially they are next in importance to Free Trade; sanatorially, they are next in importance to the abolition of the cesspool and the cellar dwelling.

At this *Conference* Great Britain was represented by Dr. Sutherland, of the General Board of Health, and Sir Anthony Perrier, Her Majesty's Consul at Brest, who have discharged the duties confided to them with zeal, ability, and discretion, Lord Normandy being at the same time our ambassador at Paris, who not only in that capacity, but previously when holding the Seals of Secretary of State, had approved himself an active promoter of commercial freedom and sanitary reform. We anxiously look for the publication of the proceedings of the

Conference, and for the ratification of the international sanitary convention, to the construction of which its labours were directed; trusting that no sinister influences, no difficulties raised by quarantine departments, in matters of form where the principle cannot be impugned, no mere points of diplomatic etiquette, will be allowed to mar the success of a measure so conducive to the welfare, happiness, and harmony of the great European Family, and that the several Governments of Europe will disregard all the artifices by which quarantine seeks to prolong its baleful existence, at the expense of the health and commerce of the world. Having already achieved so many victories in the cause of commercial freedom, our own country has now a glorious opportunity — which it would be worse than foolish, it would be sinful, to neglect, — for vindicating her claim to the privilege of being foremost in the march of international sanitary reform.

ART. VI. — *Life and Memoirs of Marie de Medici, Queen and Regent of France*. By Miss PARDOE. London: 1852.

THIS is a splendid book so far as binding, printing, and general execution go. The first is of the brightest blue, the gilding undiminished, the type such as Spottiswoode would not be ashamed of. Externals are certainly in its favour, and our minds had no reason to admit any prejudice against the probable value of its contents. The literary market, indeed, has of late been somewhat overstocked with 'Royal Biographies,' 'Anecdotes of the Aristocracy,' 'Romances of the Peerage,' and such like high-titled versions of the 'Court Newsman' and 'Morning Post' of other days; but we are not so perverse as wilfully to confuse all publications of that stamp in one predicament of contempt. We have, moreover, a large measure of faith in the powers of a female pen when confined to that branch of literature which is peculiarly its own.

Female biography stands preeminently of this kind. It admits more of the light gossiping style of narration, skimming with Camilla-like touch over the more ambitious topics of history, and giving freshness to many old and well-known points and personages by turning on them a new reflecting mirror. Besides, on the question of personal character, we love to see the contest of the sex's *esprit du corps* with the verdict of history, whether in sympathetic praise or defence; and, where the case admits of neither, who so proper to affix the stigma on the offender as the female censor? All we ask is a worthy sub-

ject, by which we mean not always moral but historical worth. We cannot admit the claim of every Queen or Princess, *ex officio*, so to speak, still less can we afford to squander our spare sympathies upon any 'heroine whose life (to use the puffer's words) 'partakes of the stirring character of romance.' Either the person's own character must possess the merit which we acknowledge, or she must be able to borrow interest reflected from the time in which she lived, the moving accidents which she shared in, or the noted individuals with whom she came in contact. The interest attaching to the non-historical memoirs of two such women as Mary Queen of Scots and Sarah Duchess of Marlborough, obviously derivable from different causes, may serve as an imperfect illustration of our meaning. Nor do we always look for amusement only in such a study: many an apparently frivolous narrative of this kind may contain a vein of real historical value.

Burnet says of De Wit, that with all his knowledge and ability, he was eminently unfitted to be at the head of affairs, for that he chose to assume that rulers always followed their true interests; knowing which himself, he thought he could at all times calculate with certainty what they were about, not considering how far passions, amours, intrigues, and humours wrought on the world, and 'chiefly on princes' (*Own Time*, i. 245.) We think that the want which all statesmen but the Grand Pensionary have felt, and of which all students now-a-days are painfully conscious, may be at times supplied by the use of personal memoirs — and more particularly by those of women. For without always exercising the 'influence' which their biographers too readily assume, the fair sex have, nevertheless, frequently been the real centres around which the world's actors have grouped themselves; or, still oftener, their love of intrigue has led them into a knowledge of those unexpressed passages in a court's history which exist only in the talk or correspondence of the day. Hence the atmosphere they breathe is laden with sweets of importance, domestic or diplomatic; or with what, in lack of these, stands as their 'next best substitute' — the gossip of the ante-chamber, or the scandal of the back-stairs. From such sources as these historians have been often enabled to supply many valuable links in their chain.

Glad, therefore, as we are to acknowledge the obligation of the public to authors of biographical works, we shall be very jealous of any attempt to tamper with the condition we have above mentioned, affecting the historical worth of the subject; for, in addition to the abuse of art which such an attempt in-

volves, we know by experience that the shortcomings of the proper material render a large foreign importation necessary to hide the otherwise meagre appearance of the whole concern.

We hold the present volumes to be a mournful illustration of such an error and its consequence. Before we opened the book the doubt certainly existed in our minds whether Marie de Medici, historically considered, and not merely as a vehicle for three volumes large octavo, could afford a fair average theme for a memoir. This doubt has been confirmed, on perusal, by the indirect testimony of the authoress herself. Miss Pardoe will excuse our asking why, if this be not so, is Marie found so continually in the background, whilst people and events which have the least possible connexion with her 'life' are introduced in every page, with no other apparent effect than that of complicating, or rather dislocating, the narrative, embarrassing the view of the chief personage, and, last but not least, occupying valuable space.

We presume that Miss Pardoe has made use of all the available materials; we can only wish, for her sake, that they had been more ample, more interesting, and more novel. But seeing what they really amount to, we are sorry that she did not adopt the course of making some part (for it could have been *some* part only) of the life of Marie the groundwork of a genuine romance, sinking all the rest as impracticable. Figuring as the centre of a fiction which she would have contributed little besides her name, Marie's historical nothingness might have passed muster; while, like so many other *eponumoi* of romance, her fortunes would have afforded ample scope for fanciful description, picture-painting, and moralising, for all which our authoress shows decided inclination and considerable talent; but which, occurring so frequently in a *quasi* truthful narrative, seem somewhat out of place. Besides, we are tempted to ask, of what, if the book is to be treated as a history, is it a history? Surely not what its title professes; for between the latter and the contents there is a pleasing incongruity. It would have been no less a history of Marie de Medici if the title-page had run 'Passages, Historical and Fanciful, in the Courts of Henry IV., the Regent Marie, and Louis XIII., between the Years 1600 and 1641;' and we might then have been relieved of at least one volume out of the three; whereas, by preserving the strictly legitimate garb, Miss Pardoe has disfigured her memoirs with sundry rags of French history, which, far from assisting the student, only weary him. Moreover, he will be dismayed to find with how much less trouble he might have mastered, in the ordinary way, all that this diluted version contains. Miss Par-

doe's pages too are perfectly spotted with proper names, rendering lengthy and frequent foot-notes necessary — by a process somewhat akin to quenching thirst with sea-water. Above all, nothing being done by stage effect, or otherwise, to conceal the unimportance of the principal characters, all unity is abandoned, and, as in a system without a central point of attraction to balance the whole, the various parts run off into independent orbits, and a mild form of chaos reigns throughout.

The only means we have of knowing what an author's subject is intended to be should be found in the preface, a document which represents in the court of criticism what 'the pleadings' are to the tribunals of justice; and between these two there is this necessary analogy, that unless the 'case' maintain the preliminary statement, a nonsuit is the consequence. How far this is so in the present instance our readers shall judge.

In the first place, Miss Pardoe tries to bespeak extraordinary sympathy for her heroine. We are always suspicious of appeals *ad misericordiam*: but let that pass. Never, says the writer, was a life of greater vicissitude than that of the Florentine Queen: it is full of contrasts from which 'the mind shrinks back appalled;' 'it is freighted with such alternate grandeur and privation that it is difficult to reconcile the possibility of their having fallen to the share of the same individual.' 'We find,' it is added, 'numerous examples in history of queens who have suffered exile, imprisonment, and death, but the unfortunate Marie de Medici is the only instance of a total abandonment on the part alike of her family and friends which terminated almost in starvation.' (*Preface.*)

We do not agree with Miss Pardoe's estimate of royal humiliation. 'Death,' by which we presume a violent death is meant, 'has,' after all (to parody the murderer's phrase) 'no fellow.' But passing this, the confessed alternations of fortune disarm the appeal of much of its sting when the sufferer cannot be considered wholly guiltless of her own misfortunes. We must refuse extraordinary sympathy to a Queen who, having, it is admitted, a breathing-time from evil, by her wilful folly persisted in provoking her malignant destiny. So much as this cannot be urged against even Mary of Scotland, whatever may have been her crimes. But there was a contemporary of Marie de Medici, whose undeserved sorrows must ever take precedence in all English bosoms. The innocent, the devoted Elizabeth of Bohemia suffered a life-long exile and humiliation without one of those alternations of 'grandeur' which fell to the lot of Miss Pardoe's favourite.

As a further special claim upon us in behalf of Marie's

story, our attention is drawn to the remarkable character of the 'times' in which these things were done—times which we are told 'were fatal to the aristocracy and the magistrature,' and 'paved the way' (an odd expression) to the absolutism of Louis XIV. and its consequences. The preface, or at least so much of it as is material, concludes with the apparent moral that the exile and privations, to which Marie de Medici was exposed through the agency of Richelieu, went a long way to teach the people that neither royalty nor nobility was invulnerable to the malice or vengeance of opponents.

This is all very pretty to read, but surely the deaths of two successive kings by the assassin's hand, in the previous fifty years, would have taught them a much more impressive lesson, had there been anybody capable of profiting by it,—a point on which we entertain doubts. If it were worth while to remark on the significance of the popular judgments of this period, it must be important to inquire by what particulars the public was most warmly interested. The voice of the mass, if ever heard, was then heard only in reprobation of foreign favourites whom they were taxed to enrich, of upstart ministers, or religious persecution. For the two former the people had to thank exclusively the weakness and ambition of Marie de Medici; against the last she did *not* oppose what little influence she at any time possessed.

We were far from sanguine that Miss Pardoe would be able to support these preliminary statements. We shall hereafter consider more in detail how far she has done so: simply remarking at present that she seems to have started with too general and indefinite an idea of the capacity of her theme, consequently her story becomes vague and disjointed, and, like a mother anxious to hide her offspring's deformity, she is obliged to swaddle it in a multitude of coats of various sizes and patterns.

Miss Pardoe has herself set at defiance all the laws of criticism, or we should be at a loss to know how to deal with her work. It is not romance, nor memoir, nor history, yet at times it partakes of all. One fault, however, the lady has which renders success in any of these essays unattainable, namely, her inability to tell a story shortly, or, better still, to abstain from telling it when its introduction is unnecessary. She will find it hard to justify the insertion, at such length, of a *pannus* like the Duke of Biron's conspiracy (vol. i. pp. 169.—207!!). Nothing can be more kingly, we might say heroic, than is Henry's conduct in that affair, but how Marie is connected with it, or it with Marie, except that she formed one of the whist-party on the night of the Duke's arrest, we are unable to see. Yet in some things Miss Pardoe

can be punctiliously accurate. For no other reason which we can discover than because her title-page does not run in the style of old books—the ‘*birth, life, and death,*’ of so and so,—she suppresses all mention of her heroine’s nativity and early life, though her abundant foot-notes testify to the care she has taken to set forth the birth and parentage of almost every other proper name in her pages.

In short, it seems, Miss Pardoe has plenty to tell about any one or any thing except Marie de Medici and her immediate interests. Of course we infer that the most has been done for her. But really in the two first volumes there is scarcely any thing which raises her one half inch in interest above her meanest courtier, except a speech or two, while Regent, in the Parliament, for which we suspect that Miss Pardoe has drawn upon her imagination. The proportions of sack and bread in Falstaff’s reckoning are hardly more ‘monstrous’ than these of subject and chronicle. If all men and women of no more importance had their lives recorded at similar length, we should indeed feel that ‘the world itself would not contain the books which would be written.’

But we must hasten on to an examination of what these volumes do contain on the subject they by their title profess to treat of. The ‘life’ begins with the arrival of the envoy in Florence to demand Marie’s hand in marriage, till which time nothing is related of her. In a note, we are informed, apparently *en passant*, that she was the daughter of Francis, Grand Duke of Florence, and Jane, Archduchess of Austria and Queen of Hungary, daughter ‘of the Emperor Ferdinand.’ By so little does poor Marie escape the predicament of wanting a father and mother as well as a grandfather! As it is, the whereabouts and circumstances of her birth entirely slip through. The date of this event is, however, fixed by our being told that she was twenty-four when she ‘quitted her uncle’s Court in regal splendour to ascend the throne of France,’ in the year 1600; perhaps, therefore, we are importunate in asking for more. But we cannot so readily forgive Miss Pardoe for omitting all notice of Marie’s family and earlier history. Our imagination takes wing when we read of the ‘happy days’ and the ‘orange groves of sunny Florence’ which passed in retrospect before the eyes of Leonora Concini as she lay tranced in pride and delight, her head on her royal playfellow’s knees, upon the memorable occasion of her husband’s elevation to the rank of marshal (vol. ii. p. 234.), and again in sadder but still no less truthful retrospect, on the fatal night of her imprisonment in the Bastille (vol. iii. p. 53.). Here is no trifling neglect: what earthly purpose are memoirs to

serve if not to place before us, the pictures of scenes like these? The memorialist is as the gleaner, whose duty it is to gather the stray ears which have escaped the reaper's hand, not to fill his basket by pilfering from the standing sheaves. We did not take up Miss Pardoe to be told about the circumstances of Henry's first marriage, the massacre of St. Bartholomew, &c. &c. A fanciful version of these events may be read in Dumas' romance. But in the 'life' of a distinguished member of the Medici some account of the great family, from the time when Roscoe's work concludes, would have been acceptable, and at least as proper as anything which these volumes contain.

The rise of the Medici—a deserved rise in the estimation of Voltaire—had been as extraordinary as rapid. From simple merchants they had in two generations seen two of their members elevated to the popedom; their supremacy, nobly and magnificently founded, had been settled without a murmur at home, and respectfully acknowledged abroad. Their alliance was courted, their daughters had mated with kings, and they had taken kings' daughters to be their wives. Yet all this is to Miss Pardoe as an idle tale. Her heroine, the heiress of so much magnificence, is allowed to start up no one knows how upon the canvass, and, while we are entertained with other matters, her 'life' grows a chapter old. There is one subject introduced in the opening chapter of which we do not much complain, namely, the wooing and winning of Henrietta d'Estagnes as successor to ~~her~~ Gabrielle d'Estrées in the King's affections. This episode was necessary, since the relations between the wife and the mistress are to form an important part of Marie's slight history.

The second chapter introduces us to our heroine at Florence, where she is married by proxy amidst splendid ceremonies, and forthwith sails for Marseilles in the most gorgeous of galleys. From her arrival in France, the drama divides itself into three 'fyttes,' representing Marie 'as Queen,' 'as Regent,' and 'as Exile;' a poetical rather than an historical division, for the party lines of the second and third periods frequently intersect each other. For instance, from the death of De Luynes early in 1624 till 1631, we find under the head of the last, the Queen-mother installed at Court, grasping, intriguing, and embroiling, and in any condition but that of an exile. However, this by the way; we must not travel so fast over this part of the subject.

Miss Pardoe finds abundant opportunity for expressing her sympathy with Marie's sorrows during her married life. Never were couple worse assorted. Marie became immediately on her entrance into Paris a mere nonentity. Few women could have

long retained the affections of so sensual a husband. But Henry had that in him which would have revolted from systematic neglect of a wife if he had found in her the slightest effort to please, while his domestic disposition would have prized a genuine attachment. But a State marriage brought him only a State partner, a woman with many qualities requisite for an automaton-Queen, but without one of heart or head to render her worthy of affection. Her pride and unconciliatory temper drove him continually where his fancy had already strayed. Miss Pardoe must exert her power in vain: there is nothing here which deserves to be embalmed in biographical sympathy. Such things smack too much of every-day life. Good or evil in a more than ordinary degree only constitutes the heroine: our feelings for the present subject are too near akin to contempt to suit the author's view. We tire of quarrels and reconciliations when they lead to one certain uniform result. Throughout all this we find one old friend in a new character. Poor Sully plays the part of a 'Mr. Sulky' with plenty of good advice; which by the lady is always taken, never acted upon: and in one 'scene' he comes in for a blow aimed at the King by the Queenly right hand.

From the beginning Marie was fain, in spite of her proud virtue and haughty Italian blood, to make concessions to the mistress in order to maintain her own position and extort favours for her Florentine followers. Such events, and the eternal 'Queen's Ballets' and 'somebody else's Ballet before the Queen,' make up the only parts of seven chapters, extending into the beginning of the second volume, which can honestly be said to involve the existence of Marie. Previously to the departure of the King upon the war which the Condé affair (so voluminously related in the eighth chapter) had given rise to, Marie is declared Regent, and, prompted by Concini, urges her right to be crowned: an event which gives Miss Pardoe an opportunity of enlarging upon dress and ceremony in descriptions which no doubt will find their admirers. The day following the coronation Henry the Great was a corpse.

We believe Miss Pardoe does right in rejecting with scorn all the suspicions attaching to Marie on this occasion, and which, but for the unsatisfactory conduct of the said Marie herself, could never have arisen. But Miss Pardoe's way of treating this part of her heroine's life is, to say the least, curious. She is picturing, *ut suus est mos*, the reveries of the first night of widowhood, when, as Marie is alone in the chamber of death, all her ambitious future rises in visions before her. 'There are those,' says her biographer, 'who, ignorant of human nature, have been

‘ bold enough to assert that Marie forgot, in her self-gratulation, ‘ the price at which her greatness had been bought.’ Now we presume Miss Pardoe means the irreparable loss which Marie had sustained by her husband’s death to be ‘ the price ’ in question. We believe, with our authoress, that the French Queen was innocent ; but still we should not stake our belief upon this night’s behaviour. If any thing was to be said, it would have been much more to her biographer’s purpose to show that Marie afterwards grieved a long and heartfelt grief. The thus pointedly drawing attention to one night looks as if ‘ the to-morrow, ‘ and to-morrow, and to-morrow,’ would not bear inspection. But Miss Pardoe opens a door to suspicion by the ambiguity of her language, for the remark that ‘ Marie did not forget the ‘ price,’ &c. might as well mean that she then felt what a heavy penalty she had paid for her present position — even the price of a sear’d conscience. Miss Pardoe only makes the matter worse by talking of the contest which ‘ the daughter of the ‘ Medici ’ had to maintain with ‘ the presence of death and the ‘ stillness of night — those fearful chasteners of human pride.’ As if, supposing Marie to have been guilty, a poor weak woman could, any more than greater heroes in vice, at such a time, so withdraw her senses from the scene before her as to give way to any pleasurable dreams of ‘ pride and power ; ’ or, as if the being unable to do so were any proof of her innocence. We can only retort Miss Pardoe’s reproach, and in her own words, ‘ Marie’s position demanded mercy at the hands of her *historian*, ‘ and should not have *sought* it in vain.’ (Vol. ii. p. 98.)

A new life now opens upon the late Queen of France : her tears were soon dried, and she grasped with eagerness the power offered to her ; but the ambition which animated her was only a selfish, useless, unprincipled love of rule. Headstrong and impatient, with a long catalogue of slights to redress and injuries to revenge, she would not have been a female Medici if she had not used her opportunity to the full. To enrich her favourites and buy off the opposition of the princes and nobles, she hesitated not to squander vast treasures which had been collected by Sully’s industry and patriotism for better purposes. She soon lost the services of that able minister, who, having lived on terms of almost equality with a great monarch, could not brook the caprices of a woman and the follies of a child.

We cannot follow the second volume through all its details : it is possible that some of our readers may find amusement there : we honestly confess that we have not. It contains continual *allusions* to the power, pride, and munificence of Marie’s regency, the latter coupled with the name of Rubens ; but there

is no substantial narrative concerning either events or persons. Chapter after chapter brings nothing but the quarrels of the princes and nobles, whose animosities are augmented by Concini. The favourite is for a time estranged from the Court, but the Regent was unable to exist without her companion, Leonora, so that the two are restored, and the reconciliation sealed by the gift of a marshal's bâton to the carpenter's son. The description of this scene forms one of the celebrated 'pictures' in the book; but it is impossible to look on it as historical; and they are events which, in any other point of view, we do not care for. The war with Condé, ending with the arrest of the Prince, renders Concini for a time paramount. But Concini's star now began to pale before the rising beams of a legitimate royal favourite, whose influence changed the fate of the kingdom and its rulers. It was long before Louis' constitutional abhorrence of bloodshed could be overcome by gradual distillments of jealousy, suspicion, and fear, and before he could be persuaded to an act which, while it relieved his feelings, involved also an outbreak against maternal rule. The *fiat*, however, long delayed, at last went forth. Shot down like a stag in the toils, under the very eyes of the king, who, from the window of the palace, applauded and justified the bloody deed, the wretched Florentine atoned at once for his own and his mistress's folly: his less guilty wife was dragged to the scaffold; while the Queen-mother, lately so omnipotent, fell, under the suddenness of the blow, into silent and despicable acquiescence.

Here we must pause to notice a curious mistake into which Miss Pardoe is betrayed by her love of fine writing. Speaking of the congratulations which poured in from all sides upon the young king on his 'happy deliverance' from the power of the Concini, she says: 'Nothing, in short, but plumed hats, sweeping the marble floor, flexile forms bending to the earth, and lips wreathed with smiles, were to be seen in the kingly hall in which Henry the Fourth had loved to discuss grand topics with his sturdy minister, the Duke de Sully, and which Marie de Medici, in her day of pride and power, had enriched with the glorious productions of her immortal *protégé*, Rubens, the painter-prince, as she was wont to call him.' (Vol. iii. p. 41.) The authoress is speaking of the Louvre in 1617. But the 'glorious productions' of Rubens here intended were originally painted for, and placed in, Marie's own palace of the Luxembourg, and were never seen in the Louvre till after the Restoration, in 1815; when they were removed thither from the Luxembourg, to fill the void created by the more permanent restoration, — that of the stolen goods which had adorned its walls during the

Empire. Nor are we telling Miss Pardoe any thing of which she is ignorant; for in the same volume (p. 540.), dilating in a like elevated strain upon the meeting, in 1641, between Marie and the painter, at Antwerp, she informs us that they ‘talked together of the proud period of her power when she (Marie) had laboured to embellish her beloved city of Paris, and summoned Rubens to the Luxembourg, to execute the magnificent series of pictures which formed its noblest ornament.’ On the previous page the date of Rubens’ visit to Paris is fixed at 1622. How either the date or the position of the pictures is reconcilable with the truth of the splendid description of the Louvre in 1617, above mentioned, we must leave Miss Pardoe to explain. The original destination of the Rubens Gallery is notorious. We have no means at hand of correcting the date of their execution but what her own words afford us. This comes of combining the interest of romance with the ‘reliability of history.’

But to proceed. The fall of Concini was the signal for the dethronement of the Queen-mother from the power which she had begun to usurp. She left Paris with hardly one attendant of her own choice, and amidst the silent *non-chalance* of her late subjects. Richelieu alone seemed to respect her adversity and offered to share her exile. But his touch was that of the serpent: with rare treachery he had engaged to play the spy upon all her plans and movements for the information of her enemies at court. Both parties, however, were equally deceived; for while he moulded the weak and impulsive mind of Marie to his wishes, he only doled out to De Luynes just so much intelligence as made the informer an object of deference and solicitude.

After some months of close surveillance at Blois, during which a faction had been concerted to restore her to Court, Marie escaped into the government of the Duke d’Epernon, whose magnificence, during her short sojourn with him, crippled a splendid fortune. After various delays, suggested by the duplicity of Richelieu, the death of De Luynes, in 1624, left no one capable of opposing the Cardinal. Marie was reconciled to the King, and admitted to a seat in the Council; and Richelieu, at her suggestion, was made Secretary of State. From this point one step placed him at the head of affairs, to reward the generosity or credulity of his mistress with a second scene of treachery, and to be the curse of France and Europe.

During seven years from this time Marie found herself in comparative ease, and, if she would have learnt wisdom, even power. But her meddling spirit could not rest, and she em-

ployed herself, with motherly solicitude, first in setting her sons at variance, and afterwards, as if in memory of her own state, in exciting suspicions and heartburnings between the cold saturnine King and his beautiful and child-like wife. In this part of her policy she was doubtless well seconded by Richelieu; who, it is on record, endeavoured to give substantial cause for the scandal. Though for some time the treachery succeeded, history has fully avenged the memory of the chief sufferer. No character has come out of trial more unblemished than Anne of Austria. She had all the virtue of Marie de Medici herself, without having been, like her, free from temptation of constitution or circumstances.

The hopes of the Queen-mother were at this time fixed upon the succession of her second and best-beloved son, Gaston, Duke of Orleans, and, as a consequence of it, on a second regency for herself. Little did she dream what an obstacle she had, in her confiding folly, raised between herself and the realisation of such visions. Richelieu's ambition was as reckless as it was unbounded, and it is impossible to say to what a height it may not at times have wandered. In addition to the authority of a trusted minister, he had acquired much of the personal influence of a favourite over the childish Louis, who, though apt, in his petulant moods, to sneer and pout at the ill-concealed insolence of 'Père Ganin,' could no more have dispensed with his services, than with life itself. Though Marie soon found, with such a rival, against what fearful odds she had to contend, yet, vain and wilful, she proceeded to set at defiance the man who held her fate in his hands. The characters of the King and of his Mother, as shown in this respect, are well contrasted by Miss Pardoe in a most dramatic scene in the royal closet, to which we can pay no higher compliment than by saying that, if not history, it deserves to be. But it is too long to be extracted here without doing injustice to its merit, which, after what we have said of our authoress, we should regret knowingly to commit. Marie is interrupted in her intemperate demands for the Cardinal's dismissal by the unobserved entrance of Richelieu himself. The King attempts to temporise, but the Queen-mother repeats the demand in the Cardinal's presence. From that moment he vowed her destruction; he had probably not till then dreamt that she might prove so dangerous a foe.

The day of reckoning came. The Cardinal's triumph was complete, and his revengeful appetite is allowed to gorge itself with the best blood of France. Among the first of his enemies destined to feel his power was Marie de Medici; and now begins her second exile, an exile in earnest, and compared with

which the former was but a pleasurable jaunt. In 1631 she fled from the Castle of Compiègne, where she had been detained a prisoner, and, during the remaining eleven years of her life, she never again set foot in France. For some time she found a welcome at the court of the munificent Isabella, Governess of the Low Countries; but even this refuge she imperilled by her unconquerable restlessness. Her only employment was in continual plots, together with her son, 'the false fleeing' Orleans, against the French Court; and nothing but the firm friendship of Isabella could have saved her from its consequences. On the death of the latter, however, her home and her supplies were at once cut off. The power of the dreaded Cardinal closed most of the courts of Europe against her. She was urged to return to Florence, but her altered circumstances rendered that distasteful. Repulsed by the Pope, after various wanderings, in the latter end of 1638 she took refuge in England;—an unfortunate time to choose, for the Puritanical outbreaks against Popery rendered her stay impossible. The Parliament, therefore, sent her to Holland, with an honourable escort; and here, on the reported pregnancy of Anne of Austria, Marie again allowed her hopes to revive. Ambition, Miss Pardoe observes, was only scotched but not dead in that unquiet soul. But it was now too late: every avenue of return to France had long been tried, and had failed. The feelings of Louis, never warm, had completely chilled under the combined influence of disease and the still more blighting whispers of the Cardinal, who now, himself on the brink of the grave, clung to his revenge with an ardour which only death could quench.

Poor Marie's last shelter was at Cologne, whither she had been driven by the renewed inhospitality of the Spaniard—her resting-place being the house of Rubens. The kind-hearted painter himself undertaking a journey to France to plead the cause of his patroness, finds himself, through the agency of Richelieu, summoned on a vain errand to Spain, leaving Marie without even tidings of his absence, hopeless, friendless, and penniless. Want and disease now rapidly completed the work which sorrow and neglect had begun; and in July, 1642, the unfortunate princess closed her career, in the sixty-fourth year of her age. Her persecutor, Richelieu, survived her only five months.

The Greek tragedian might have recognised in so mournful an end the retributive hand of the dread goddess Nemesis. To the more than mortal prosperity of the Medici would have been traced the original offence in the sight of heaven, while the blood shed by Catherine would have been represented as calling aloud for vengeance. It was true poetic justice that the instrument of

divine wrath should be found in the once familiar friend and trusted adviser. But we must look upon these events with the unimaginative eye of the historian. We have said we do not appreciate in the light Miss Pardoe does those appalling 'contrasts' in her heroine's life upon which she so frequently and so feelingly dwells. We are not cold-blooded, nor have we yet supped so full of horrors as to be insensible to undeserved suffering. But we read in Marie's history nothing save that of an unruly woman, whom no experience could teach moderation, with as little of the genuine sensibility of her sex as of the sense to know the value of what she did not possess. Without absolute vice, she would, if she had had the opportunity, have proved (to use an expression applied to her daughter Henrietta) as 'pernicious' a trustee of power as it is possible to conceive. But, in her married life, her authority was, as we have seen, small; in her regency, fortunately for France, the continual factions and conflict of interest at Court counterbalanced that influence which would have proved most hurtful if all her subjects had been Concinis or d'Epernons. We cannot do better than describe her in the simple unadorned words of the Annual Register of the day. On the occasion of her arrival in England we find it recorded:—'Oct. 31.' 1638, Mary de Medici, the Queen Mother of France came to London, and so to St. James's. She was looked on here as a meteor of ill signification, having been often observed to bring the sword or pestilence where she came. Her restless spirit had embroiled France, which became too hot for her. From thence, in 1631, she was driven to Brussels, where the Cardinal Infanta treated her honourably; but she was there so hunted and pursued by the imprecations and curses of the people, to the endangering of her person, that in 1637 she betook herself to the Prince of Orange,' &c. (*Rushw. Coll.*)

Important light is thrown upon Marie's religious character by a letter, in her own writing, addressed to her daughter Henrietta, on the latter leaving France to join her husband in England, of which we much marvel that Marie's biographer, with all her fondness for original documents, did not avail herself. We can only afford space for a few extracts. Our readers may see it in full in Miss Strickland's eighth volume of the 'Queens of England,' p. 22.

After recommending these her parting words to her daughter's special consideration, Marie writes:—

'On this earth you have only God for a father; but, as he is eternal, you can never lose him. It is he who sustains your existence and life; it is he who has given you to a great king; it is he who, at

this time, places a crown on your brow, and will establish you in England, where you ought to believe that he *requires your service*, and there he means to effect your salvation.

‘ He has retained you in the world in order to load you with his benefits; but as he has given you the utmost felicity, it behoves you to render him the utmost gratitude. It is but just that your duties are augmented in proportion as the benefits and favours you receive are signal. Take heed of abusing them. Think well that the grandeur, goodness, and justice of God are infinite, and employ all the strength of your mind in adoring his supreme puissance, in loving his inviolable goodness; and fear his rigorous equity, which will make all responsible who are unworthy of his benefits.

‘ Remember that you are a daughter of the Church by baptism, and that this is, indeed, the first and highest rank which you have, or ever will have, since it is this which will give you entrance into heaven; your other dignities, coming as they do from the earth, will not go further than the earth; but those which you derive from heaven will ascend again to their source, and carry you with them there. Render thanks to heaven each day, to God who has made you a Christian; estimate this first of benefits as it deserves, and consider all that you owe to the labours and precious blood of Jesus our Saviour: it ought to be paid by our sufferings and even by our blood, if he requires it. Offer your soul and your life to Him who has created you by his puissance, and redeemed you by his goodness and mercy. Pray to him, and pray incessantly, to preserve you by the inestimable gift of his grace, and that it may please him that you sooner lose your life than renounce him.

‘ You are a descendant of St. Louis. I would recal to you, in this my last adieu, the same instruction that he received from his mother, Queen Blanche, who said to him often, “that she would rather see him die than live so as to offend God, in whom we move, and who is the end of our being.” It was with such precepts that he commenced his holy career; it was this that rendered him worthy of *employing his life and reign for the good of the faith and the exaltation of the Church.* Be, after his example, firm and zealous for the religion which you have been taught, for the defence of which he, your royal and holy ancestor, exposed his life, and died faithful to him among the infidels. Never listen to, or suffer to be said in your presence, aught in contradiction to your belief in God and in his only Son, your Lord and Redeemer. I entreat the Holy Virgin, whose name you bear, to deign to be the mother of your soul, and in honour of her who is mother of our Lord and Saviour, I bid you adieu again and many times.

‘ I now devote you to God for ever and ever: it is what I desire for you from the very depth of my heart.

‘ Your very good and affectionate mother,

• MARIA.

‘ From Amiens, the 10 of June, 1625.’

The remarks of the fair historian of the 'Queens of England' upon the above letter seem just and much to the point. We shall borrow them without comment:—

The maternal tenderness and even the sublime moral truths which occur in this elegant letter ought not to mislead the judgment from the fact, that the spirit of the concluding section was a very dangerous one to instil into the mind of the inexperienced young girl, who was about to undertake the station of queen-consort in a country where the established religion differed from her own. It was calculated to exaggerate and inflame those differences; for wherever the word *Christian* occurs, *Roman Catholic* is exclusively meant; and the queen-mother evidently wishes to imply that in any country where the host is not worshipped, the deity of Christ was blasphemed, and that her daughter was going amongst a people whose creed was similar to Deists or Jews. Part of the letter evidently urges the young queen to enter England as if she were a missionary from the Propaganda, about to encounter the danger of martyrdom; and a comparison is drawn, in most eloquent language, between Henriette and the English, and her ancestor, St. Louis, and the Heathens; and, instead of inculcating a wise and peaceful tolerance, the utmost zeal of proselytism is excited in a young and ardent mind. To this letter may be attributed the fatal course taken by the young queen in England, which aggravated her husband's already difficult position as the king of three kingdoms, each professing a different faith.

To write a letter with elegance and at the same time with all the spirit of a Catherine de Medici was just Marie's forte.

We now turn from the matter to consider the manner in which the work before us is executed. Miss Pardoe will haply do us the injustice to think that we took up our pen with as unrelenting a spirit of simple hostility as that with which Richelieu pursued her poor Marie. We can assure her, with all sincerity, that nothing but Miss Pardoe's reputation, of which she is inclined to be prodigal, has led us to say thus much. Her principle of sacrificing every thing to a love of painting and description should have made her especially choice in the language she uses. We feel justified, therefore, in drawing her attention to it. We do not mean her general style, which, though far from perfect, and often bearing marks of inconsiderate haste, is still, on the whole, agreeable, sometimes forcible, and perhaps always worthy of the subject. We shall content ourselves by saying that her readers cannot fail in many places to notice the absence of that unflinching, correct, and chastened taste in words which is so peculiarly the charm of a lady's pen.

Before we conclude we must enter our formal protest against the length of the work before us. If we were asked to determine how much space should properly be devoted to such a

subject, we should refuse to notice a question so invidious. And far be it from us to wish to establish any arbitrary rule to restrain an author's powers. It is impossible, too, we well know, to sail under entirely bare poles. But for any useful way of treating this subject we feel sure a far smaller compass would have been required. We cannot at least see any purpose which is served by the present method. Reading the life and fortunes of Marie de Medici in Miss Pardoe's pages, reminds us of a process which doubtless many of our readers have seen at marble-works, by which massive blocks of the coarsest material are sawn through with great labour and expense, to get at one small vein or even spot of a peculiar or rare colour.

Whatever be the cause of the error, Miss Pardoe can hardly plead inexperience as an author. No indeed is it fair that the author should bear the whole blame. We suspect that the Procrustean system of the 'novel in three volumes octavo' is extending into other branches of light literature: the presence of any thing like truth or fact in any narrative of that character being supposed to justify the 'large octavo' volume. This ill practice is much aided by the present plan of reading, which has withdrawn many of the safeguards of literature, and renders the patronage vouchsafed to the latter (heaven save the mark!) too abundant and indiscriminating. Few people now buy books; but the demand has increased tenfold upon what it was seventy years ago. The mass of the reading world are supplied from the subscription-library or the book-club, and do not therefore exercise the same direct influence upon the publisher, and, through him, upon the author, as formerly. The works thus obtained not necessarily becoming the property of the person into whose hands they fall, the same high character is not sought for; and by the system of circulation now in vogue, nearly all the risk attending the publication is done away, for the publisher can ensure a sale to an ascertainable amount, since no librarian is long safe from the demand for a new work by a known author. Thus books are 'made up' for the market — advertisements and indolence on the reader's part do the rest; until literature assumes the character of a manufacture worked by a firm, in which the *sleeping* partner gets a disproportionate share of the profits.

To return to Miss Pardoe: we regret that she has expended so much time and pains as she tells us in her preface, for we cannot congratulate her on having, on the strength of these volumes, earned a lasting position in the library of posterity, when the glories of blue and gold shall have passed away. The

subject, we have shown, treated as a history, is petty and barren of interest; as a personal memoir, it is absolutely null. By a natural consequence the main part of the work is weary, stale, and unprofitable. But what if, as we shall not be surprised to hear, we have, with perverse stupidity, mistaken the intention of the book, and that it should be described as meant to form a sort of agreeable link in the delineation of French history between Miss Pardoe's previous works on the reign of Francis I. on one side, and Louis XIV. on the other? We shall not find any such claim difficult to meet. We propose a simple practical method. *Solvetur legendo.* All we ask is, that our readers will open Miss Pardoe's pages, and judge for themselves. We have heard Miss Pardoe's works called the 'boudoir' style of history: this is the first of the series we have read, and cannot therefore pretend to say what such a term, when defined, would mean; but this we say, that if it is to the taste of such a school that we are indebted for exaggerated 'contrasts' and the frequent moralising upon the mutability of things human, we shall know a 'boudoir' historian again when we meet one. But if Miss Pardoe desires the credit of an historian in earnest, she must omit such trifling as her present work. Between 'Mrs. Markham,' the delight of the young, and the graver writers for older heads, there is abundant room for an easy and popular work on the subject of French story. We do not simply flatter Miss Pardoe when we say that, as far as we can judge, she might well perform such a task. But assuming it, she must consent to take it with all its responsibilities, abide by its laws, and fairly maintain its legitimate character. She must neither avail herself of the licence of the novelist while she affects the 'reliableness' of the historian, nor must she so shuffle up the duties of the latter with those of the memorialist as to be able, when arraigned for delinquencies in either character, to claim the privileges or plead the exemptions belonging to the other.

ART. VII. — 1. *Political Elements, or the Progress of Modern Legislation.* By JOSEPH MOSELEY, Esq. London: 1852.

2. *The true Theory of Representation in a State.* By GEORGE HARRIS, Esq. London: 1852.

It seems scarcely incumbent on any Ministers in these days to cut out for themselves gratuitous employment. We should have fancied that the urgent and inevitable duties of the hour would have left little either of strength or inclination for hors-

d'œuvres. The natural impression of a spectator who contemplates our complicated and imperfect political organisation — the instruments that have become rusty — the arrangements that have become obsolete, and yet are still extant — the institutions which have become inadequate, perverted, or corrupt — the thousand abuses, at once universally admitted and practically grievous, which clamour for attention, — would be that, in the amendment and rectification of these things, — in bringing up antiquated institutions to the requirements of the day — in meeting the actual social wants of the community — in keeping the machine of public life in decent and 'tenantable' repair, — our Statesmen might find ample scope for all their energy, ample occupation for all their time, ample field for all their benevolence, patriotism, and zeal, without opening the vexed question of the franchise, or undertaking to remodel the vital organ of the State.

Yet, fully admitting and strongly feeling all this, a closer observation of the matter will show us many reasons which make it impossible either entirely to shelve or long to postpone the question of Parliamentary Reform. The consideration of it has been recommended in a speech from the throne; the official Whigs, as a party, are pledged to entertain it, and when in power must bring forward some measure on the subject; if the Tories are in, the Opposition look to it as a natural and certain battering-ram for ousting them from office; and if a neutral or 'fusion' administration should be formed, the public will expect them to be prepared both with a creed and a policy upon this matter. Moreover, there is an active and influential section of politicians in Parliament who look to a larger infusion of the democratic element as the only means through which they can hope to carry out the schemes and systems of policy which they have at heart: one man is bent on 'cheap government;' another is resolute for University Reform; a third is devoted to stamping the principle of isolation on our foreign policy; — and all believe, rightly or wrongly, that it is only by greatly increasing the Radical strength in the House of Commons that they can hope to attain their ends. Out of Parliament, again, there are many energetic demagogues who have their own peculiar aims, and who are willing to move heaven and earth to procure an extension of the suffrage, in the confident belief that they will be able to command and direct the votes of the newly admitted electors. Finally, a considerable portion of those who already possess the franchise are desirous of its extension to those below them, in the hope that, in those whose claims to a

participation in their privileges they thus advocate with such apparent generosity, they will find ready and certain allies.

While these various motives combine to create a strong and numerous party in favour of a new Reform Bill among the more advanced or extreme politicians, other considerations induce many of the more cautious, conservative, and philosophic of our public men, to look upon such a measure as not wholly undesirable. Though loth to run the risk of evil even for the sake of admitted good, and though they feel that our representative system may be said to do its work well, in a coarse rough way, and on the whole to produce in practice a tolerably decent and serviceable aggregate result, yet they are, on the other hand, conscious that it contains, as at present constituted, much that is imperfect, some things that are indefensible, and not a few that are absolutely noxious; that it presents many vulnerable points, many handles for ill-disposed assailants, which it were well for the sake of public peace and safety to remove; that in its periodical action it gives occasion to much suffering and to much sin which, for the national honour and well-being, ought, if possible, to be abated; that the elective franchise is now possessed by many unworthy men, used for many unworthy purposes, acted upon by many unworthy influences; that it is often indefensibly withheld, and often unequally, sometimes unwisely, allotted;—and, on the whole, that many most beneficial amendments might be introduced, not only without danger to the stability of our Constitution, but to its manifest strengthening and consolidation. Altogether, then, we may regard it as a settled point that the subject must be faced, not shunned; the problem must be solved, not evaded. And if so, there can be no doubt that it much concerns the national welfare that it should be considered in a thorough, not a perfunctory manner, and should be treated not conventionally but philosophically, and with a constant reference both to the fundamental principles of our social organisation, and to the ultimate purpose which it is the desire of all parties to attain.

In a recent Number of this Journal, we endeavoured to trace the changes in the constitution and action of the House of Commons consequent on the Reform Act of 1832, and to demonstrate, in opposition to the common democratic theory, that the elective franchise was not a right inherent in every man by virtue of his residence in a free country, but an instrument for the attainment of a national end. We touched briefly on a few of the objects to be kept in view in any new plan of Representative Reform, and on some of the dangers to be feared from seeking that reform in what appeared to us a radically wrong

direction. In recurring to the subject now, after so short an interval, we wish to develop rather more at length some of the considerations then cursorily noticed, and to offer a few suggestions which it appears to us ought to be familiar to, and be well considered by, the public mind, before we can with safety or with profit adventure on the field of a second Parliamentary Reform. We do not expect for the more novel of these an immediately favourable reception, or a prompt and early acceptance; we know that in this country whatever is new and without the range of ordinary precedent is, at first sight, startling and repellent;

‘But, bolder grown, familiar with its face,
We first endure, then “study,” then embrace.’

It is not till a proposition has been long before the nation, has by time and juxta-position worked for itself a place in the popular thought, has ceased to be a sudden and discomposing visitor, and has become a well known and accustomed guest, that it has any chance of obtaining a fair consideration and a patient hearing. In the public mind of England seeds require to lie long before they germinate; but if a competent period be allowed them, and if they are really recommended by any inherent truth and value, their day of growth and favour is certain to arrive, and their victory is all the surer and firmer for its long delay. The propounder of a strange idea, or the proposer of a novel expedient is at first looked upon as wild; if he persist, he is voted a bore; but if his idea or plan be really good, and if he is endowed with the requisite degree of pertinacity, his turn comes and his triumph is achieved.

It is one of the most marked characteristics of the national mind — and one which operates strongly to blind us both to the position in which we stand and the direction in which we are drifting — that we continue to live in the ideas and to repeat the formulas of our ancestors, long after the circumstances which gave to those ideas and formulas their sense and meaning have entirely changed. We still retain the habit, naturally and inevitably generated by our historical antecedents, and to a great extent still just, of connecting the reform of abuses and the redress of grievances with the progress and preponderance of the popular element in our Constitution; and we forget that ‘the progress of the popular element’ signifies a very different thing now from what it meant in 1832. This is the first point which we wish to impress upon our readers. Before the first Reform Bill, the vast proportion of the middle classes were excluded from any share in the representation. The House of

Commons was returned in an overwhelming proportion, *first*, by the counties, where the Electors were mainly either landed gentlemen, or small forty-shilling freeholders dependent upon and wholly influenced by them; *secondly*, by close or rotten boroughs which elected the Candidate named to them by the aristocratic patron or proprietor of the place; *thirdly*, by boroughs which were entirely in the hands of the Government for the time being; and *fourthly*, by large towns whose electors were sometimes pot-walloppers, but oftener freemen or burgesses, a privileged and limited class, whose votes were for the most part either always on sale, or under the undeniable influence of the municipal authorities. It is obvious, that under such a system the selection of the House of Commons would be almost exclusively in the hands of the aristocracy and gentry, and those of the town classes whom they could influence or control; and it is notorious that it was so: the aim and operation of the Reform Act of 1832 was to take it, to a great extent, out of the hands of these parties and place it in that of the *middle* classes. This was effected partly by the complete or partial disfranchisement of those boroughs which were the admitted private property of the great and noble, and whose members they appointed as directly as a patron presents a clergyman to his incumbency; partly by the abolition of scot and lot voting; and partly by the extension of the franchise to farmers (50*l.* tenants) in counties and to 10*l.* householders in the represented towns. It was proposed still further to promote the same object by the disfranchisement of those town voters (the old freemen), who were notoriously under the influence of the higher ranks, as it had already been promoted, in anticipation, by Sir Robert Peel's clauses for disfranchising the lowest and most dependent class (the forty-shilling freeholders) in Ireland. The purpose and intent of the Act of 1832, therefore, was simply to give the franchise to the middle class—to *place the command of the representation in the hands of the entire aggregate of the educated portion of the community*—from the intelligent tradesman and thriving farmer up to the princely landowner and the wealthy merchant. As far as it touched the lower or operative classes at all, its operation was to disfranchise, not to enfranchise, them. Thousands were disfranchised (through Schedule A.) by the Bill as it actually became law: thousands more were intended to be disfranchised by the measure in the far preferable form in which it was originally propounded, on the ground of their notorious corruptibility or dependence. Thus, to state it broadly, the operation of that celebrated plan was to curtail the repre-

representative power of both the higher and lower orders in favour of the middle ranks. The 'popular element' in our Constitution, which it so unquestionably increased and made preponderant, was not that of the masses or the working men, but of the intelligent, cultivated, and propertied people below the ranks of the aristocracy and gentry, but above that of the labouring poor. The transfer of power was not from those who had property and education to those who had neither; but from the men of large property and opportunities for refined culture (aided by their serf-like and dependent vassals) to the men of competent means, moderate education, and acute and shrewd but by no means, on the whole, of enlarged or comprehensive intelligence.

Now, a new Reform Bill, it is plain, may be so framed as to be either a continuance and carrying out, or a reversal, of this policy. A further disfranchisement of certain small and corrupt boroughs would be the former. So would a measure to enfranchise lodgers of the class of shopkeepers and those above them. So would a measure to confer the franchise on all who pay direct taxes—supposing taxation to remain apportioned as at present. So would a measure (if one could be framed,—of which we are very sanguine) extending the suffrage to the *élite* of the working men—to those among them who have given proof or presumption of the possession of that property, education, or intelligence which entitle them to take rank with the middle classes. So, possibly, as farmers become more independent and leases more general, *might be* a measure lowering the franchise in counties from a rental of 50*l.* to one of 25*l.* But any material reduction of the present borough qualification—any reduction large enough to produce any marked change or have any very decided operation in regard to numbers as numbers—would (it is not difficult to perceive) be a reversal of, a reaction from, a direct antagonist to, the policy of the first Reform Bill. It would take the command of the representation out of the hands of the classes in whom that law had vested it. The measure of 1832 was at once *conservative* and *popular*: the measure we are speaking of may be just, wise, and necessary (as to which we here offer no opinion), but would assuredly be at once *democratic* and *retrogressive*.

Now, there can be no doubt that the education of the people has advanced since 1832: school instruction has been more generally diffused, and its character materially raised; books have become much cheaper and are more widely spread; savings have multiplied, and property has been acquired by

many formerly who had little or nothing*; while political action and discussion have considerably sharpened and serviceably trained the faculties of the mass of the population. Their conduct on several trying occasions during late years, has shown this change in a strong and favourable light. All classes have participated in this improvement: the lowest class, *perhaps*, as much as any. To assume, however, that a 7*l.*, or a 5*l.* householder *now* is, therefore, on a par as to intelligence or property with a 10*l.* householder *then*, and is in consequence an equally desirable recipient of the franchise, involves a fallacy, which a little reflection and observation will enable us to clear up. And to act upon this assumption in any new movement towards representative reform, involves results, as we shall proceed to show, which it may possibly be right to encounter, but which it is to the last degree important should not come upon us as a surprise, but should be encountered, if we resolve to encounter them, with our eyes open.

In the first place, the 10*l.* franchise drew a broad, arbitrary, and decisive line of demarcation between the two great divisions of the urban population—those who did and those who did not possess accumulated property—those who did and those who did not live by their daily labour. It is true that this line may not have been drawn precisely at the right place, and that in many towns it might have been more fitly placed 2*l.* or even 3*l.* lower; but still the rough effect and probably the general intention of it was such as we have described. On the one side of the line lay all the upper and middle classes, the gentry, the professional men, the shopkeepers, the publicans, the small tradesmen; all who might fairly be assumed to have some political opinions and some competent education; all who were not dependent on the will of a master—all who lived upon the income arising from accumulated property, or upon the proceeds of industry and the profits of trade, as distinguished from the daily or weekly wages of labour (a rough distinction unquestionably, but still an intelligible one): *on these the franchise was conferred.* On the other side lay those whom, for want of a better designation, we must speak of as the working classes, (acknowledging at the same time how incorrect the epithet is when used as a distinctive one)—the operative, the artisan, the mechanic, the agricultural labourer, who worked for individual or associated employers, and who, as a rule, possessed no accumulated property: *from these the franchise was withheld.* The

* The deposits in Savings' Banks, which were under 14,000,000*l.* in 1831, had reached 28,000,000*l.* in 1851.

only individuals properly belonging to the lower orders, who under the Reform Act of 1832 exercise the suffrage, are those few mechanics or artisans who have raised themselves so far as to live in a more expensive house than is customary among their class,—the freemen of old boroughs, and the really forty-shilling freeholders of counties.

Now, as we have said, in many towns the arbitrary line then drawn might be fixed somewhat lower, so as not only to maintain the same demarcation between the classes, but even to effect this demarcation still more accurately than at present. For example, a 5*l.* rating is generally equal to or indicative of, a 7*l.* or 7*l.* 10*s.* rental; and a 6*l.* rating, of an 8*l.* house; and so on; and these dwellings (in the smaller towns at least) are commonly inhabited by those who can scarcely, according to our definition, be said to belong to the labouring classes. The few facts, however, which we have been able to collect, and which we chiefly owe to Mr. E. Baines, seem to show that in the manufacturing districts at least, a franchise based upon a 5*l.* rating or a 7*l.* rent, would at once open the door to a new and a very numerous class. It appears that such a franchise would raise the number of registered electors in

| | | | | | |
|--------------|---|------|--------|----|--------|
| Leeds | - | from | 5,200 | to | 10,000 |
| Bradford | - | - | 2,694 | „ | 6,776 |
| Halifax | - | - | 1,084 | „ | 1,434 |
| Huddersfield | - | - | 1,020 | „ | 2,000 |
| Sheffield | - | - | 4,000 | „ | 7,500 |
| Liverpool | • | - | 15,820 | „ | 30,000 |
| Glasgow | - | - | 12,500 | „ | 30,000 |
| Manchester | • | - | 12,000 | „ | 25,000 |

All this, however, is beside the mark; and in no degree invalidates the essential proposition—the broad fact, which we desire to elucidate and impress, viz. that, although national education has been greatly improved and intelligence spread among all ranks since 1832, yet a 10*l.* householder and a 5*l.* householder, now, as then, represent wholly distinct classes; and that to lower the qualification from the one figure to the other would not be, as is often assumed, simply to admit to the franchise large numbers now, of the same sort, position, and character as were admitted then, but to admit precisely people of the sort, position, and character who were excluded then;—a step not to be taken, if it is obvious, without a clear comprehension of its bearing and a full consideration of its consequences.

Nor does it in the least signify, as affects either the principle or the ultimate results of the measure, what is the precise figure at which we now fix the franchise-giving rental. If the qualifi-

cation be lowered *on the ground* that it ought to be lowered as education spreads downwards, and as the lower orders become better instructed and more intelligent, then, since this process is always going on, it is obvious that the whole principle of universal, or at least of household suffrage is conceded; and the rest is merely a matter of time and preparation. The argument goes the whole length of the assertion, that as soon as the labouring classes shall have reached the average degree of intelligence and education fitting for and attainable by their class—as soon as they are, as we all hope in time to see them, intellectually what labouring men should be—they will be entitled to, and must be endowed with, the elective franchise. If the 8% householder now is on an intellectual level with the 10% householder twenty years ago, (which we by no means intend to dispute), it is equally certain that, if we do our duty as a nation and as citizens, the 5% householder twenty years since will be on a par with the 8% householder now; and, therefore, whether or not the application of our principle admits the mass of the working classes to the franchise *now*, there can be no question that it will admit them *then*.

Their admission, therefore, *if the principle be sound*, is a political fact to be faced either now or in a few years hence. Moreover, it will be allowed on all hands, that this admission, when conceded, must be honest and *bonâ fide*. What is granted in name and theory, must be granted in reality and in practice. To endeavour to deprive the people by a side wind of a privilege, power, or function, which we have formally conferred upon them, or to attempt to hamper and control them in its exercise, would be neither safe, feasible, nor decent. They must, therefore, be admitted to the franchise under arrangements which will secure them against any undue influence in the exercise of it, which will make them genuine and *bonâ fide* possessors of it on their own account, not the mere proxies, puppets, and representatives of others.

Now, (as we showed fully in a former Paper, and need not therefore enlarge upon now) since the working classes are, and under the existing arrangements of society will always be, more numerous than any other class in the community, and probably than all the other classes put together, it follows that such an admission of them to the franchise as is involved in the principle we are considering, whether we call it universal suffrage, household suffrage, or 'complete suffrage,' would not merely admit them to a share, and a large share in the representation, but would throw the entire or the preponderating control over that representation,—in other words, the supreme power of the State,

into their hands. Have then those reformers who laid down the principle, contemplated this legitimate deduction from it? and are they prepared to accept it?

There is, no doubt, one description of reformers who have perhaps never fairly faced this result, but whose doctrines nevertheless will not allow them to shrink from it when plainly placed before them. Those who base their arguments upon abstract right and naked arithmetic; to whom the will of the numerical majority is sacred; and in whose estimation one man is as good and as competent as another, and his claim to an equal share in the government inherent and indefeasible,—will of course maintain that the mere circumstance of the working classes being the most numerous entitles them, in that exact proportion, to the lion's share in the representation. Consequences with them are nothing: principle is everything. It is idle to talk of dangers, however vast, imminent or certain, to men who take their stand on what they consider the inexpugnable entrenchments of justice. With these reasoners we have at present no controversy, we consider that we stormed and demolished their positions in our former Paper.

There is another class of reformers equally prepared to defend the principle which we have shown to involve 'complete suffrage,' even if the practical result should be, the handing over the election of the House of Commons to the lower and more ignorant classes of the community. Not that in their hearts they believe these classes to be really the fittest for that solemn function; not that they conceive that, good or evil, it is their inalienable birthright; but they suppose that they would be at least as honest and unselfish as the present possessors of the franchise, and they assume further that the undeniable ignorance and incompetency, relative or absolute, of the great mass of the lower classes, would be corrected and compensated by the leaders they would choose. In other words, this section of the advocates for an extension of the suffrage confidently believe that *they* would be able to guide, dictate, and control the votes of the new electors; that the enfranchised masses would be in their hands like the passive potter's clay; that they would be to them obedient pupils, docile instruments, whose blank ignorance they might inscribe with their own doctrines, whose principles they would be permitted to form and fashion in their own mould, and whose short-sighted impetuosity and shallow follies they would at all times be able to compress and curb. Men who entertain expectations like these must have read the history of the past to little purpose, and the living history that is before their eyes to still less. They would, perhaps, guide the

masses only as long as their objects were identical, and their plans marched side by side. They would lead them only as long as they were going the same way. The moment they wished to pause or turn aside, or retrace a false step, or avoid a dangerous advance,—the moment that by the attainment of their own purposes they were changed from innovators into conservatives,—the moment they began to think and urge that ‘enough had been done,’—that instant they would be cashiered by the followers whom they flattered themselves they would have been able to control, whose more vehement tendencies they had hoped to keep in check, and whose ulterior designs they had imagined themselves acute enough to detect and strong enough to thwart. Other leaders more ‘up to the times,’ less resistant to the ‘pressure from without,’ would be installed in their places; and they, like their predecessors, would be left stranded on the shore, discarded and forlorn, to show how far the tide of democratic action had swept past them. When was it ever otherwise? When was a democratic party ever led by the moderate among its ranks for more than the first few steps of its career?

But our present remarks are not intended for either of these sections of the great army of Representative Reformers, but for those who, believing, like ourselves, that an extension of the suffrage is both just, desirable, and necessary, are yet anxious that that extension should be so arranged as to be defensible, beneficial, and safe; who, believing that our electoral system is to be valued only as an instrument for the attainment of good government and the maintenance of our ancestral liberties, would deem no change an improvement which endangered those cherished ends. And it is to these, our fellow-labourers in the liberal cause, that we address the question: Are they prepared to concede a principle which involves, either now or at a future day, and by progressive and inevitable steps, the *transfer* of the representation into the hands of the poorest, the most numerous, the least instructed, the most excitable, and the most misleadable, class of the community?

Now, we will suppose the labouring classes to be as adequately educated as we are all of us endeavouring to make them, as well trained in their social and moral duties as they would be if Church and State had always done their duty by them, as familiar with political discussions as a habit of reading the newspapers in their spare hours can render them;—though the first is still a distant and problematical perspective, and the latter may not be altogether the most desirable occupation of their scanty leisure. We will assume, moreover, that the social aspect of Great Britain has been so far improved that the mass

of the population is no longer necessitous, envious, or discontented; that their living has ceased to be either precarious or inadequate; that hopeless poverty no longer renders them eager listeners to any project, eager advocates for any experiment, eager promoters of any innovation; — all which we some day hope to see. Still, when this ‘blessed change’ shall have passed over the troubled waters of society, and educed light and order out of gloom and chaos, the main fact will remain unaltered and unalterable: the working classes will still be only one of the many orders which constitute a well-organised community; their real interests, as seen with the eyes and from the position of a Superior Intelligence, will not, it is true, be different from the real interests of the other classes, but *their views* of those interests will be different; moderately worked and amply instructed as they may be, *compared with their present case*, they will still and always be the *least* leisurely and the *least* instructed, *compared with the other sections of society*: the highest culture will not be theirs; the deepest and knottiest problems of national life must remain insoluble by them; the most profound and comprehensive ideas of policy demand for any due appreciation and conception a knowledge and a meditation which circumstances must place permanently beyond their reach; and therefore, to sum up the whole, it never can have been the purpose of Providence, nor can it conduce to the welfare of man, that the basement class of the social edifice should override and overrule all the others — that ‘those who toil should govern those who think,’ — that those who labour with the hands should have the supremacy over those who labour with the brain.

Besides this injustice and reversal of the natural order of things, Universal Suffrage, or any extension of the suffrage which should deserve the name of ‘complete,’ exposes the State to two dangers, which at first appear to be opposed to each other, but which in reality are identical in their origin, and not very different in their ultimate results. Both are equally fatal to liberty and to high civilisation. One leads to tyranny directly, the other leads to tyranny through reaction. The first danger is, that the populace of electors will be used and led by demagogues; the second is, that they will be used and led by despots. The first risk is proclaimed by every page of history, and is now again faintly shadowed forth in Switzerland and America. The present position of France is perhaps the best modern exemplification of the second. Both act precisely in the same way — by swamping the propertied and educated classes. On the first it would now be superfluous to dwell: we will make only two or three observations, and pass on. Those who point with

triumph or who look with hope to the success of the great popular experiment in America — who appeal to it as showing how safely and how beneficially the concerns of a great country may be carried on under a government chosen by universal suffrage — cannot, we think, be men whose observation is very close or patient, or whose standard of requirement is very high. We yield to none in a full and generous appreciation of the many excellences and the wonderful energies of our Transatlantic brethren. The United States may well be proud of their Past, and sanguine as to their Future. But with them, it must be remembered that the experiment has been tried under a combination of circumstances almost inconceivably auspicious. They were of Anglo-Saxon race; they were always free; for generations they had been inured and trained to self-government; they were descendants of the religious and self-controlled and self-denying Puritans; and they were pressed upon by none of those social or material difficulties which beset older and more populous countries. With them every one was well off, or might easily become so. Yet even there, is it not too unhappily notorious that the tone of public morality has been gradually lowering since the days of Washington? that the standard of national policy is far less wise and worthy than it was? that the ablest, purest, and noblest of her sons habitually retire from public life, or are snubbed or neglected if they enter it? and that their greatest statesmen are now never chosen for the highest offices or honours of the State? Since the departure from the stage of the old race of revolutionary worthies, America has had three statesmen of high capacity and European reputation, — Clay, Calhoun, and Webster: and all have aspired to the Presidency in vain. — The politics of Switzerland have been so little noticed amid the exciting movements of the greater States surrounding her, that few are aware of the recent triumphs of pure democracy in many of her cantons, nor how deplorably both her character and her prospects have been compromised in consequence. In Geneva every politician known under the old *régime* has disappeared, and every man of official talent or experience has been dismissed. In Berne it is not much better. In the Pays de Vaud, as in Geneva, the government has fallen into the hands of the extreme radicals, and the more moderate and better educated classes have been entirely *superseded* by the populace and its leaders. The consequences will take some time to develop themselves. Meantime the tendency and the operation are obvious enough.

As far as England is concerned, we have a very high opinion of the strong sense and general good feeling of a great propor-

tion of our working classes, but nothing we have seen will warrant the belief that they would escape from being led and *exploité* by most unworthy demagogues. They are ignorant, and they feel themselves to be so; they are lazy, and habitually leave it to others to think for them; they are mistrustful of their superiors in rank, and are apt to listen eagerly to those who would foster and take advantage of that mistrust; and they belong to a people whom we do believe to be, with all their practical talent, the most gullible in creation. Moreover, few among them have either moral courage or independence enough to stand alone or run counter to the presumed opinion of their fellows. The proceedings in the late strike of the Amalgamated Engineers were not encouraging for those who hoped much from the progress of education among the people. The parties to it were, as a body the most intelligent, skilful, and well-conducted of our artisans, in good circumstances, in receipt of high pay, many of them well educated for their station, and accustomed to read and to discuss. They knew well the almost invariable history of such attempts; the certain misery and evil such attempts always entail; the defeat in which they nearly always end. Their demands were, in some points, obviously oppressive and unjust to their fellow-workmen; *a great proportion of them* (we believe the majority) *were averse to the contest, and were conscious both of the folly and the wrong.* Yet they suffered one or two self-elected leaders, (who are always forthcoming as soon as money has been accumulated by these bodies,) to make use of them as completely as they themselves make use of the tools of their handicraft; to put forth in their name demands which they knew could not be complied with; and to absorb and waste in this foolish strife the funds which their self-denial had laid by for times of natural pressure and distress. They permitted all this with their eyes open—or half open, and chiefly because they wanted the resolution to say ‘No,’ when the more bustling and noisy of their fellows were saying ‘Yes.’ And yet these men were unquestionably, as far as wealth and intelligence are concerned, the *élite* of our operative classes, and precisely those whom the next step downward in a rental qualification would endow with the franchise: and their franchise would, we may assume, be used by Mr. W. Newton exactly as he has used their funds.

Let us turn to the other operation of Universal Suffrage, as exhibited by France. The contemporary history of that country is, indeed, a perfect mine of political wisdom; but, like those of Old Mexico and Peru, little worked by the natives. To foreign students and standers-by, however, the lessons it affords are as invaluable as they are various. While reading her

annals for the last sixty years, we feel as if we were admitted into some vast dissecting room, such as that over which Majendie once presided, where physiological experiments are carried on on a gigantic scale, and where operations of every conceivable degree of cruel ingenuity are performed on the unhappy victims for the benefit of a watchful and excited audience. Of all the curious lessons which France is now reading to the European world, none is more curious and important than that regarding the effect of Universal Suffrage. She shows that this which, in the popular creed, has always been represented and valued as the great instrument and security of freedom, is, on the contrary, one of the surest means and sanctions of tyranny. She holds it forth to the world as the MODERN BASIS OF DESPOTISM — firmer, broader, craftier than the old one. She proves that it is not only no guarantee against oppression: it may be made its heaviest and sharpest weapon. Far from bringing hope to an injured and trampled nation, it may put the blackest seal on its despair. In place of securing equal justice and general prosperity, it may simply pass the flattening iron over society, and present the most flagrant specimen of class-legislation which the world has seen. Universal Suffrage is likely to bring about any where, and promises to bring about in France, an alliance between an ambitious chief and the ignorant, improvident, excitable masses of the population, to the oppression, discomfiture, virtual disfranchisement, and possible spoliation of all other sections of the community.

For, as we have already pointed out, the working classes — daily labourers for daily bread — form everywhere, more especially in energetic, industrious, progressive nations, the vast numerical majority of the population. They comprise nine-tenths of the numbers, but only a fraction and segment of the nation. For every nobleman, there are a thousand peasants; for every squire, a thousand labourers; for every master manufacturer, a thousand artisans; for every student, statesman, philosopher, journalist or poet, a thousand incompetent and uncultivated units; for every wise and just man, a thousand ignorant, a thousand selfish, a thousand rash. A ruler, therefore, who allies himself to the many and ignores the few — who appeals to the judgment, flatters the feelings, falls in with the prejudices, fosters the superficial interests of the *nine-tenths*, and neglects the wishes, despises the opinions, and sacrifices the welfare of the *one-tenth* — may be strong in the strength of overwhelming numbers and consecrated by the choice of disproportionate millions, and may yet be, not the *Elected* but the *Reprobated* of the NATION — may be supreme Chief in defiance of the solemn

and earnest disapproval of whatever is good, whatever is great, whatever is wise, whatever is truly noble and just, throughout the length and breadth of the land. He may have been chosen in an open contest; the ballot may have been genuine; the election may have been fair; the majority in his favour may have been enormous; his rule may thus have every conceivable sanction which the *vox populi* can throw around it: — and yet he may be the relentless enemy, the merciless suppressor, of all that is noble and chivalrous in the brave and long-descended; of all the finer fancy and the loftier intellect which have enriched the literature and extended the influence of the nation; of all the spirituality which would purify her faith, all the high science which would beautify and regenerate her life, all the unfettered enterprise which would augment her wealth, all the true grandeur which would illustrate and dignify her history; of all that freedom of the mind without which national existence is mere stagnation, dishonour, and decay. He may array against his broad-based throne every man who is honoured for his virtues, every man who is celebrated for his genius, every man who is valued for his services, every man who in any department has shed light and lustre on the age; he may sacrifice the loftiest moral to the lowest material considerations; — but so long as he panders to the passions, so long as he enlists the cupidity, so long as he aggravates the foolish fears and delusive hopes, so long as he studies the momentary physical interests, of the masses, — so long will Universal Suffrage throw its halo of impure and fallacious sanctity around him; so long may he call himself the chosen representative of the nation, though execrated and disowned by everything that gives to the nation life, reality, and reputation. When Louis Napoleon seized his power, he had on his side, we cannot doubt, not only the vast majority of the lower orders, but many of the middle ranks, some among the higher, and nearly all the commercial class. Many of these he has already alienated and alarmed; and it is more than probable that the ulterior measures which he contemplates or may be driven to contemplate may alienate still more. But when all these have fallen away, six millions out of seven millions of voters will still remain. Louis Napoleon will still be the ‘Elect of France’ — so far as numbers can make him so. Will then the liberal Press, which Universal Suffrage has enabled him to gag; will the genuine Republicans, whom it has enabled him to put down; will the theorists and politicians, whom it has empowered him to imprison and to banish, sing its praises or proclaim its sacred inviolability again?

France is not the only country where this inherent vice of

Universal Suffrage has been shown; nor is Louis Napoleon the only ruler who has formed an alliance with the lower orders of society to enable him to control the more respectable of the working classes, and the middle and higher ranks. In many countries, and at many periods, the *prolétaires* have been found the ready tools and the natural support of despots. Seeking only for material comfort and personal well-being, content as long as they feel no pressure and are threatened with no deterioration in their social state, untroubled by aspirations, and indifferent alike to political ameliorations and to mental freedom, — they have generally shown little disapprobation of the tyrant who never oppressed or spoliated *them*, and little sympathy with sufferers under an iron rule which, towards them, was sedulously softened. The Lazzaroni at Naples, have stood steadily by Ferdinand in all his worst atrocities. His crimes and cruelties never pressed on *them*; as long as they could obtain a mouthful of macaroni or of water-melon, what was it to them that nobles, because they had thirsted after the forbidden cup of liberty, were thrust into loathsome dungeons? What did the censorship of the press, or the prohibition of foreign books, signify to people who could neither read nor write — whose only necessity was food — whose only intellectual luxury was listening to a storyteller? — In Austria, too, and in Lombardy, the labouring people were generally well-off, and the government took care to keep them so. They cultivated their fields in peace, the taxes were not burdensome to them, they sat under their vine and fig-tree when the labours of the day were done, the police-spy and the insolent gendarme seldom interfered with them, or if he did, they were too much inured to submission to resent the interference. The leaden despotism which crushed or maddened their superiors — which condemned men of high capacities and lofty aspirations to fritter away life in the *café*, the casino, or the ball room; which sent men of fiery genius to antiquarian research as the only safe channel for their energies; which punished intellect with civil incapacity, and earnest speech with exile or the dungeon; which trod out every spark of that vitality which alone makes nations great and human history a progress — was a matter wholly out of their range of interest or concern. Naturally enough, they had no sympathy with wants which they had never felt, no tolerance for discontent which they could not comprehend. So, where national antipathies did not step in, they for the most part stood by while the battle was fought out over their heads, or joined zealously in defence of a tyranny under which *they* had never suffered, and the very nature and pressure of which was to them a mystery.

These reflections might easily be pushed further. But our present purpose was merely to show the defect and fallacy inherent in the common estimate of Universal Suffrage; and how easily the most ruinous and pestilential tyranny may be built upon a basis which at first sight seems the freest and fairest of all.

But further, the question of lowering the franchise requires to be considered with reference to another and very important class of facts. Our meaning admits of being very concisely stated. For a long time past, we have, unconsciously, been burning the candle of the Constitution at both ends: *our electors have been usurping the functions of the House of Commons, while the House of Commons has been monopolising those of the Parliament.*

Originally the Supreme Parliament of the realm consisted of three co-ordinate powers, Kings, Lords, and Commons — of which the House of Representatives was by no means the predominating authority. The free and full consent of each of these powers was necessary to the decision of all legislative questions, while administrative matters lay unreservedly with the Crown. The Sovereign was paramount, the Nobles were uncoerceable — the Peersage was the *real Upper House*; the House of Commons had a vote and a veto, but no more. *Now*, that House has, for a long course of years, been gradually drawing to itself the whole power of the State: disguise it under constitutional fictions as we may for the sake of decency or self-deception, it has become not only preponderating but virtually supreme, in legislative matters, and it exercises a direct, undeniable, and most powerful influence even in affairs of administration.

Originally, too, the function, theoretical and actual, of the electors was that of choosing men qualified, by knowledge of their interests and participation in their point of view (identity of *stand-punct*, as the Germans would express it), to *represent* them in the great council of the *tiers-état*, and qualified, by capacity, experience, and character, to take part in the government of the realm. Their choice actually fell, as it was intended by the Constitution that it should fall, upon the most extensive landed proprietors, the most successful and liberal merchants, the most renowned lawyers, the sturdiest patriots, the most experienced politicians. — *Now*, electors, generally and increasingly, are guided in the selection of the men they send, by the known or professed *opinions* of the candidates; they avowedly, and on system choose, not the ablest nor the most high-minded, but those whose views on that particular question or set of questions

which at the moment happens to be uppermost in the public thought, most nearly harmonise with their own; and an elector who votes for an honest and able opponent in preference to a shallow and scampish partisan, is vulgarly held to have deserted his colours and tarnished his character. The constituencies no longer give their attention to the selection of a member qualified to consider and decide any questions that may be brought before the House in which he is to sit: they themselves consider and decide these questions, and then look out for a man to support and *faire valoir* their decisions in Parliament.

Thus, not only has the balance of our triune Constitution been materially disturbed, but the original *rationale* of representation bids fair to be entirely lost. In place of selecting men, constituencies pronounce upon measures: in place of choosing representatives to discuss questions and decide on proposals in one of three co-ordinate and coequal bodies, the aggregate of which decree what shall be enacted or done — electors consider and decree what shall be done themselves. It is a reaction towards the old Athenian plan of direct government by the people, practised before the principle of representation was discovered.

Now, it is clear at a glance that both these changes point in the same direction, and suggest a similar quarter in which to look for counteraction. To examine, comprehend, and form a sound judgment on a political measure or a legislative proposal, obviously requires a more thoughtful, intelligent, and instructed class — in a word, a more highly-qualified class — of electors, than would be needed to decide upon the relative fitness of two given and known men to be representatives. Hundreds would be able to pronounce with tolerable shrewdness whether Mr. A. or Mr. B. was the cleverest or the worthiest man, whose opinion as to the augmentation of our standing army, or the retention of our Colonial Empire, or the re-adjustment of our system of taxation, would not be worth a straw. The more our electoral functions resolve themselves into deciding on measures instead of selecting men, the higher are the qualifications needed for the exercise of the electoral franchise. *Yet the cry is for a lowering of the qualification.*

Again, if the House of Commons held only the same position and wielded only the same limited and co-ordinate power as in old times, we might admit into it a larger infusion of the democratic element not only without alarm, but possibly with welcome. But since it has become predominant, if not omnipotent — its decisions subject to no appeal, its decrees liable to no reversal, at most only to a cautious and short postponement — it is obvious that higher wisdom, greater sobriety, purer virtue,

and wider vision, than before, are imperatively requisite in those who are to frame it. In precise proportion as the powers of the State become more and more concentrated into the hands of one supreme and uncontrollable assembly, in that proportion does it become a matter of vital concern to the greatness and the safety of the State that the choice of that assembly should be in the hands of the most competent, the most independent, and the soundest portion of the people. Yet it is just when this great and continuous revolution has been consummated that we are asked to throw the choice of this condensed and inappellable authority into the hands of a more uneducated, dependent, deceivable and excitable class than have ever yet possessed it.

Of these three processes — the aggregation of the supreme power in the House of Commons, the usurpation of the deliberative and pronouncing functions of that assembly by the constituencies who elect it, and the lowering of the social and intellectual qualifications required from electors — any one singly might go forward without peril and possibly with great advantage: the combination of all three — the concentration, that is, of the supreme authority in the hands of the lower classes of the population, wholly or in preponderating measure — presents a perspective of danger from which simple reflection and the experience of other countries should teach us to recoil in time. It is to emulate the mistake, and to invite the fate of France.

Having so far cleared our way, by an ascertainment of the quarter in which the improvement of our representative system should *not* be sought, we are in a position to approach the practical problem of Parliamentary Reform, and to suggest the character and direction at least, if not the specific details, of measures for the extension, purification, and amended distribution of the franchise, — measures which, while attended by no danger and assimilating readily with what exists, shall be felt by nearly every one to be wide, substantial, and salutary improvements in the constitution of the House of Commons — founded in justice and consonant to the most far-sighted policy.

The problem to be solved is, *first*, to *widen the basis* of our representation by admitting to the franchise all who ought to be admitted — all, that is, who are qualified to exercise it for their country's good; — *secondly*, to *purify* it, by excluding all who, from incompetency of whatever kind, ought to be excluded; — and *thirdly*, so to *distribute* it as to render it as fair and complete an organ as practicable of the various interests and elements which compose the nation.

I. The first and most obvious arrangement which suggests itself, is to confer the suffrage on *all* whom the existing Constitution pronounces entitled to it, and competent to exercise it. In other countries enjoying a representative government, every man who possesses the qualification is, *ipso facto*, placed in a position to exercise it. In Belgium, for example, every man who pays a certain amount of direct taxes has a vote; and he gives that vote wherever he happens to reside at the time. Now, we have decided that occupation of a 10*l.* house shall be held a good and sufficient qualification for the franchise. Yet how inadequate a proportion of the 10*l.* householders throughout the country really possess the franchise. They are all deemed competent to hold it; but unless they chance to live in one of the 185 Parliamentary Boroughs, they have no opportunity of exercising it. Those who live in the 268 unrepresented towns with more than 2000 inhabitants, or in the many more towns and villages below this limit, are virtually disfranchised. They have not the privilege which, nevertheless, the law declares that they ought to have.

There are two modes of rectifying this anomaly. The one commonly suggested, and the favourite one with the radical school, — that of dividing the country into electoral districts of equal population, — was so fully discussed in a recent Number of this Journal, that we need not re-state the objections to it here. The other plan is to extend the 10*l.* qualification to counties, by which means *every* householder (to the requisite value) throughout the land would possess a vote; if he resided in a city or borough he would be upon the urban list, — if he resided in a small town, or a village, or an isolated dwelling, he would be upon the county register. The only objection we can hear of to this plan is, that in the country districts and in hamlets a 10*l.* occupancy generally includes some land, and would not therefore indicate the same social station as the living in a 10*l.* house in town, and that it might lead to the creation, for the sake of augmenting landlord influence, of a numerous and dependent class of tenant voters. But, in the first place, the occupier of a 10*l.* house in villages and small towns, belongs to a decidedly higher social grade than the occupier of a 10*l.* house in cities; and, in the second place, it would not be difficult to meet the objection, by requiring that the qualifying occupancy shall be, in the county register, a house, and not a house and land, or by fixing a sum which shall, as nearly as can be ascertained, be generally an equivalent to the 10*l.* occupancy contemplated by the present law. This, Lord John Russell's 20*l.* county franchise was, we imagine, intended to effect.

There is a third way, not, indeed, of reaching, but of approximating to the desired result, which, also, was contemplated in Lord John's measure, viz. by combining a number of the unrepresented towns in the returns of a member. This measure we shall have to recur to presently; for the moment we will only observe, that it would very imperfectly attain the end we are now considering, since numberless villages and hamlets would see their inhabitants still excluded from the franchise.

A second mode of extending the basis of the representation, in a manner strictly conformable to the principles of our existing arrangements has been suggested, and is, we think, open to no objection. It is, of course, desirable, and is admitted to be so by every party, that *all* educated men shall be voters; the difficulty is to name any ostensible qualifications which shall include them, and them alone. But, though we cannot frame a criterion which shall include all, there is no reason why we should not accept one which will include a considerable number of whose fitness to possess the franchise there can be no question. We should propose, therefore, that the suffrage be granted to all *graduates of universities*, to all *members of the three learned professions*, to the *officers of the army and navy*, and to *masters of schools under Government inspection*. This provision would give a most desirable addition to the constituency out of a class of men now very generally excluded as living in lodgings.

A third proposal, suggested, we believe, chiefly with the view of including middle class lodgers, namely, that of conferring the franchise on all who pay a specified sum in direct taxes, is, we are disposed to think, one of questionable advisability. In those countries, as in Belgium, where this forms the sole or the main qualification, the chief part of the revenue is levied in the shape of direct taxation. Every man above actual want pays direct taxes, and all persons of a certain class pay above a certain sum. It therefore forms about as fair a criterion of social position as can well be devised. But in England the case is different. Direct taxation yields only a small portion of our revenue, and reaches only a small class. Before the imposition of the income tax — which, in its present form, at least, we cannot bring ourselves to regard as permanent, — this portion was very insignificant, and was, in nearly all cases, (with the rare exception of persons living in lodgings, and yet keeping horses, or using armorial bearings,) paid by parties already on the electoral register in virtue of other qualifications. To adopt the proposed plan of enfranchisement in England would therefore be not, as in other countries, to give votes to those who

paid a certain sum towards the national revenue, but only to those who contributed that sum in a certain peculiar form. It would enfranchise not the amount, but the mode of taxation. Nor would it—if our subsequent suggestions be carried out—be needed in order to enfranchise any.

A more vital objection is, that it would make a man's possession of the suffrage dependent upon the financial arrangements of the Session or the Parliament. A whole class might be disfranchised in a single night by a vote of the House of Commons, which had not the most remote intentional reference to the question of electoral qualification. Already one direct tax has been swept away—the window duty. The income tax may go any Session. If, as fiscal science becomes more studied and better comprehended, it should appear that any extension of direct taxation beyond its amount in 1841 is undesirable, and it should be limited accordingly, numbers whose vote depended on the payment of income tax would lose their constitutional privilege by a side-blow not aimed at them. And if, as is possible enough, the house tax—variable in amount—and the duties of horses and carriages, be the only direct taxes ultimately retained, a taxation-franchise would reach only those who would be on the register already in virtue of their dwellings. And it seems scarcely wise to make a man's electoral qualification depend upon a fluctuating and annually questioned or modified criterion.

But the knottiest and most important part of the problem still remains to be approached,—how to give to the working-classes their fair and desirable share in the choice of Members of Parliament, and at the same time no more than this share;—how to admit such an infusion of the democratic element into our representation as shall be just, beneficial, and unattended with danger, but at the same time real and not illusory. Some, starting from the premises that *representation of classes* is the idea that lies at the foundation of our system,—that the peers, the clergy, the gentry, the yeomen, the burghers, and the men of learning are all specially represented (theoretically at least),—and that the labouring classes alone have no representatives, because at the time when the Constitution was consolidated into its present form they were serfs and villains, not freemen, and therefore not recognised as an integral order in the State,—have suggested that the omission should now be supplied by assigning to the labouring classes a certain number of *special* representatives, to be chosen by them exclusively; and that the vacancy created by the disfranchisement of those boroughs which might be found ~~but~~ corrupt, or too insignificant, to retain the privilege of return-

ing members, should be thus filled up. The proposal is not devoid of a certain *primâ facie* appearance of fairness and workability. But it is open to one objection, which lies upon the surface, and is in our judgment a fatal one. Members thus specifically returned by the labouring classes would often be working men themselves, and, whether they were so or not, would naturally regard themselves as entrusted with, and appointed to guard over, the interests of these classes, alone, or by preference. On general questions it is possible enough that they might be divided in opinion among themselves, and some take part with one section of politicians, some with another. But on all subjects and measures directly bearing, or supposed to bear, upon the welfare and condition of the poor; on the amount and distribution of taxation; on the remuneration of the higher offices of State; on the reduction or increase of the army, and generally on all matters connected with economical expenditure; on matters of imperial policy, so far as they directly involved questions of expense; and on proposals closely touching industrial and social considerations; it is probable, nay, nearly certain, that these special Representatives would vote together, and form a compact and influential party in the Legislature. And as on most of these questions they would almost inevitably take the most superficial and short-sighted view,—as they would have a strong tendency to oppose present outlay for a future and distant, though certain advantage, and so to adjust taxation as to make it fall as far as possible away from their constituents,—cases would not unfrequently arise in which all the members for the working classes would be arrayed on one side, and nearly the whole residue of the House of Commons on the other,—an unseemly and perilous antagonism, the full weight and significance of which the minority defeated in Parliament would not be slow to blazon to the world. Even now the member for the West Riding is not slow to remind the member for Tavistock:—‘ I represent 30,000 electors, you are the nominee of only ‘ 300.’ But how much worse would the case be where 50 men could say to 500, ‘ You, the representatives of thousands, are ‘ opposed to us who are the representatives of millions;—you, ‘ the delegates of the privileged classes, can overpower us who ‘ are the chosen of the people of England;—you, the nominees ‘ of certain small sections of the community, herd together in ‘ defence of your constitutional ideas and your selfish interests: ‘ we, who speak unanimously the sentiments of the vast majority ‘ of that community, of the aggregate of the nation itself, stand ‘ forth to protest against the monstrous inequality.’ Such an arrangement, followed as it would be by such language on every

occasion which provoked it, would loudly proclaim, and most perniciously aggravate, that disseverance and hostility of classes, that separation of society into horizontal layers (as a recent writer has well expressed it*), which, of all the features and tendencies of the condition of England, is, perhaps, the most uncomfortable and menacing.

Others have suggested a scheme for admitting the labouring classes to the franchise, and conferring upon them a due share of political power, which at first sight appears much more plausible and safe. It has, they say, long been felt, and has over and over again been shown, that the only way in which universal suffrage, or any near approach to it, can ever be admissible, would be through an adoption of the filtering process of *double election*. The various advantages of such a plan are obvious. It is based upon the indubitable truth, that hundreds of thousands who are wholly incompetent to decide upon the merits of a political measure, or the qualifications of a member of Parliament (whom they know only through his speeches and addresses), are yet perfectly competent to fix upon some one of their neighbours or friends fitted to exercise the decision for them. Hundreds of thousands who would choose very bad representatives might choose very good electors. It is true there are no English precedents for the plan, but it has more than once been put into practice in France; it was the soul of the celebrated constitution proposed by the Abbé Sièyes in 1799, and partially adopted by Napoleon; it is the mode in which the President is elected in the United States, and in which the Storting or House of Deputies is chosen in Norway. If desirable, the mere absence of precedent should not stand in the way of its adoption here. There are now in round numbers, and allowing for duplicates, about a million of electors on the register. To this number it is proposed to add 100,000 electors to be nominated by the working classes, and, on mere proof of such nomination before the Revising Barristers, to be placed upon the registers of their respective districts. The voters for these electors, to include all (paupers, convicts, minors, or women excepted), who are not upon the general register. By this plan, it is argued, you would at once place one tenth of the representation in the hands of the now unenfranchised operatives exclusively, which could not be despised as a mere trivial and worthless concession; the system of double election would be tested both as to its practical feasibility and its results; and the

* See a Paper in the 'Westminster Review,' for July, on the Tendencies of England.

country would have an opportunity of seeing what sort of selection was made by the labouring classes, and of thus gaining some valuable hints for future guidance; since much canvassing, bribing, or intimidation would scarcely be worth while merely in order to *obtain a place upon* the register, attainable by the frugal and intelligent in so many easier ways. So that the electors chosen might fairly be assumed to be the *bonâ fide* unbiassed choice of the masses—the men they most trusted, appreciated, and admired. •

Nor, it is contended by the advocates of this plan, need any danger be apprehended from the class of men likely to be chosen. It is probable enough that the demagogues of the populace, and the most forward, noisy, and active of the artisans, would be among the first of those selected for the trust; but these could only form a comparatively small proportion of the 100,000, and they would find their elected colleagues less willing to submit to their dictation, and more quick to detect their egotism, than the great body of the working men. If the majority of them turned out, as we believe they would, to be the more intelligent, sober, and respectable of the labouring poor, a great point would have been gained; the most numerous body of the community would be fairly associated with the upper ranks in the work of legislation, and the ground would be laid for a better mutual understanding; and an act of justice would have met with its appropriate reward. If, on the other hand, as some predict, these 'select men' should turn out worthless and corrupt, and disgrace themselves either by cupidity or folly, their influence with the lower, and therefore their formidableness to the higher classes, would be irretrievably lost. It is only in Ireland that demagogues can retain their hold on popular obedience and regard in spite of repeated falsehood and proved delinquency.

We concede the soundness and weight of nearly the whole of the above considerations. Yet there is an objection to the plan which is a most formidable, though we are loth to pronounce it a fatal one. The immediate operation of the arrangement would be to bring the representation *within one step of universal suffrage*, and that step an easy and an obvious one. It concedes the franchise to those very masses from whom it is your fixed purpose to withhold it, — but calls them to exercise it under restrictions which place them at a serious disadvantage as compared with other possessors of the privilege. It forges a weapon and prepares a mechanism which, by the simplest modification, may, at any crisis of popular excitement, be turned against its framers, and used in direct contravention of its original intention. The whole body of the labouring classes will have been autho-

rised and accustomed to vote; and from voting for one set of representatives to voting for another, — from voting for electors to voting for members, the transition would naturally suggest itself, and might be instantaneously made. You would have enacted a wise and salutary law, which the omission of a single clause would convert into its opposite.

The third plan for enfranchising the better portion of the working classes in towns, which first occurs to every mind — viz. a simple lowering of the present rental or assessment qualification — loses all its apparent advantages when closely examined, as we explained on a previous occasion. In the manufacturing districts seven-eighths of the operatives live in houses paying from 2s. 3d. to 3s. weekly rent, or from 6l. to 7l. a-year. If you lower your qualification so as to include these, you enfranchise the mass; if you go so high as to exclude these, you reach scarcely any of the working men properly so called; and by no means always those you wish to reach. Again, the same limit which would enfranchise *many* in Manchester, Leeds, or Birmingham, would enfranchise *all* probably in Marylebone and the Tower Hamlets, and *none* in Taunton, Leominster, or Hereford. It would make enfranchisement depend, not upon belonging to a certain station, but on the accident of residing in a certain place, which is one of the great practical defects of the present system. We must therefore look out for some other plan, which we think is not far to seek, nor difficult of application.

No one doubts the fitness of many operatives and even peasants for the exercise of the suffrage, as far as honesty, intelligence, and good dispositions are qualifications. Few, who know them well, will be disposed to deny that a selection from among them would give us a purer and more independent constituency than the lower class of ten pound householders and small county freeholders, — a constituency at least as shrewd and far more sturdy in their views, far more individual in their modes of thought, and more open also to unselfish considerations and generous sentiments. To this we can bear strong testimony; and we bear it not only willingly, but earnestly. The difficulty is to get at these 'select men' — to enfranchise the *élite*; without enfranchising the mass.

Now those among the working classes who have accumulated property, have in doing so given proof of qualities which will, in the great majority of cases, (and with such only can we deal in legislative measures) make them fit and safe depositaries of the franchise. We need not enlarge upon this. The principle is already admitted in our present system, and indeed lies at its

foundation; but it is partially applied and imperfectly carried out. If an operative lays by 50*l.*, and invests it in the purchase of a 40*s.* freehold, the Constitution pronounces him fit and qualified to vote. If, again, he expends the 50*l.* in moving from an 8*l.* to a 10*l.* borough residence, the Constitution pronounces him fit and qualified to vote. But if he expends his 50*l.* in the wiser mode of purchasing an annuity for his old age, or a life policy for his widow or his children, or in the more lucrative investment of guaranteed railway shares or debentures, the Constitution excludes him as disqualified. That is, *our present franchise law judges of a frugal operative's fitness for the suffrage, not by the circumstance of his having saved, but by the mode in which he invests his savings,*—manifestly an indefensible criterion. Nay, it does more; it is scarcely too much to say that it makes his qualification depend on his having selected a comparatively unwise channel of investment. This clearly calls for rectification. We propose, therefore, that every man who can prove to the satisfaction of the Revising Barrister that he has, and has had for twelve months, the sum of at least 50*l.* of his own invested either in Government Securities, or in the Savings' Bank, or in the purchase of an annuity, present or deferred, or in the purchase of a reversionary policy for his family, — shall be entitled to be put upon the register for that year. We do not anticipate any objection to this provision, nor any material difficulty in working it out, nor any loophole for fraud which does not exist in most other cases, and which a revising barrister may not detect and baffle. It may be urged that it is partial and unjust to confine the franchise-giving quality to these four modes of investment; especially as these are not the most generally in favour with the operatives, who commonly prefer placing their money in clubs of their own. This is perfectly true; but the answer is, that these four are probably the only modes of investment of which the State has any cognisance, the only quite safe and certain ones, and the only ones in the proof of which it would be easy to discover and prevent fraud and collusion. "If others can be pointed out equally enjoying those advantages, by all means let them be added to the list.

Now this provision would, in the first place, at once enfranchise large numbers of the worthiest operatives; it would point out the mode by which any who desired the franchise might attain it; it would stimulate to patient economy and to cautious investment; and it would connect indissolubly in the popular mind the possession of the franchise with the possession of some at least of the qualities which give an earnest of fitness for its exercise. It would stand upon the Statute-book as a pro-

vision to which we might quietly point the attention of any who complained of their exclusion from a share in the representation, — Prove your competency, and there is a self-acting proviso 'for admitting you.'

But there is still another class of operatives whose superiority and consequent fitness for the franchise is still more incontestably proved, and whom the last-named qualification would not always reach, — those, namely, who are placed in authority over others. Such are overlookers in factories and mines; foremen and heads of departments in iron foundries and machine-making establishments, head-gardeners who have labourers under them, and others in similar positions. All who are thus appointed to situations of command, have been selected in virtue of superior capacity, steadiness, integrity, or education; and must, in order to have obtained such situations, have given proof of mental or moral qualifications above those of the mass of their fellow-workmen. They are precisely the class whom we desire to distinguish from the rest; who, as leaders, are likely to influence others; and whose opinions on public questions and public men it would be really valuable to know. We can conceive no objection to conferring the franchise on this class, except the practical difficulty of defining its members, and deciding on their individual claims. But these are matters for the management of the revising barrister: the same searching investigation which determines the validity of other claims, would amply suffice to settle any disputes or embarrassments as to these new ones.*

By these two provisions we should place upon the register precisely that portion of the working classes whose views it is desirable to know, and whose claim to a participation in the electoral task it is impossible to gainsay; we should secure to the side of constitutional liberty the *real chiefs* and heads of the labouring masses, — not their nominal, self-appointed, agitating *leaders*: and we shall manifest a *bonâ fide* desire and intention

* It is important to observe that in the absence of specifically-sought information, we are greatly in the dark as to the operation of most new legislative enactments. It is impossible to do more than form a plausible conjecture as to the numbers and sort of men whom these two provisions would admit, or as to the working of any other suggested clauses. Perhaps, before legislating at all upon the subject, it would be advisable to issue a commission of inquiry, to investigate the probable bearing and *modus operandi* of different franchises, both actual and proposed. A mass of reliable knowledge might thus be obtained which would do much towards guiding and enlightening our future action.

of admitting to the franchise all whose claims to it on the score of fitness we are able to ascertain. It is true that, though we should thus disarm many of the arguments of Radicals and Chartists, and separate from them many of their Parliamentary supporters, and place Conservative Reformers in a broad, strong, and defensible position, — yet, we should scarcely have silenced, nor perhaps altogether met the demands of the *masses* for admission to political power, — if indeed any such native, indigenous, genuine demand ever took its rise among them. They might still say, and with some show of reason, — ‘ You have selected for the exercise of the franchise — for participation in your privileges — precisely those members of our body who are most like you and least like us; who are most peculiarly under the influence of the higher classes; and whose sympathies and connection with our body are shown to be impaired, or in the way to be impaired, by their endeavours to rise out of our body. We ask for representation for the masses, — and you offer representation to those who already differ from the masses in some essential points. We ask the franchise for the *employed*, — and you assign it those who are stepping into the ranks and are infected with the sentiments of the *employers*.’

Our reply to this, if it is to be satisfactory, must be not evasive, but direct. That reply is briefly, an appeal to the fundamental idea lying at the basis of our Constitution, and at the very core of the national character, which is not that of democratic equality, but of distinct and privileged but *open* orders. We ground our polity upon, and owe our safety to, two great principles, — *retaining the powers of the State in the hands of the less numerous, but more select, more cultivated, and more competent classes, and, making ingress into these classes accessible to all.* The union of these two principles is safety: their disjunction would be injustice and ruin. The old *régime* in France fell by denying the second: the new *régime* has never been able to maintain itself, from having negatived the first. Let it be our fixed resolution to avoid with equal care either error.

II. The purification of our representative action is practically a more difficult achievement than enlarging its basis. Every body avows and feels that the franchise is now possessed by many who on every ground ought to be debarred from such a function; some because they are dependent, some because they are corrupt, some because they are incompetent through ignorance, some because they are wholly indifferent to all political considerations, and are therefore guided solely by personal ones. But it is no easy matter to take away a privilege from any one

to whom it has once been granted, except on actual proof of delinquency, and such proof it is not easy to obtain. On the part of many liberals there is a most unphilosophic desire to extend the franchise as widely as possible, with a regard solely to numbers and not at all to quality. It was this feeling which led to the interpolation of the Chandos clause, and the retention of the old freemen, in the first Reform Bill. On the part of many of a different way of thinking there is a strong disposition to keep upon the register all the most unfit classes, viz. the indifferent, the corruptible, and the intemperate; precisely on account of their unfitness. Those who dread democratic influence and popular delusion see an element of safety in the existence of a class of voters whom wealth can always buy, and whom power can always bully; and they are not the less obstinate in their resistance to all attempts to purge away this body, that they can neither avow the grounds of their proceeding, nor discern the fallacious nature of the security they would retain. And on the part of the possessors of the franchise themselves, it is natural that those who regard their votes as a saleable property, not as a solemn trust, should cling to them with all the tenacity of avarice; and they are sure to tie down their representatives to the maintenance of their lucrative and abused privilege. But as the arguments of the two last of these parties cannot be ostensibly brought forward; and as the ground taken by the first is cut away by the considerable and *bonâ fide* extension of the suffrage which would form the basis of the reform we are contemplating, we may hope that a proposal to purify the constituencies by removing the anomaly of the old freemen might meet with more success than it hitherto has done. Those among them who are really desirable possessors of the franchise will be entitled to it through other qualifications.

Again, we need most especially some simple, effectual, inexpensive, continuously-acting, and as far as may be, self-acting machinery for disfranchising any voters and any boroughs which can be proved to be corrupt. Had this been provided at the time of the Reform Bill, as an indispensable condition of its successful and beneficent operation, and been steadily and conscientiously worked and watched over by the Legislature since; and had the conventional morality of Parliament on the subject of disfranchising-Bills been altered and corrected as it was on the subject of Election Committees, it is hard to say to what a pitch of comparative dignity and purity our constituencies might not by this time have arrived. It is not now too late to rectify this, though unquestionably many valuable years have been lost, and many boroughs have fallen from their pristine innocence. Two

things are required in order to attain the object. It must be enacted that any borough which is proved before the appointed tribunal to be as a whole, or in the large majority corrupt, or to be so completely under the influence of one or more proprietors, that no doubt can exist as to the non-independence of the great body of the electors, shall *ipso facto*, and systematically, be disfranchised; and if the appointed tribunal be a Parliamentary one, it must be *understood*, as it is now in the case of election committees, that members must act judicially, that is, must obey their consciences and respect their oaths. If this were arranged, no great difficulty would be found and no great expense need be incurred in ascertaining the real rights of each case; evidence to *satisfy* would be easily attainable; and those who are cognisant of Parliamentary feeling know well that the only reason why gentlemen there sometimes act with the strange moral lubricity which so astonishes us laymen outside is, that it is understood that they may do so. Before 1835, no member hesitated to disregard his oath and vote black white, if he chanced to be balloted on an election committee, any more than an Irish jurymen or an Oxford 'Head' hesitates on similar moral *tours-de-force*: since that date, a senator would lose both his reputation and his self-respect were he to act according to the past rather than the present code of honour. The perjury which was sanctioned by a common understanding then, is repudiated by the same common understanding now.

The next point is to disfranchise the individual voter who has betrayed his trust. At present the severity of the penalty against the convicted recipient of a bribe makes convictions almost unattainable. Except in moments of the utmost exasperation, men scruple to enforce a fine of 500*l.* (which in most cases would be absolute ruin or indefinite imprisonment) for an offence which public morality has not yet learned to regard as a very heinous one. In this, as in so many other cases, the enormity of the infliction denounced secures the impunity of the offender. We see no objection to retaining this punishment against the *briber*; but as against the *bribee*, we would substitute simple disfranchisement for the future, on sufficient proof being adduced in the Registration Courts to satisfy the revising barrister. You would thus purify the register, improve the constituency, disarm the ill-doer, and visit the offence with an appropriate and proportionate, instead of a vindictive and excessive penalty. We are aware of the difficulty which always attends the production of satisfactory evidence of bribery: we are aware too, that intimidation is often the worse, the most extensive, and the most demoralising evil of the two, and that proof

of this in individual cases clear enough to justify disfranchisement would be almost unattainable; but the measure we suggest would *go some way* towards the purifying purpose we have in view; and we must not reject any means on the plea that they are not omnipotent or sufficing in their simple and unaided operation. We must be content to achieve our object by the cumulative and corroborating aid of a variety of agencies.

We know the reply that will be made to us by our Radical friends:—‘Why beat about the bush for indirect modes of securing the free exercise of the suffrage, when one single and obvious mode lies in your path? Why eschew the Ballot?’ We will not enter on this vexed question here. We could add nothing new to the arguments which have been adduced on either side; nor could we urge those arguments in clearer or stronger language than our predecessors. Without, therefore, attempting to answer the cogent claims which have been brought forward on behalf of secret voting,—without urging the unconquerable feelings of aversion to it which are the arguments of minds more instinctive than logical, but often far safer guides than that of the logician, from their delicate tact, and the unerring correctness of their moral appreciations,—we take our stand on the position in which all practical men—all except the most incurable *doctrinaires*—will agree; viz. that if the object can be attained with tolerable completeness by any other contrivances, a disagreeable dilemma and a hopeless controversy will have been avoided.

With this view we strongly urge the adoption of a mode of taking the votes at Parliamentary elections, for which we have the warrant of a recent and most successful precedent, which would greatly diminish bribery, which would perceptibly alleviate intimidation, and which would entirely put an end to the riot and outrage which so frequently disgrace the contests in our large electoral bodies; which would enormously lessen the expense of elections; while at the same time it would virtually and greatly increase the numbers, as well as elevate and improve the character of our popular constituencies. The plan is that now practised at the election of boards of guardians and other parochial contests in England, and, with some small modifications and improvements, in Scotland. It consists simply in taking the polling booth to every elector, instead of, as now, carrying each elector to the polling booth. A couple of days before the one appointed for the election, a voting paper with the names of all the Candidates, and simple directions as to the mode of filling up the paper, is left at the house of every rate-payer; and after the lapse of one clear day, the paper is called for by the ap-

pointed parish-officer. In Scotland the collector is provided with a box with a slit in the lid, into which the paper is dropped, (by which any tampering with the return is avoided); and the commissioners require that every paper shall be returned, whether filled up or not, with the view of compelling the attention at least of the rate-payer to the appeal made to him, however he may choose to treat it. These arrangements would be just as applicable to Parliamentary as to parochial arrangements, with a very slight modification. We propose, therefore, that immediately after the nomination (the publicity of which will secure all the popular excitement constitutionally desirable), a paper containing the names of the Candidates (and accompanied with the addresses they have put forth) be left at the house of every elector by a sworn and appointed officer, who shall call again for the same the next day, or the day but one after, as may be determined on. He shall receive the papers into a sealed box or bag, and shall deliver them to the returning officer. On this plan each elector when he returns home at night finds the important document awaiting him; he considers the merits of the Candidates, he reads their addresses, perhaps he consults his wife and family, or his neighbours; and then he places his name opposite to that of the man or men of his choice, and folds up the paper ready for delivery to the collector.

Now, the manifold advantages of this plan have been clearly shown and fully set forth by the Poor Law Commissioners in their first and fifth Reports.* The effects which would flow from its adoption in Parliamentary elections are as follows:—

* 'By the voting paper on which the elector is to record his vote in his own handwriting being left during one or two clear days at his residence, he is enabled to give his vote in the most free and deliberate manner, undisturbed by the importunities of canvassers, or the tumult and clamour of the polling booth; by the voting paper being called for at the residence of the elector by a responsible officer, and by him being taken to the returning officer, the elector is saved from the necessity of losing his time and neglecting his business in attending the polling booth; it being deemed the best economy that one officer should attend as a collector at the residences of several hundred voters, rather than that several hundred voters should leave their homes and occupations to attend at the station of one officer—a poll clerk. By this mode the necessity of extraneous expense and excitement, in order to induce bodies of electors to incur inconvenience, insults, or annoyances of various sorts, are saved to both parties. Hitherto this mode of election, which differs from all others in use in this country, has given general satisfaction. Moreover, it has continued to be marked by the greater number of votes being given than have been obtained for the like objects under any other form of

First. It would entirely avoid the riotous proceedings now so generally and disgracefully attendant on our popular contests. The election-day might be as quiet as a Sunday. Disorderly and ill-disposed people might, if they pleased, still get up a row on the nomination day, though it is not generally on these that disturbances occur; but as far as the polling goes, the great occasion for violence and tumult would be entirely taken away. No more rough scenes which quiet men shrink from; no more hootings and peltings which now terrify so many timid men from the poll; no more broken heads; no more interference of the military; no more Six-mile Bridge affairs: every man would be able to record his vote in peace, and we should no longer have to blush before foreigners for the disorder attendant on our freedom.

Secondly. The intimidation practised on voters by the dread of actual violence or most unpleasant scenes on their way to the polling booth — no inconsiderable part of the whole — would be entirely defeated and evaded. Intimidation by landlords, by employers and by customers would, it is true, be left much where it is now. But bribery would be enormously diminished. Bribery is now chiefly confined to *close* contests. When the majority is pretty decidedly against a candidate, it is not worth his while to bribe: when the majority is decidedly in his favour

election. In the greater number of instances of contested elections the number of votes polled have been more than trebled, which we consider equivalent to the relieving of all the additional votes from the loss and inconvenience previously attendant on the exercise of the franchise. The expense in the larger parishes was greatly below that of the ordinary elections by poll. Nevertheless, we have found that the expense of the first election arrangements might be advantageously reduced, and several inconveniences sustained in the larger parishes obviated.

The expense, however, cannot be estimated fairly, except in reference to the savings effected by the new mode of taking the votes. In one parish, where the election was severely contested, there were 10,000 persons whose votes were taken. One with another, not less, perhaps, than half a day would be consumed by a voter in quitting his occupation to go to the polling booth, give his vote, and return, which was necessary before the passing of the Poor Law Amendment Act; one with another, the value of the time consumed by each voter would, perhaps, be under estimated at half-a-crown. The aggregate value of the time required from the voters would not therefore be less than 1,250*l.* In registering new claims, and in the formation of a new machinery, much expense was incurred; but the permanent expense of printing the voting papers, and other incidental charges for completing the election, would probably not exceed 100*l.*

it would be superfluous. It is where the result is doubtful, and where a certain number of purchaseable votes will turn the scale, that corruption is resorted to. Now, in many cases, this is not ascertainable till far on in the day, when the course that matters are taking is known by the publication of the hourly lists. Accordingly, the great proportion of the bribery is actually perpetrated in the last two or three hours, when the number of votes which remain to be polled can be pretty accurately known. But by the proposed mode of taking the votes, all this would be avoided. No one would have the least idea how the election was going till the returning officer opened his papers and cast up his columns at the close of the poll. If, therefore, a candidate was disposed to bribe he must bribe a couple of days beforehand, when he would be very much in the dark as to whether he was not throwing away both his money and his conscience gratuitously or ineffectually.

Thirdly. The cost of elections would be enormously curtailed. Even the legitimate and inevitable expenses, those of the polling booths, poll clerks, and check clerks, would be considerably reduced. Instead of the staff now required, no one would be needed except the one returning officer and the representatives of the several candidates who might wish to be present as a check upon him, and the distributors and collectors of the voting papers. From six to twenty men, according to the size of the borough, might do the whole work. But the great expense of election is the carrying the electors up to the poll, and keeping open public-houses and committee-rooms for collecting them previously. They are generally taken up in carriages, and, according to the testimony of experienced electioneering agents, 80 out of every 100 voters are taken up at the expense of the Candidate for whom they vote. The time is past when 50,000*l.* or 60,000*l.* used to be spent at once at this pastime; but even now the evil is often most enormous. In one of the metropolitan boroughs the cost of the last election was about 12,000*l.*, though only 8000 voters were polled, — being an expense of thirty shillings a head. By the plan proposed nearly the whole of this wasteful outlay would be avoided.

But this is not all. We must add to the cost of elections the loss of time, and of the earnings of time, by all the industrious voters of whatever rank, whose day is broken in upon, and generally wholly lost, by going up to the poll. Considering their numbers, and the class to which they belong, we cannot estimate the average loss to the electors, from the interruption of their regular avocations, at less than five shillings for the day.

or half day wasted. Strike off from the 500,000 voters belonging to the contested places, the idle whose time is of no value; and to the million of money which a general election is calculated to cost the Candidates, you must add about 125,000*l.* sterling more which it costs to the Constituents.

Fourthly. You would add almost incalculably to the number of voters, *i. e.* of those who recorded their votes. We showed, on a former occasion, that there was great reason for believing that of those possessed of the suffrage not more than from 50 to 60 per cent. took the trouble to exercise it, at least in the larger constituencies; and we have since had sent to us a statement of the number who voted in the contests on the last election, which fully confirms our estimate. We believe it to be accurate, and we annex it in a note*, in order that any one

* A TABLE SHOWING THE NUMBER OF COUNTIES AND BOROUGHS IN ENGLAND, WALES, AND SCOTLAND, IN WHICH CONTESTED ELECTIONS HAVE TAKEN PLACE; THE NUMBER OF VOTERS ON THE REGISTER; AND IN ROUND NUMBERS THE NUMBER OF VOTERS POLLED:—

| Names of Boroughs and Counties in which Contests occurred | No. of Voters on the Register, 1851—1852. | No. of Voters Polled in round Numbers, 1852. | Names of Boroughs and Counties in which Contests occurred. | No. of Voters on the Register, 1851—1852. | No. of Voters Polled in round Numbers, 1852. |
|---|---|--|--|---|--|
| ENGLISH BOROUGHES. | | | ENGLISH BOROUGHES. | | |
| Andover - - - | 241 | 160 | Cockermouth - - - | 354 | 300 |
| Aylesbury - - - | 1,417 | 900 | Colchester - - - | 1,258 | 1,100 |
| Barnstable - - - | 771 | 700 | Devonport - - - | 302 | 281 |
| Bath - - - | 3,278 | 2,300 | Derby - - - | 2,448 | 2,300 |
| Bedford - - - | 910 | 600 | Devonport - - - | 2,407 | 1,100 |
| Berwick - - - | 781 | 600 | Dorchester - - - | 432 | 400 |
| Beverley - - - | 1,405 | 1,000 | Dover - - - | 2,064 | 1,700 |
| Bewdley - - - | 390 | 320 | Dudley - - - | 912 | 631 |
| Blackburn - - - | 1,258 | 1,200 | Durham - - - | 1,157 | 1,000 |
| Bodmin - - - | 367 | 320 | Evesham - - - | 349 | 250 |
| Bolton - - - | 1,671 | 1,400 | Exeter - - - | 2,501 | 2,000 |
| Boston - - - | 987 | 900 | Finsbury - - - | 20,025 | 9,000 |
| Bradford - - - | 1,083 | 2,400 | Gateshead - - - | 711 | 500 |
| Bridport - - - | 524 | 400 | Gloucester - - - | 1,631 | 1,500 |
| Bridgnorth - - - | 717 | 600 | Grantham - - - | 774 | 700 |
| Bridgewater - - - | 688 | 400 | Greenwich - - - | 6,308 | 4,000 |
| Brighton - - - | 3,675 | 3,000 | Grimsby - - - | 861 | 633 |
| Bristol - - - | 12,543 | 8,000 | Guildford - - - | 648 | 610 |
| Bury - - - | 959 | 882 | Halifax - - - | 1,200 | 1,000 |
| Bury St. Edmunds | 741 | 700 | Harwich - - - | 272 | 250 |
| Cambridge - - - | 1,984 | 1,500 | Hastings - - - | 1,090 | 900 |
| Canterbury - - - | 1,874 | 1,200 | Hereford - - - | 1,013 | 700 |
| Carlisle - - - | 1,134 | 900 | Hertford - - - | 685 | 500 |
| Chatham - - - | 1,371 | 1,108 | Honiton - - - | 287 | 280 |
| Cheltenham - - - | 2,400 | 1,968 | Huddersfield - - - | 1,364 | 1,215 |
| Clitheroe - - - | 448 | 409 | Hull - - - | 5,221 | 4,000 |
| Cloucester - - - | 434 | 400 | Hythe - - - | 856 | 610 |

who has the opportunity may verify it in his own case or locality. From this it appears that the registered voters in all

| Names of Boroughs and Counties in which Contests occurred. | No. of Voters on the Register, 1851—1852. | No. of Voters Polled in round Numbers, 1852. | Names of Boroughs and Counties in which Contests occurred. | No. of Voters on the Register, 1851—1852. | No. of Voters Polled in round Numbers, 1852. |
|--|---|--|--|---|--|
| ENGLISH BOROUGHES. | | | ENGLISH BOROUGHES. | | |
| Ipswich - | 1,838 | 1,500 | South Shields - | 925 | 489 |
| Kidderminster - | 495 | 398 | Stafford - | 1,246 | 1,100 |
| Knaresborough - | 242 | 226 | Stockport - | 1,341 | 1,200 |
| Lambeth - | 18,131 | 8,000 | Stoke-on-Trent - | 1,778 | 1,600 |
| Lancaster - | 1,393 | 1,100 | Stroud - | 1,328 | 900 |
| Leeds - | 6,406 | 3,400 | Sunderland - | 1,973 | 1,400 |
| Leicester - | 3,853 | 2,700 | Taunton - | 790 | 750 |
| Leominster - | 551 | 400 | Tavistock - | 349 | 300 |
| Lichfield - | 836 | 550 | Tewkesbury - | 370 | 300 |
| Lincoln - | 1,363 | 1,300 | Totness - | 371 | 350 |
| Liverpool - | 17,433 | 11,000 | Tower Hamlets - | 23,534 | 12,000 |
| London - | 20,728 | 7,500 | Truro - | 607 | 450 |
| Lyme Regis - | 309 | 271 | Tynemouth - | 833 | 674 |
| Ludlow - | 450 | 400 | Wakefield - | 850 | 684 |
| Lymington - | 338 | 140 | Wallingford - | 428 | 344 |
| Lynn - | 1,176 | 900 | Warwick - | 723 | 700 |
| Macclesfield - | 1,058 | 1,000 | Wells - | 325 | 250 |
| Manchester - | 13,921 | 9,000 | Westbury - | 314 | 283 |
| Maidstone - | 1,751 | 1,400 | Westminster - | 14,883 | 8,000 |
| Maldon - | 845 | 700 | Weymouth - | 679 | 600 |
| Malmesbury - | 309 | 265 | Whitby - | 454 | 424 |
| Marlow - | 354 | 340 | Wigan - | 718 | 650 |
| Newcastle-on-Tyne | 5,269 | 4,000 | Wilton - | 219 | 151 |
| Newcastle-un-Lyme | 1,090 | 800 | Winchester - | 788 | 600 |
| Newark - | 867 | 800 | Windsor - | 712 | 400 |
| Newport - | 707 | 500 | Worcester - | 2,290 | 1,700 |
| Northampton - | 2,263 | 1,500 | Wycombe - | 364 | 300 |
| Norwich - | 5,390 | 3,500 | Yarmouth - | 1,249 | 1,000 |
| Nottingham - | 5,260 | 2,400 | York - | 4,133 | 2,500 |
| Oldham - | 1,890 | 1,600 | | | |
| Penryn - | 906 | 700 | Total - | 317,687 | 202,430 |
| Peterborough - | 518 | 400 | SCOTCH BOROUGHES. | | |
| Plymouth - | 2,482 | 1,800 | Aberdeen - | 4,547 | 1,160 |
| Pontefract - | 684 | 550 | Ayr Boroughs - | 1,039 | 667 |
| Preston - | 2,854 | 2,400 | Edinburgh - | 6,230 | 3,500 |
| Reading - | 1,399 | 1,100 | Falkirk - | 1,905 | 1,988 |
| Reigate - | 228 | 176 | Glasgow - | 15,502 | 5,000 |
| Ripon - | 353 | 270 | Greenock - | 1,164 | 719 |
| Rochdale - | 1,160 | 904 | Haddington Burghs - | 642 | 497 |
| Rochester - | 1,269 | 1,000 | Kilmarnock - | 1,380 | 918 |
| Rye - | 562 | 448 | Leith - | 1,567 | 1,052 |
| St. Ives - | 578 | 274 | Paisley - | 1,342 | 780 |
| Salisbury - | 680 | 450 | Stirling District - | 1,097 | 409 |
| Scarborough - | 805 | 700 | Wick Burgh - | 699 | 435 |
| Sheffield - | 5,822 | 3,500 | Wigton District - | 400 | 279 |
| Shrewsbury - | 1,886 | 1,500 | | | |
| Southampton - | 2,419 | 1,700 | Total - | 37,514 | 16,804 |
| Southwark - | 9,458 | 5,000 | | | |

the contested places reached 507,192, while those who recorded their votes did not exceed 312,289, or about 60 per cent. of the whole. Now, were the plan of voting papers adopted, and were these papers, as in Scotland, returnable whether filled up or not, every one would vote except those who had some distinct and positive motive for abstaining. Those who now do not vote because it takes them away from their business, or because it would lose them a day's work or a chance customer, or because they are lazy, or because they do not like to encounter a hot crowd, or a noisy and possibly hostile mob, would then be left without any excuse for such unpatriotic abnegation of their functions. But we are not left to conjecture as to the effect which the change would produce on the numbers who exercise the franchise. In parochial contests the number has often *trebled* since the introduction of the new plan. In one union, of which the return is now before us, the numbers polled on the old system in 1847, on an occasion of great parish interest, when very considerable efforts were made on both

| Names of Boroughs and Counties in which Contests occurred. | No. of Voters on the Register, 1851—1852. | No. of Voters Polled in round Numbers, 1852. | Names of Boroughs and Counties in which Contests occurred. | No. of Voters on the Register, 1851—1852. | No. of Voters Polled in round Numbers, 1852. |
|--|---|--|--|---|--|
| WELSH BOROUGHS. | | | ENGLISH COUNTIES. | | |
| Brecknock - | 336 | 281 | Northumberland, N | 3,111 | 2,500 |
| Cardiff - | 968 | 950 | Northumberland, S. | 5,369 | 4,000 |
| Cardigan District - | 849 | 717 | Oxfordshire - | 5,198 | 3,000 |
| Carnarvon - | 861 | 645 | Somerset, East - | 10,140 | 5,800 |
| Denbigh District - | 853 | 650 | Surrey, East - | 6,613 | 4,500 |
| Haverfordwest - | 682 | 498 | Surrey, West - | 3,897 | 2,500 |
| Montgomery Distr. | 1,003 | 735 | Warwickshire, N. | 5,237 | 4,500 |
| | | | Wilts, South - | 3,256 | 2,500 |
| Total - | 5,551 | 4,476 | Total - | 141,756 | 85,100 |
| ENGLISH COUNTIES. | | | SCOTCH COUNTY. | | |
| Berkshire - | 5,129 | 3,000 | Ross-shire - | 783 | 479 |
| Buckinghamshire - | 5,659 | 2,000 | | | |
| Cornwall, East - | 5,694 | 3,500 | WELSH COUNTY. | | |
| Cumberland, East - | 5,351 | 3,700 | Denbighshire - | 3,901 | 3,000 |
| Essex, North - | 5,715 | 2,800 | | | |
| Essex, South - | 5,819 | 3,800 | Total Boroughs:— | | |
| Gloucester, West - | 8,635 | 5,000 | England, Wales, and Scotland } | 360,752 | 223,710 |
| Herefordshire - | 6,972 | 5,000 | Total Counties:— | | |
| Hertfordshire - | 5,268 | 3,500 | England, Wales, and Scotland } | 146,440 | 88,579 |
| Kent, East - | 7,119 | 4,800 | | | |
| Kent, West - | 9,879 | 4,600 | Grand Total - | | |
| Middlesex - | 14,610 | 8,000 | | 507,192 | 312,289 |
| Norfolk, West - | 8,216 | 4,200 | | | |
| Northampton, S. | 5,369 | 1,900 | | | |

sides, were 531 against 497, or a total of 1028. In 1852, under the new plan, the corresponding numbers were 742 against 596, or 1338.

But, *fifthly*, a still more important point would be gained. The new votes — those which are now lost, but would then be given — would belong to precisely the members of the constituency whose votes we most desire to get, — viz. the industrious, the quiet, the retiring and the moderate. A great proportion of the votes now seldom recorded are those of men of business, merchants, manufacturers, bankers and tradesmen, — who will not or cannot leave their work, but who would vote as they went home, if the polling booth lay in their way, and was kept open after business hours. In London, Liverpool, and Glasgow, the number of votes thus lost is immense. We heard of one case at the last election where 890 electors of this description, who had delayed till the eleventh hour, came too late, and were shut out. In London this is one constant cause of the small proportion of the registered electors which decides the contests. Now, it is very well to say that men who are thus languid and lukewarm in the discharge of their electoral functions do not deserve to possess them: this is true enough; but these are just the men whom it is desirable, for the good of the country, *should* possess them, and should exercise them too, — and therefore it is incumbent upon us, and a matter of common sense, to make the exercise of them as easy as possible. The idle, the exciteable, the passionate, the bribable, will vote fast enough: we must smooth the path to the poll for those whose counteracting influence the welfare of the State requires. And this brings us to the final and most pregnant observation, that the more we can secure the actual action of these men, *the less important and preponderating in an election do the lower class of voters, the bribable and the corruptible, become, and the more effective and fatal is the blow you have struck at both bribery and intimidation.*

Lastly. The plan would effect the very desirable aim of *equalising electoral action* in times of excitement and in times of indifference and stagnation. Under the existing system, in periods of quiet and prosperity, when men's reason and good sense may be expected to be paramount because their passions are comparatively dormant, and when, therefore, the opinions of our people would be unusually valuable because unusually deliberate and sober, it is next to impossible to persuade any considerable number of them to be at the trouble of recording their votes. But on all more turbulent and angry occasions, when some popular cry has been sent forth, or some epidemic

prejudice aroused, when men are blinded by panic or warped by delusion, or rendered furious by suffering — far larger numbers flock to the poll, and those who go there are, many of them, precisely the men who, as far as the object of a calm decision is concerned, it is specially important should stay away. By the new mode of voting, on the contrary, the exercise of the electoral function would be made so easy, that the minimum of motive and of conscience would suffice to secure it; and we might count on a nearly equal number of votes, *i. e.* an equally general expression of public sentiment — whatever were the peculiar circumstances under which the election took place.

We have then here a plan which is no new or rash experiment; which has been in operation for many years with signal benefit in a case with which the analogy is nearly perfect; which will increase the *number* of actual electors nearly as much as most Liberals can hope for; which will *raise the class and improve the character* of the voters almost as much as we could desire; which will give us the judgment of the constituencies in their cooler as well as in their wilder moods; which will greatly diminish both the motives to bribery and the relative numbers of the bribable; which will put an end to election riots and disturbances; which will materially mitigate one sort of intimidation, and wholly preclude another; and which will so reduce the expense of elections as to render Parliament no longer accessible exclusively to the wealthy and the wasteful. Nay more. It would not only, to a great extent, supersede the motives for having recourse to the ballot; but it is an arrangement on which secrecy might, if found necessary, and *where* found necessary, be easily engrafted. In any case where intimidation was known to be habitually practised to such an extent as to vitiate the genuineness of the election, an order emanating from the designated authority (say, the Speaker or the Privy Council) could swear the returning officer and his two assessors to secrecy, and the object is attained at once, *pro hac vice, and in hoc loco.** The only parties from whom we

* Practical difficulties in working the plan may no doubt be suggested; but for all these experience would soon suggest remedies also. Domiciliary intimidation in the filling up of the papers might, by simply reducing the time between the delivery and the collection of them, be made to require such a staff of bullies as would render it practically impossible. Attested marks must be allowed at *first*, and might give rise to some abuse; but the number of those who could not write their names would yearly diminish; and ere long the refusal to accept marks in lieu of signatures might form a simple, self-acting, and justifiable educational condition. But the mode of meeting all

anticipate any opposition to the plan proposed, are, *first*, the *routiniers*, to whom anything novel is startling and shocking,—but their hostility, time and reflection will wear away;—*secondly*, the corrupters and corruptible of every class—electioneering agents, freemen, publicans, and other sinners—those who sell votes and those who buy them, and those who profit indirectly by the nefarious accompaniments of an election; but the opposition of these men has this inherent impotence about it, that it cannot be arrayed in a decorous or presentable shape;—*thirdly*, those who are of opinion that elections *ought* to be costly by way of giving appropriate influence to wealth and rank; but this argument, again, cannot be paraded in the face of day; and, *lastly*, those radical politicians who believe (and probably with reason) that the additional votes obtained by the alteration will not be recorded in their favour. Whether the hostility of these classes can, or ought to weigh one atom in the scale when set against such an array of beneficial consequences as we have developed—which would make this single measure almost, if not altogether, a greater Reform Bill than the first,—it will be for the Nation, when appealed to, to decide.

III. The third point which would demand attention in a reform of our representative system would undoubtedly be the re-distribution of members, with a view to their better assignment among different interests and different divisions of the country. The great complaint among the more advanced of the liberal party, on this branch of the subject, respects the disproportionate representation of small towns, the retention, as parliamentary boroughs, of places entirely or predominantly under the influence of individual proprietors, and the non-observance of any fixed relation between population, or property, and representation. Now, on a careful review of the subject, we are bound to say that the current notions on these subjects appear to us to have been hastily taken up, and, while containing an undoubted element both of sound doctrine and of true fact, to contain much exaggeration also. Fortunately a recent return made to Parliament (No. 441.) enables us to lay before our readers a few considerations which may, perhaps, modify the opinions some of them have hitherto entertained.

these minutiae, and of perfecting the mechanical arrangements, is one of the points to which such a commission of inquiry as we have already suggested would naturally direct its attention. When the principle of the thing has once been cordially adopted, there will always be found men of practical experience to devise the requisite machinery.

In the *first* place, it may be conceded at once that if population, *i. e.* mere numbers, ought, or was ever intended, to form the basis of representation, it is strangely set at nought in our existing arrangements. But let us see what would be the result of a distribution of members according to population, and then reflect if we are prepared to approve such a result as equitable, or desire it as beneficial. At present in England we have 186 cities and boroughs scattered over the country, returning 321 members. If population were our guide in the assignment of these members, *one half of these*, or 163, would be returned by *only 20 towns*; of which 20 towns 3 would be in Lancashire, 4 in Yorkshire, and 8 would be Metropolitan, *i. e.* either in Middlesex, or close to it (as Southwark and Greenwich). Or, 129 borough members, or 40 *per cent of the whole*, would be returned by 3 counties. Again: Sixty-nine county divisions now return 144 knights of the shire. If population be taken as our basis (throwing out the represented towns), 9 of these divisions would return 43 members, or nearly one-third of the whole. Of these 9, 3, *viz.* Middlesex, Lancashire, and Yorkshire (West Riding), would return 28 knights, or 20 *per cent.* of the whole number sent by all England: that is, of the total 465 members (Knights and Burgesses) returned by England, *three counties would elect 157, or more than one-third of the whole.* A result which surely is scarcely defensible in theory, nor could be endured in practice.

Secondly. At present we may be said to have three distinct sorts of constituencies, — *counties, small boroughs, and cities or large towns.* Each of these classes has a distinctive character of its own. Now, reckoning as *small boroughs* those under 10,000 inhabitants, we have, —

| | | |
|----------------------------|----------------------------------|------------------------|
| 69 counties (or divisions) | with a population* of 9,770,000; | returning 144 members. |
| 114 large towns | 6,660,000 | 206 |
| 72 small towns | 480,000 | 115 |

From this comparison it would appear that the large towns have their full share of the representation; since, if we add the small boroughs to the counties, on the supposition of their returning a somewhat similar class of members and containing a somewhat similar constituency, the comparison would stand thus:—

| | Population. | Members. |
|-----------------------------|-------------|----------|
| Counties and small boroughs | 10,250,000 | 259 |
| Large towns and cities | 6,660,000 | 206 |

* Exclusive of represented towns.

whereas the proper arithmetical proportion for the cities would be 169 instead of 206.

Nor, *thirdly*, if we remark how large a proportion of our population reside in small towns, does the number of 115 members seem so undue an assignment to this class of the community, who are in some respects a characteristic class, differing alike from the purely rural, and the stirring and energetic city population. It is customary with the more extreme reformers to declaim thus: 'What a scandal that Honiton, with only 3500 inhabitants, should return as many members as Liverpool, with 376,000; and Arundel, with 2750, as many as Salford, with 85,000.' But the apparent scandal is wonderfully mitigated, if not altogether removed, when we observe that *every* Liverpool and *every* Salford is represented, but only *three* out of 60 Honitons, and only *one* out of 90 Arundels. *Every* town with more than 25,000 inhabitants is represented, but the *eighty-six* towns between 2000 and 3000 inhabitants, with an aggregate population of 227,000, have *only one member* among them; of the *fifty-eight* towns, with from 3000 to 4000 inhabitants, and an aggregate population of 212,000, only *three* are represented; of the *forty-four* towns, with from 4000 to 5000 inhabitants, and an aggregate population of 199,000, only *nine* are represented; and so on. The member for Honiton and the member for Arundel—if regarded, as they ought to be, as representing all the unrepresented towns of that size and sort,—have a constituency as numerous as that of Birmingham and Southwark.

Fourthly. Nor, if we can once shake ourselves free from the foreign idea that mere numbers ought to be taken as the basis of our representative arrangements, does the distribution of members among the manufacturing and agricultural districts appear nearly as unfavourable to the former as we are in the habit of assuming it to be, and of condemning it for being. For instance, we find that the four preeminently agricultural counties of Bedford, Hereford, Lincoln, and Essex, return only 3 members, while the four preeminently manufacturing counties of Lancashire, Cheshire, Warwickshire, and the West Riding, have 64 members assigned to them as their share. Cases exist, no doubt, which must be promptly rectified, of indefensible inequality; such as Devonshire, which has 22 representatives, and Wiltshire, which has 8. But passing over these two instances, and comparing the electoral strength of the more industrial, concentrated, and energetic populations (among which the reforming demand is supposed to be most loudly heard), with that of the rural and quiet districts (which it is proposed still further to weaken), we find that *ten* of the

largest counties of the former class return 143 members, and *ten* of the latter only 104. Thus:—

| | | | | | | | | | |
|----------------|---|---|---|-------|---------------|---|---|---|-------|
| Lancashire | - | - | - | 26 | Hampshire | - | - | - | 16 |
| West Riding | - | - | - | 18 | Somerset | - | - | - | 15 |
| Sussex | - | - | - | 18 | Lincoln | - | - | - | 13 |
| Staffordshire | - | - | - | 17 | Dorset | - | - | - | 14 |
| Middlesex | - | - | - | 14 | Oxford | - | - | - | 9 |
| Northumberland | - | - | - | 11 | Northampton | - | - | - | 8 |
| Cheshire | - | - | - | 10 | Herefordshire | - | - | - | 7 |
| Durham | - | - | - | 10 | Hertford | - | - | - | 7 |
| Nottingham | - | - | - | 9 | Huntingdon | - | - | - | 5 |
| Warwickshire | - | - | - | 10 | Essex | - | - | - | 10 |
| | | | | <hr/> | | | | | <hr/> |
| | | | | 143 | | | | | 104 |

Although, therefore, we are fully alive to the necessity of dealing vigorously with the case of small boroughs, our opinion is not grounded on the alleged unfairness of allowing them their due share in the representation. If their constituencies were in general pure and independent, or any secure plan of making them so could be devised, we should regard them as an important and valuable element in our constitutional system. But the great majority of them are notoriously undeserving of the franchise, and those who know them best are least disposed to undertake their defence. The plan of combining a number of them into one constituency would be futile or beneficial according to the details of each individual case. If a close or a rotten borough were amalgamated with an open or a manufacturing town, much advantage might possibly result; if two or three corrupt or manageable constituencies merely united their iniquities, the evil of the existing state of things would only be spread further and rooted faster. We should propose, therefore, at once to reduce the 61 boroughs with fewer than 500 electors, and now returning 91 members, to *one* representative each. This would leave thirty seats to be disposed of.

In case of gross and general bribery, or clear dependence, being proved against any of these constituencies before the tribunal already hinted at, it should be disfranchised, and its elective right transferred to such other towns as Parliament might appoint. By this enactment a strong motive would be given to pure and decorous elections, while, at the same time, a standing provision will have been made for the purgation of the anomalies and impurities of our system, and for the gradual enfranchisement of rising cities. Thirty seats, however, would be at once at the disposal of the reforming Legislature. Two of these we propose to allot to the London University, one to

Glasgow, and one to Edinburgh, as an act of just liberality and popular concession, but also as a means of opening an access to Parliament for that class of men, who are by opinions or habits unsuited to popular constituencies, but who, nevertheless, would make most valuable senators, and from whom their former resource, close boroughs, has been cut away. The remaining twenty-six seats we would deal with in a somewhat novel manner.

There are individuals who under our present system either do not find seats in Parliament, or find them with much difficulty, or obtain them only at the cost of some injurious fetters, or some suppression or modification of their real views, some damage, therefore, both to the purity of their conscience and to their power of usefulness,—whom nevertheless it is most important for the interests of the empire to have in public life. Either their manners are unpopular, or they have given offence to some local prejudice, or they are too unbending to suit large and miscellaneous constituencies; or their views are too profound and comprehensive to be appreciated by such; or the subjects with which they are specially conversant, though of vital moment to the empire, are not of a nature to excite the interest of local bodies; yet in every constituency there are some electors who can appreciate their value. To take one illustration of our meaning: Sir James Graham is, by universal consent, about our ablest administrative Statesman,—the Statesman of all others whom sensible men of every party would most grieve to see excluded from Parliament; yet he has never been popular with any constituency, has always found a difficulty in obtaining a seat, and has never (it is said) sat twice for the same place. Further, if Parliament had been dissolved on the Papal Aggression question, though a minority in every constituency shared his notions, he would have been elected by a majority in none; and would either have lost his seat altogether, or have been obliged to stoop to the ignominy of an Irish Roman *clientèle*.

Again, the most valuable men, almost, whom we can have in public life, are the philosophic and eclectic politicians—a large sprinkling of them at least; men who can repeat the shibboleth and echo the watchword of no party; who are too conscientious and reflective to 'go the whole hog' with any; who belong to one side by three points of their creed, but to the opposite side by the fourth; who, it may be, are zealous free traders when the Negro question does not come in to complicate the discussion; or who are Conservatives *quoad* the State, but Reformers *quoad* the Church; or who hold with the Radicals on practical and administrative, but dissent from them as to organic changes; who, in a

word, think for themselves, and think in detail and not in the lump. Now, there are scarcely any constituencies with whom such men can find favour; they are condemned as crotchety, subtle, and inconsistent; they are in the position of the 'Ugly Duck' of Hans Andersen's tale, whom no one discovered to be an incipient swan; the Conservative electors eschew them as Reformers; the Liberal electors snub them as 'unsound' and not 'thorough'; being 'guilty in one point' they are sentenced as violators of 'the whole law';—of whom the world—that is the constituencies of England—is not worthy.

Again, questions connected with our Indian and our Colonial Empire will ere long become the most pressing and important with which Parliament has to deal. Yet such is the state of feeling and knowledge, or rather the want of feeling and knowledge, prevalent on these topics in England, that mastery over them and sound views regarding them will be no effective recommendation to any local constituency; and the most complete *ignoramus* on these matters will be preferred to the ablest and justest thinker, if the first be 'right,' and the second 'wrong,' on a question of local, or passing, or party politics. We want, and shall want increasingly, representatives specially conversant with, and free to devote themselves exclusively to, *imperial interests*, hampered by no fears or pledges, and compelled to consult the narrow prejudices of no limited constituency.

Before the Reform Bill, close or nomination boroughs furnished men of this class with an avenue to Parliament; since that date a few of the smaller and more manageable constituencies have answered the same purpose. But as any further representative changes will close this channel likewise, it is important to devise some adequate and honourable substitute. The proposed increase of Members for learned bodies will do something, though not much, in this direction. Our suggestion is this: it would at once and fully meet the purpose aimed at; and, to the best of our belief, is open to no objection except its novelty. Let the twenty-six seats which remain to be disposed of be assigned to NATIONAL REPRESENTATIVES, to be chosen as follows:—Let any elector who pleases require the revising barrister to remove his name from the *local*, and place it on the *national* register, which shall be separately published. When an election takes place, let the candidates for the national representation issue their addresses, and let the national electors decide upon their merits. The voting in this case might take place by written papers, signed and sent to the central office;

each elector voting either for one candidate, or for three, or for all, as might on further consideration seem advisable.

By this arrangement, you would at once create a higher class both of electors and of representatives. Those who placed themselves on the national register, would be for the most part men of more thoughtful habits, more extensive information, and wider views than the mass of the enfranchised body. Those too, who, from being at issue with the overpowering majority of their fellow-townsmen or fellow-freeholders, found their votes utterly ineffective and thrown away in their several localities, would thus be enabled to transfer them to an arena where they would have a *bonâ fide* value. At present a Conservative elector in a borough where five-sixths of the voters are Liberals, or the converse, finds himself virtually disfranchised: his voice is that of one crying in the wilderness. You would secure a certain number of pure elections, degraded by no canvass, biassed by no mean personal motives, purchased by no unworthy compliances, attended with no undignified or indecorous concomitants, realising, in fact, something like the ideal of representation, and furnishing a valuable nucleus of high example. And you would secure the presence in Parliament of a class of men free to consider nothing but the public good, because undisturbed by fear concerning their future re-election, and confident in the capacity of their constituents to appreciate both their motives and their conduct.*

Fully impressed with the growing extent and increasing population of our Colonies, and the importance of attaching them to the mother country by every tie of interest and affection; feeling too both the justice and the wisdom of treating them as far as possible like integral portions of our Empire; we have considered with some care the question of allowing them to send representatives to Parliament, but are not on the whole inclined to think favourably of the scheme. A member to each colony or group, or perhaps two to the more important ones, would be the largest allotment we could afford. These men would come to the House of Commons naturally impressed with an undue and disproportionate idea of the importance of their respective constituencies in the balance of imperial concerns, and would demand more than their fair share of attention and deference; if pertinacious would be voted bores; if comparatively yielding would feel a sense of ill-usage and neglect, which they would not fail

* We owe the suggestion here put forth, which we consider of the very greatest importance, to an able paper in the 'Spectator' newspaper, where, we believe, it first appeared about a year ago.

to communicate to the colony they represented; and in any case, with whatever respect they were listened to, would find themselves lost, swamped, and overlaid amid the vast majority of British members, and the more urgent presence of British interests. Their votes would be few, and their influence, save on special questions, little felt. Their fitting and far more effectual place would be in the *executive, not in the legislative* department of the State. The whole system of our colonial administration imperatively clamours for revision; and a governing board in which representatives from our colonies shall find an influential and recognised position, will probably be the solution of the problem.

No new Reform Bill will, we trust, be introduced to the consideration of Parliament, without a clause conferring on the Sovereign the right of nominating to *ex-officio* seats (without votes) in the House of Commons those Ministers, being commoners, whom the public service requires should belong to that House. We have never heard any objection to this proposal of the slightest weight. No evil can be suggested as likely to arise from it; whereas the evil arising from the absence of such a provision is serious and constant. It not only limits the Queen's choice of her Ministers, but it almost habitually prevents her from choosing the best men. It enables, moreover, any cross-grained or corrupt constituency to negative Her Majesty's appointments. This is an evil which has grown out of the Reform Act; before that measure it did not sensibly exist, for Government and nomination boroughs afforded an irregular way out of the difficulty. We noticed the subject some years ago (April, 1835,) in reviewing a pamphlet by the late excellent Lord Northampton against the law by which seats are vacated on accepting office. Let us see the operation of the defect in a single set of cases—the appointment of the Crown lawyers. The Attorney- and Solicitor-generals ought unquestionably to be selected as being the ablest and soundest lawyers at the Bar, holding the opinions of the Ministry of the day. There should be no other consideration in their appointment. But as the law now stands, the Queen's choice is limited *first*, to those barristers who can securely count upon a seat in Parliament by election or re-election, as the case may be. She is often obliged to pass over the best man, or two or three of the best men, and select her legal agents from among the second or third-rate lawyers in her realm. This is very objectionable in itself; but the evil does not stop here. The Attorney- and Solicitor-generals have, by immemorial and admitted custom, the claim to the highest judicial offices which fall vacant during their tenure of office: thus the incompetent

or undesirable barrister is raised to the highest judicial dignity, not in consequence of his qualification for the Bench, but simply because he happened some time before to have had a firm hold on some Parliamentary constituency. The Judge is appointed, not because he is the light and ornament of the bar, — the profoundest lawyer and the most impartial and dignified mind in his profession, — but because he was a successful candidate at the hustings. It would be indelicate to mention names; but very recent times and nearly every Ministry since 1832, could furnish instances of the practical pressure of the evil we are anxious to remove. Nor is the mischief confined to the legal profession. Many a man would make an admirable Under Secretary of State, whose fortune or circumstances do not enable him to enter on a regular Parliamentary career, or to encounter a popular constituency, and who is, therefore, to his own discomfiture and to his country's detriment, shut out from office. The most desirable man cannot be appointed Colonial Minister, because his seat, if vacated, might be irrecoverable. Administrations cannot strengthen themselves by the alliance of colleagues who possess the confidence of the general public because the place for which they sit has been offended by some unpopular vote or speech. We need add no more on this head: the peculiarity of the case is that we have no adverse arguments to meet. *Vis inertiae*, and hatred of novelty, are our only antagonists.

After all, however, these various suggestions, whatever be their value, regard only the *material*, and as it were the corporeal, portion of Representative Reform. Something more and something deeper is needed if that reform is to be searching and effective. The wisest arrangements, the most obvious improvements, in the mere machinery of the system, will go little way towards the attainment of the end we seek, without some renovation and elevation of our moral notions in all that regards elections. Unless we can succeed in infusing into the minds of both electors and candidates a due sense of the dignity and solemnity of the function which is exercised by the first, and of the sacredness of the trust which is aspired to by the second, the wisest Reform Bill may be but a lifeless letter. We have just seen a great nation, — boasting itself, not without reason, the most advanced and enlightened upon earth, rich in material wealth, rich in boundless territory, rich in long-descended liberties, rich in all memories which should bind it to live worthily, to think nobly, to act decorously, — proceed to discharge the most solemn and momentous function of its national existence. It had to select, out of all the thousands of capable

men whom it contains, those who were to govern it and legislate for it for the next six or seven years; to whose care were to be entrusted its mighty and varied interests; to whose integrity and wisdom were to be committed the concerns, moral and material (as far as government and legislation can affect them), of many millions of citizens, and many scores of millions of dependent tribes; on whose honour and judgment were to depend the character, the comfort, the existence even, of themselves and their children — the progress of many great questions which they have much at heart — the possibilities of a grand future, the continuance of an honourable past! Surely, this was a function to be approached with the utmost gravity, to be discharged with the greatest decorum, to be fulfilled under an absorbing sense of the wide responsibility attaching to it. To choose those who were to govern, not ourselves only, but myriads of others also, was surely a matter demanding the most careful deliberation, and the most conscientious caution: no selfish motive, no petty passion, no private predilection, could be allowed to interfere where considerations so immense and so various were at stake: every man must bring to the task his most enlightened judgment, his sternest honesty, his highest powers. This is the theory: what was the fact? This is what we might have expected to see: what is it that we have seen?

We have witnessed a scene in which all the better part of our national nature seemed to be abnegated and put off like a garment — which in many of its details should make Englishmen blush for themselves and for their country. We have seen a sort of Saturnalia — a licensed holiday for airing all the mean and bad passions of humanity; we have seen thousands drunk with foolish frenzy, hundreds of thousands drunk with ignominious beer; we have seen writers and orators busy in arousing envy, hatred, and malignity, by every stimulant within their reach; in awakening every furious feeling which ought to slumber for ever, and in torpifying every controlling principle which should never for an hour be laid to sleep; we have seen calumny and falsehood indulging themselves to an extent which in ordinary times they would not venture to approach; we have seen independent electors selling themselves, some for gold, some for flattery, some for ambition or revenge; we have seen respectable and noble candidates fawning, cringing, and truckling, in order to obtain a distinction which is honourable only when honourably gained; we have seen men who would not steal from a shop, yet complacently pocketing a bribe, and men who at other times, would counsel no doubtful or disreputable deed, yet now making a voter to sell his conscience and his

country. In a word, we have witnessed scenes of low, dirty, shameless iniquity, which fill us with a double wonder: wonder that from so strange and guilty a process such a result as even a decent House of Commons can ever be obtained; wonder that so many men fitted to be legislators — high-minded, patriotic, honourable men, who desire a seat in Parliament from no sordid or unworthy motives — should be content to wade to that eminence through such a sea of clinging and soiling mire.

Not for the wealth of worlds, not for the empire of the old Cæsars, would we consent to lay upon our conscience the sins and sufferings comprised in and consequent upon a general election as now conducted — the covetous desires aroused, the malignant passions excited and let loose, the debauchery stimulated and assisted; the wounded self-respect, the tarnished honour, the compromised independence of many candidates; the social ruin of the honest voter, who stands sturdily by his principles; the moral ruin of the bribed or bullied voter who deserts them; the conceptions of a whole people incalculably bewildered and relaxed. For it is a mistake to suppose that the evil passes with the hour — that the old sense of right and justice and truth revives in its pristine clearness as soon as the temporary storm which obscured it has swept past. 'Some leaves fall off every time the tree is shaken.' Let us look for a moment at the varieties of moral mischief produced by the late election, so as to form some estimate of the real cost of a new Parliament, as now chosen, to the better elements of a nation's life. How many candidates, of gentlemanly birth and education — desiring a seat in Parliament for the gratification of honest ambition, or for the real object of serving their country and forwarding great public objects — have yet purchased that seat by mean compliances which ought to leave ever after a weight upon their consciences, and must almost incapacitate them from turning to good a power which has been so unworthily obtained! How many have 'filed their mind,' as Shakespeare calls it, to meet the angry passions or foolish prejudices of the ignorant constituents whose votes they were soliciting — have, in clerical fashion, swallowed in the lump all the articles of a political creed, only a few of which they cordially believed — and have stretched, clipped, and warped their opinions to fit those of their committee or their borough! How many have perverted an occasion which, properly used, should be the most serviceable of all for the political education of the people — for instructing them in facts, for enlightening them as to principles, for eradicating false impressions, and preparing them for the proper discharge of their electoral duties — into an opportunity of confirming their prejudices, of endorsing

ant political principles, affecting the practical interests of the day, should be made by Prime Ministers after dinner, during the Session of Parliament. If Lord Derby had made this speech in his place in the House of Lords, the question which he raised might have been debated, and we might have obtained some light as to the nature of the particular compromise which he attempted, by insinuation and by the use of general terms, to recommend; as it was, he merely succeeded in throwing a doubt upon the effect of Mr. Disraeli's speech, and of making the public suppose, that while the Chancellor of the Exchequer wished to abide by Free Trade, the Prime Minister thought it possible that a small duty on corn, or some measure of compensation to agriculture, might still be extorted from the country. But the public was not kept very long in this suspense. The budget speech was made on the 30th of April; the speech at the Mansion House on the 8th of May. In the course of a few weeks, another and a larger portion of the veil was removed from the Protectionist intentions of the Government. In reference to the approaching dissolution of Parliament, Mr. Disraeli, on the 2nd of June, issued an address to the Electors of Buckinghamshire, in which he took occasion to expatiate on the position of the country, and to set forth his opinions on the policy to be adopted with respect to Protection and Free Trade.* After some introductory remarks, on the three great Free-trade measures of the last six years; namely, the repeal of the Corn Laws, the equalisation of the Sugar Duties, and the repeal of the Navigation Laws, he proceeds as follows:—

‘ The farmers hitherto have been the persons who have been
 ‘ most injured by the repeal of the Corn Laws, but the diminution
 ‘ of rent in Great Britain is greater than is generally supposed.
 ‘ In preparing the official statement for this year, it was officially
 ‘ represented to me, that I must contemplate, in estimating the
 ‘ produce of the Income Tax, a diminution of rent not much
 ‘ less in amount than 5,000,000*l.* sterling. Practically speaking,
 ‘ in this country, rent has become a return for the capital
 ‘ invested in the improvement of Land. *Laws to secure a*
 ‘ *return on such investment are not for a moment to be tolerated;*
 ‘ but laws which, by imposing unequal taxes, discourage that in-
 ‘ vestment, are, irrespective of their injustice, highly impolitic;
 ‘ for nothing contributes more to the enduring prosperity of a
 ‘ country than the natural deposit of its surplus capital in the
 ‘ improvement of its soil. Justice to the land, in all systems of

* This address is printed in the ‘Times’ of Monday, June 7th.
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‘ finance, is equally the interest of the proprietor and the farmer,
 ‘ but it is also equally the interest of the community.

‘ There is no portion of the United Kingdom that has suffered
 ‘ more from the precipitate repeal of the Corn Laws than Ireland.
 ‘ *The claim of that country to the consideration of Parliament is*
 ‘ *irresistible.*

‘ The time has gone by when the injuries which the great
 ‘ producing interests endure can be alleviated or removed by a
 ‘ recurrence to the laws which, previously to 1846, protected
 ‘ them from such calamities. The spirit of the age tends to free
 ‘ intercourse, and no statesman can disregard with impunity the
 ‘ genius of the epoch in which he lives. But every principle of
 ‘ abstract justice and every consideration of high policy counsel
 ‘ that *the producer should be treated as fairly as the consumer,*
 ‘ and intimate that when the native producer is thrown into un-
 ‘ restricted competition with external rivals, it is the duty of the
 ‘ Legislature in every way to diminish, certainly not to increase,
 ‘ *the cost of production.*

‘ It is the intention of Her Majesty’s Ministers to recommend
 ‘ to Parliament, *as soon as it is in their power,* measures which
 ‘ may effect this end.

‘ One of the soundest means, among others, by which this
 ‘ result may be accomplished, is *a revision of our taxation.*
 ‘ The times are favourable to such an undertaking; juster
 ‘ notions of taxation are more prevalent than heretofore; powerful
 ‘ agencies are stirring, which have introduced new phenomena
 ‘ into finance, and altered the complexion of the fiscal world;
 ‘ and *the possibility of greatly relieving the burdens of the com-*
 ‘ *munity, both by adjustment and reduction,* seems to loom in the
 ‘ future.’

The meaning of the preceding passage (however it may be
 disputed by the Protectionist supporters of the Government)
 seems to us plain and obvious. Mr. Disraeli, speaking in his
 official character of Chancellor of the Exchequer, of Cabinet
 Minister, and of Leader of the House of Commons, therefore
 as the authoritative organ of the Government, announces all
 intention of proposing a recurrence to the laws which, previously
 to 1846, had protected the great producing interests of the
 country. These laws were the Corn Law, and the Act regulating
 the sugar duties: the Navigation Laws were not repealed till
 1849; but they appear to be included in the purport of his
 proposition. He repudiates the idea of restoring these protective
 measures, not on any narrow ground derived from the peculiar
 character of the restriction—such for instance as the difference
 between a fixed duty and a sliding scale—but because a

restrictive and protective commercial policy is repugnant to the genius of the present age. Having thrown aside the Protectionist system, as unsuited to the circumstances of the case, he tries to find some other remedy for the evils inflicted on the native producing interests, by unrestricted competition with the foreign producer. This remedy, he announces, is to be found in a diminution of the cost of production. This is the object at which it is the duty of the Legislature to aim; and he plainly declares that Her Majesty's Ministers intend to recommend to Parliament, as soon as it is in their power, measures for effecting this end.

The end which Mr. Disraeli has in view, and to which the promised measures of the Government are to be directed, may, it seems, be attained by more ways than one. But the measure for compassing this object, which he considers the soundest, is a *revision of our taxation*. He lays it down that the times are peculiarly suited to this great work; and that, as the happy result of the various favourable circumstances which he enumerates, we may anticipate the advent of *great relief to the burdens of the community*, both by adjustment and reduction of taxes.

The intentions of the Government on the subject of restoring Protection did not receive any great additional light during the remainder of the Session. In a debate chiefly turning upon Mr. Mather's case, raised by Lord J. Russell on the 14th of June, Mr. Disraeli indeed created some surprise by declaring, that neither he nor Lord Derby had ever recommended a recurrence to the laws which regulated corn and sugar before 1846. With reference to the reimposition of a duty on corn, he then expressed himself in the following significant words, which prove at least that he does not form a very high estimate of the *popularity* of the Protectionist doctrines:—

‘ If a measure, though recommended by the highest economical authorities, is one *that the popular will repudiates*, I do not think that any minister is bound to propose it. But what is the measure that you seem always wishing us to propose—that you, with such anxiety, press for, and appear so jealous, if for a moment we lose sight of it? It is, after all, nothing but *a countervailing duty against certain inequalities of taxation*; and if we can remove those inequalities of taxation, and redress the fiscal injuries and injustice which we believe exist, without having recourse to *odious means*, I consider that we are acting in strict consistency with all we have said if we adopt those means; that we are acting in perfect unison with all that we have counselled, if we follow

‘ the course which we think preferable, and *which we believe to be popular.*’*

About this time, a belief got abroad (either founded on Lord Derby’s doctrine of the expediency of compromises, or on some other assurance of some of his colleagues) that the Government, having abandoned Protection, intended to introduce a change of taxation for the exclusive benefit of the agriculturists, by which all the other separate interests, and the public at large, would be losers. Lord Derby, accordingly, on the day preceding the dissolution of Parliament, took occasion to declare, that the measures to be brought forward by his Government in the next Session would not be intended to favour any particular interest, but would be framed so as to unite all classes, and to do justice to the claims of the entire community. We think it important, in order to prevent any misunderstanding, to annex his own words :—

‘ I will only say that in any measures which we may think it our duty to bring forward in the next Session, while, on the one hand, we shall not shrink from the endeavour to do justice to any class of the community whom we may think to be suffering under inequality of pressure and injustice of taxation, I can assure your Lordships, at the same time, in all sincerity and with all truth, that our endeavours will be directed rather to reconcile than to exasperate the feelings of difference between classes; and so far from supporting the interests of one class as apart from the interests of the others, our object will be rather to obtain the confidence of the country at large by doing to the best of our ability, and with thorough impartiality, that which we believe to be called for by the claims of justice to all the various interests of the country.’†

Parliament was dissolved on the 1st of July, and on the 14th Mr. Disraeli attended a dinner of a large party of his constituents, at which he made a speech containing his views on public affairs. ‡ As this speech is very copious on the subject of relief to agriculture, we will extract from it, in the speaker’s own words, the prospects which he holds out to that interest from the measures of Government in next Session :—

‘ I say, what is the reason the English producer, the English occupier of land, cannot compete with the foreign producer or occupier of land? I have always said the reason is, that the

* Hansard’s Debates, House of Commons, June 14th, 1852.

† Lord Derby, House of Lords, Wednesday, June 30th, 1852. (*Times’ Report.*)

‡ See the ‘Times’ of July 15th, for a report of the proceedings.

‘ English producer is under a system of taxation, a system which
‘ is in general applied to himself, which is in particular applied
‘ to the class to which he belongs, entailing upon him burdens
‘ which do not allow him to run the race on equal terms. This
‘ is what I said. And, gentlemen, I have also said, that the
‘ Protectionist system was not to be justified unless you can
‘ show these circumstances exist. And I still believe these cir-
‘ cumstances do exist in this country, however much they may
‘ be modified, *and that the principle of Protection is sound*; that
‘ in a society which is artificial, in which there exists a financial
‘ system so complicated as our own, it was much better to
‘ adhere to compensating arrangements for the protection of the
‘ cultivator of the soil than that you should madly leave him an
‘ unequal competitor with the foreigner. And this principle, I
‘ say, is at all times to be modified according to existing circum-
‘ stances. But, gentlemen, the Protective principle was not
‘ only a sound one, but it was a principle to the advantage of
‘ the country, and the only principle upon which our present
‘ system of finance could be vindicated. You could not vindi-
‘ cate a system that rested individually and mainly upon the
‘ cultivators of the soil, unless in its operation it gave some
‘ compensatory relief to those whom it placed under particular
‘ restrictions. Well, I say, gentlemen, if the country has
‘ chosen to abrogate that system, and if the majority of the
‘ people of this country are of opinion it would be unwise to
‘ recur to it, I say we must seek by other means, and in another
‘ direction, to place the cultivators of the soil in a fair and just
‘ position. Now, gentlemen, that is all I have ever said. It is
‘ what I am perfectly ready to maintain. I said it in Oppo-
‘ sition, as your member; and I say now, as a Minister of the
‘ Crown, I am perfectly prepared to advise Her Majesty to
‘ carry it out. Now, gentlemen, it has sometimes been said,
‘ that the policy which I wish to pursue has been of but limited
‘ compass; that it referred only to the burdens entailed upon
‘ land by our system of unfair taxation. Well, gentlemen, in
‘ the first place, if there are any particular burdens on one class
‘ which the rest of society do not bear, I say, as a matter of
‘ principle, that there ought to be redress. But I utterly deny
‘ that at any time I have told you that proper measures of
‘ redress were solely or wholly to be got by any advantage
‘ which might arise from the adjustment of particular burdens
‘ entailed by local taxation. . . . I have not told you, I do not
‘ tell you now, that this would give you a sufficient, or that this
‘ would give you the chief means of redress. I say no. *It is*
‘ *in reviewing, it is in adjusting, the whole system of national tax-*
‘ *ation*; it is in placing this system upon a just basis, that the

' producer will find that justice which the consumer, which
 ' every fair and upright man, could wish him to secure. Gen-
 ' tlemen, the old question was simply this: You said it re-
 ' quired a system of legislation which would secure to you an
 ' artificial price. You were always taught to believe that in
 ' raising prices you would find redress; and in my opinion it
 ' would have been very wise not materially to have destroyed
 ' the old system. But there is another view of the case, another
 ' view of your position, another means by which you may obtain
 ' redress, and a means more practical than recurring to the past,
 ' which is beset with infinite difficulties. *It is not to increase*
 ' *prices in order that you may have a fair remuneration for your toil;*
 ' *but it is, gentlemen, to reduce the cost of production.* Now that
 ' is the sound advice which the agricultural interest must act
 ' upon. You are told that it is one of the necessities for the
 ' prosperous condition of England that the bread of the people
 ' should be cheap. Well, I say, take care that the producer of
 ' that bread shall be able to produce it as cheap as possible.
 ' Now, gentlemen, you will find, if you adopt that view of the
 ' case, that you who are occupiers of the soil will more gra-
 ' dually get the feeling of the country in your favour, and at the
 ' same time more perfectly secure compensation for yourselves.
 ' It is, as I have said, in reviewing the system of taxation which
 ' exists, and in the adjustment of that system, that the cul-
 ' tivators of the soil will find that compensation which they
 ' have a right to expect from [for?] the abrogation of that law
 ' which gave them artificial prices; and I say, in accordance
 ' with the spirit of the age, and with the temper of the country,
 ' *let your produce now be raised upon the cheapest possible prin-*
 ' *ciple.* But then it follows you must not allow your native
 ' produce to be shackled by laws which hinder the producer
 ' from competing with foreign countries. It follows that *in the*
 ' *new principle of justice* the cultivators of the soil shall no longer
 ' remain the only class incapable of receiving a fair profit for
 ' their industry. *It follows you must take care that the same*
 ' *justice be done to all Her Majesty's subjects.* And I am well
 ' aware, gentlemen, if the question be viewed in that light, and
 ' *if taxation shall certainly be placed upon a new principle, I am*
 ' *convinced we shall be able to bring forward measures of relief*
 ' *which will receive the sympathy and approbation and support of*
 ' *all the various classes of this country.*'

In his speech at his election in the Shire Hall, on the 16th,
 Mr. Disraeli reiterated many of the same topics*; but our

* Reported in the 'Times' of July 17th.

space does not permit us to extract more than the following passage:—

‘Gentlemen, I don’t pretend to think that any adjustment of local taxation would give the redress that is necessary to the cultivator of the soil; nor do I think that, in entering upon the question of a revision of taxation, we are to consider the interests of any class alone, however respectable. I carry my views much further, and I look with confidence to the moment when the Government (whom some, who are not entitled to do so, now presume to treat with contumely) will bring forward measures, which, while part of those measures will redress the grievances of the cultivator of the soil, and place him in a fair position for the exercise of his industry and the employment of his capital, will, at the same time, by their wise and comprehensive character, *relieve every class in the country* by the introduction into the system of taxation principles more just and beneficial than those which have hitherto been its basis.’

If, therefore, we put together the declarations of Lord Derby and Mr. Disraeli on the subject of Protection and Free Trade, between their accession to office and the general election, the position of the Government with respect to this question seems to stand thus. The Ministers hold that the Free Trade measures on corn, sugar, and the Navigation Laws were hasty, unjust, and unwise in their conception and execution, and in their consequences have been highly detrimental to the producing interests affected by them. They nevertheless see, with regret, that the country is not prepared to re-establish a system of Protection for the benefit of the landed and West India and shipping interests, and for the purpose of raising the prices of grain, sugar, and freights; and, therefore, they wish that some other measures should be passed for improving the condition of the producer. They believe that the cost of production, particularly for agricultural produce, is increased by unjust taxation; they think that this injustice may be redressed, partly by a transfer of certain local burdens to the Exchequer, or by including personal property in the local rates, but chiefly by a general revision of the Queen’s taxes. By a proper change of taxation, the grievances of the agriculturists may, they hold, be removed, with the concurrence of all other classes of the community. They consider the present time as peculiarly well fitted for the accomplishment of the revision of taxation, both general and local, which they meditate; and they intend, as soon as possible, to lay before Parliament the measures for carrying their plans into practical effect.

The essence of the agreement made between Lord Derby’s

Government and the Free-trade Opposition in the early part of last Session was, that, as soon as the measures necessary for the current service of the year had been passed, Parliament should be dissolved, principally in order that the question of Protection or Free Trade should be decided at the hustings. The Government, however, as we have seen, contrived before the end of the Session, to disconnect themselves with the question of Protection, — though always with some reserve and equivocation of language, — and the issue upon which they went to the country was, in truth, little else than a general confidence in Lord Derby's Government. An abstract entity was formed, called *Derbyism*; and the persons who were initiated into the mysterious and hidden doctrines appropriated to it, were called *Derbyites*. Not having ourselves been admitted into this fraternity, we are unable to describe the exact composition of the article; but we believe that a large portion of Protectionism, mixed with some No-Popery, and some hostility to Parliamentary Reform, are its main ingredients. At the same time, Derbyism, as expounded on the hustings, was a very malleable and uncertain creed; and might, like Martinus Scriblerus's abstract idea of a Lord Mayor, be successively stripped of all its characteristic appendages. For a Derbyite in a county was a Protectionist, in a small town was neutral, in a large town was a Free Trader. In Ireland, he was for the Maynooth Grant, but in Scotland against it. In like manner, his dread of democracy, or his disposition to yield to the spirit of the age, varied according to the constituency and the probable result at the poll. Hence it will, we suspect, be found, when Parliament meets, that Derbyism is merely a name, and represents no fixed and tangible set of opinions. When the inanity of this new creed is made apparent, the disappointed devotee, on discovering his illusion, may exclaim, — 'Te colui virtus, ut rem; at tu nomen inane es.'

Lord Derby, contrary to the established constitutional practice, announced that he had opinions, but no practical intentions, on commercial and financial subjects, and that he intended to appeal to the country for a policy. The country have answered that appeal by returning a House of Commons, of which (as we are assured by the organs of the Ministry) the majority are prepared to place confidence in Lord Derby's Government. This interchange of courtesies may be highly pleasing to the Ministers and their supporters; but we doubt whether the public will derive any substantial benefit from it. Lord Derby, with a gracious smile, says to the country; 'Pray have the kindness to give me a policy.' The agricultural and

Protectionist constituencies make him a low bow, and say: 'We place unlimited confidence in your Lordship's Administration.' This operation may prove the good breeding and excellent manners of the English people, but we do not perceive that it has either provided Lord Derby with the policy of which he was in search, or that the Protectionist electors have given their confidence to any set of principles, or for any other purpose than that of keeping a given set of men in office.

The result of the general election is now before the country, and it is clear that the composition of the new House of Commons is not such as to afford the probability of a speedy solution of the various practical questions which divide public opinion. The elections, as managed by the Derbyite party, have been characterised by an unscrupulous use of the rights of property, and also of Government influence, wherever it existed. Intimidation has been systematically practised, on a large scale, and the desire for the protection of the ballot has undoubtedly gained ground. In general, candidates of extreme opinions have been most successful; while those of moderate opinions have been often rejected. We rejoice sincerely, on public grounds, that Mr. Macaulay will return to grace the benches of a Liberal Opposition: his election has been not less honourable to himself than to his former and present constituents. On the other hand, we cannot but express our regret, as well as surprise, that a person of such high parliamentary qualifications as Sir George Grey, and who had, as Secretary of State, by his courage, moderation, good management, and ability, rendered such important services to the cause of order, in 1848, should have been hunted down, by all the overwhelming territorial influence of a Conservative Cabinet Minister, and by unsparing intimidation of voters, and driven from the seat which he had so worthily occupied. It has often happened that a Government has sought to avail itself of a popular cry, at a general election, and has also appealed to the country in order to obtain support on that ground. But we believe that no example can be found in our history of a general election systematically conducted, as the late election was, upon false pretences; and in which a Government deliberately claimed support upon grounds which it knew to be deceptive and mendacious.

The Government have done their best to shift their political ground since they have been in office; but their history is too well known, the origin of their party is too recent, and their acts are too well remembered, for the country to regard them, at least for the present, in any other light than as a Protectionist Ministry. They have attempted to represent them-

selves as the only preservative against the deluge of democracy and revolution which is about to overwhelm us; but it must be perfectly obvious to all who observe the state of the country, and who compare it with former times, that the people are now, for the most part, in a condition of unusual tranquillity and contentment, and that no demands for organic changes are made by large bodies of the working men, in a threatening and alarming tone. This satisfactory position of affairs is beyond a doubt mainly owing to the successful operation of the Free-trade policy, which the party now in power did their utmost to resist and frustrate, and which they would still, if they could, undermine. Which policy, we would ask, really deserves the name of Conservative — that which concedes in time the demands of the people which are founded on justice and reason, or that which resists them until they are extorted by intimidation and tumult? Can any rational man doubt, that, in the year 1848, when all the Continent of Europe was in a state of revolution and popular commotion, the stability of our institutions, and the spirit of union and loyalty which pervaded all classes, was in great measure owing to the voluntary repeal, in 1846, of the laws which were believed to raise the price of bread, in order to increase the rents of the landed aristocracy?

Frequent reference has likewise been made, during the elections, to the meeting at Chesham Place, as evidencing a compact between Lord John Russell and the extreme section of the Liberal members, and proving a change in his opinions on Parliamentary Reform since his resignation of office. We reaffirm the truth of the detailed statement in our Number for April (No. cxciv. p. 577.), in which we showed that no such compact was entered into at that meeting. We believe that Lord John Russell's opinions upon the general principles of Parliamentary Reform have undergone no change since the dissolution of his Government; and, indeed, the course which he took upon the motions on that class of subjects during last Session proves conclusively that they have remained unaltered. In fact, he has, like most persons who steadily maintain a middle course, exposed himself to charges coming from opposite directions, which, though inconsistent with each other and with truth, are not the less successful in obtaining a partial belief. By the extreme section of the Liberal party he is treated as little better than a Tory; as lagging behind the feelings and wants of the age; as timid and obstructive; as clinging to a worn-out system; and as checking the progress of Reform. The Derbyites, on the other hand, represent him as a dangerous democrat, inflaming the country with revolutionary aspirations, and ready to demolish

the throne and the House of Lords on the first favourable opportunity which shall occur. Both these views are equally false; but the alarm about the progress of democracy has only seized the Derbyite party since they have been in possession of office: when they were in Opposition, they showed no disposition to support the late Government in resisting extreme motions connected with Parliamentary Reform, upon several of which Lord John Russell's Government sustained temporary reverses, owing to the intentional absence of the Protectionist members.

The Derbyite party, ever ready to be all things to all men, and to adopt any opinion which could be turned to immediate account, have likewise extracted whatever advantage they could from the Anti-Maynooth cry at the elections; at the same time the Government have carefully abstained from holding out any hope that they would propose to repeal the Act which Sir R. Peel and Lord Derby carried through the two Houses of Parliament in 1845. Their prominent and substantial characteristic is, that they are Protectionists, but Protectionists who have abandoned Protection as a practical measure. They are reluctant and unconvinced Free Traders, believing the principles of Free Trade to be unsound, and the principle of Protection (as Mr. Disraeli declared at the elections) to be sound. They think that the Free-trade measures of 1846 and 1849 ought not to have been passed: that they were founded on an erroneous theory, and have been followed by results ruinous to the producing interests, but that the mass of the people view these measures with favour, that public opinion upholds them, and therefore that the time is not yet come when they can be reversed.

Mr. Disraeli (as we have already mentioned), near the end of last Session, defied anybody to find a passage in any speech delivered by himself or by Lord Derby recommending a recurrence to the laws which regulated the duties on corn and sugar before 1846. If we understand correctly the terms of this challenge, we are quite ready to pick up the glove. We presume that Mr. Disraeli does not lay any stress on the *precise regulations* of the duties on corn and sugar, as they stood at the beginning of the Session of 1846. We do not understand him to deny merely that himself and Lord Derby recommended a return to the *identical scale of figures* in which the duties on corn and sugar were then expressed. What we conceive him to mean (and, unless such was his meaning, his challenge is worthless) is, that neither he nor Lord Derby ever recommended a recurrence to a scale of duties on corn and sugar which would

be *substantially Protective*; which would have the effect of raising the prices of those articles for the benefit of the producer.

Now if this be the meaning of the challenge, we say that, not merely one passage, but the whole course and tenour of the speeches of Mr. Disraeli and Lord Derby, as well as of Lord George Bentinck, together with their other principal supporters, now for the most part members of the present Government, since the year 1846, has been to condemn the Free-trade measures of that year, and to recommend a reversal of the policy on which they were founded. They must be judged as practical men, dealing with actual legislation, and with the conduct of public affairs, and their opinions must be construed by their acts. The course which they adopted was not an acquiescence in the Free-trade measures of 1846. After the passing of the Reform Bill, Sir R. Peel announced that, although he disapproved of its policy, and had opposed it during its progress through Parliament, yet, since it had become law, he would acquiesce in the decision of the Legislature, and not attempt to disturb this important national settlement. To the spirit of this declaration he adhered: and he never attempted to make the country dissatisfied with that great change—but the Protectionist party never, either by word or deed, acquiesced in the measures of 1846. Their whole public conduct, both in and out of Parliament—in debates, and motions, at public meetings, and dinners, on the hustings, and in pamphlets, reviews, magazines, and newspapers—was a series of protests and remonstrances against those measures. The inevitable inference is that they would, if they had been able, have reversed and repealed those measures, and would have restored the policy which those measures superseded: though they might not have re-enacted the identical scales of duties which had been abolished, and which had undergone many changes while the Protectionist principle was still maintained. If ever any political party exerted themselves to accomplish a common object, it was the Protectionist party in their endeavour to recover Protection. In that endeavour they have hitherto failed: but Mr. Disraeli must suppose that his hearers have lost both memory and understanding, if he attempts to persuade them, that because the intentions of the Protectionist party were not declared with the rigorous precision of a mathematical formula, he and Lord Derby did not do their best to prevail upon the Legislature to abandon the Free-trade policy, and to revert to the system of Protection. The conduct of the party and of its leaders must be viewed as a whole, and cannot be judged from any one act or expression. For Mr. Disraeli now to say, that he and Lord Derby never recommended a

return to Protection seems to us no less a demand on the credulity of the public, than if Napoleon after his return from Moscow had said that in his expedition he had meant nothing inconsistent with the honour and independence of Russia. His own acts would have belied his words.

Nothing can be more unsatisfactory or less conducive to the due settlement of great national questions, than the equivocal and indistinct language held by the leaders of the present Government on the important subject of Free Trade. Last year they were Protectionists, both in principle and practice, now they are Protectionists in principle and Free Traders in practice. They are Free Traders, regretting the loss, and proclaiming the advantages, of Protection: they are Free Traders, hostile to the principle of Free Trade, lamenting over the favour shown to it by public opinion, and desirous of returning to Protection whenever any opportunity might offer itself, and so far as opinion would permit. They are Free Traders, but they would take advantage of any accident in the state of parties, or of any transient oscillation of public opinion, to reverse or mutilate the Free-trade policy. They are entrusted with the key of the citadel; but they are ready, at the first moment, when it can be done with impunity, to open the gates, and let in the enemy.

Mr. Disraeli, it is true, very plainly abandons Protection, even to a small fixed duty; and in his budget speech he detailed the successful working of the Free-trade measures. But at the Elections he still holds to the principle of Protection, and informs the farmers that they are entitled to expect compensation from the Legislature for its loss. Mr. Walpole, the Secretary of State for the Home Department, whose office enables him to ascertain the condition of the working classes in all parts of the country, delivers a carefully prepared speech at Midhurst, in which he seeks to prove that the Free-trade policy has been attended with disastrous consequences: similar opinions are enounced by the Solicitor-General and other less prominent, but not less loquacious, members of the Government. The strength of the Derbyite phalanx is still (as it nicknamed itself) the 'Country Party,' that is to say, the party representing rural or agricultural interests. At the late county elections, the present Ministers were represented to the voters as Protectionists in heart, and as the only true friends to the farmer: out of 159 members returned for the English and Welsh counties at the late election, 126 are marked in the printed lists as Ministerialists, and only 33 as Anti-Ministerialists. In this number of 33 are moreover included the members for Middlesex, East

Surrey, South Lancashire, and the West Riding, in none of which constituencies the agricultural influences predominate. This decided superiority in the counties has been obtained by an industrious diffusion of the belief that the Government will, if they do not restore Protection on Corn, at least confer some equivalent privilege on the agricultural interest. And this has been effected in spite of Lord Derby's express declaration, on the last day of the Session, that the forthcoming fiscal measures of the Government would not be framed so as to confer any partial benefit, but would do equal justice to all classes of the community.

In the midst of all this inconsistency and self-contradiction, — this saying and unsaying, — this tacking backwards and forwards, — this opposition of principle and practice, — these refined distinctions between opinions which are to be acted upon and opinions which are not to be acted upon, — these evasive, equivocating propositions, which no two people construe alike, and which will render it necessary, if the Government does not speedily mend its ways, to establish a Professor of Casuistry at Westminster, in order to interpret their declarations, — a plain man finds himself fairly bewildered, and knows not what to expect or what not to expect. Believing firmly that we have truth, reason, justice, and sound policy on our side, we wish to extricate ourselves from this confusion of tongues; we wish to reduce the contest to a definite issue, and to fight the battle, not in the midst of clouds and obscurity, but in the broad daylight, and with the recognised weapons of legitimate warfare. If the newly elected House of Commons is prepared at the bidding of Mr. Disraeli to enter on a retrograde and reactionary course, — to reverse the policy of Free Trade, and to restore Protection, in some form or disguise, — be it so: let the question be clearly put and decided, and the country will know to act when the decision has been made. But we protest against the virtual decision of this question in the midst of darkness and uncertainty, — against the unfairness of a fight, in which one of the antagonists stands in the open field, while the other is concealed in an ambush. We re-echo the petition which the Grecian hero in Homer addresses to Jupiter, when he finds himself shrouded by darkness in the midst of the battle: —

‘ Dispel this cloud, the light of Heaven restore,
Give me to see, and Ajax asks no more.
If Greece must perish, we thy will obey,
But let us perish in the face of day.’

The ambiguous and shifting position of the Government on

the subject of Free Trade is owing to their opinions respecting Protection being opposed to the general opinion of the country. They wish to move in a certain direction; but they are headed back, and obstructed by the strength of the popular will. We believe that the Ministers have made a very correct estimate of the state of opinion on this subject; and, that if they had attempted to meet it in front, their defeat would have been certain, complete, and immediate. When Sir Robert Peel decided, on account of the failure of the potato crop, to propose a suspension of the Corn Laws, with a view to their ultimate repeal, the country was taken by surprise, but the majority of Parliament, and of the public acquiesced in a measure which they considered as urgent and necessary. The change was sudden; and the policy of an entire Free Trade in agricultural produce was to the living generation new and untried. The country therefore, looked upon the change as a great experiment; the theory of Free Trade was subjected to a practical trial on a vast scale, and without any previous preparation; and they watched the results with corresponding interest and anxiety. Now it is our firm belief that if the practical results of the Free-trade policy had been unsatisfactory; if they had turned out to be what the Protectionists predicted they would be; if the experimental proof had been against them, and if it had not been found on trial to be beneficial to the great bulk of the community, the Free Traders would not have been supported by public opinion, the Protectionists would have prevailed, and the policy would have been reversed. The deliberate preference which the country now accords to the Free Trade as opposed to the Protectionist policy, is owing to their observation of its practical effects. They see that trade has been extended, that the revenue has flourished, that many articles of first necessity have been rendered cheaper and more abundant, that pauperism, and the poor-rates have been diminished*; that the general condition of the working classes has

* Mr. Walpole, in his speech at Midhurst, (reported in the 'Times' of July 10th) made a statement respecting the poor-rates, which is inaccurate and deceptive, and ought never to have proceeded from a Secretary of State for the Home Department. He speaks of the poor-rates as an index of the condition of the country, and, therefore, as a measure of pauperism; but, instead of quoting the sum expended in the relief of the poor, he quotes the entire sum levied as poor-rates, which includes the county and borough rates, and other expenses, not far short of 2,000,000*l.* a year. The following table (extracted from the fourth Annual Report of the Poor-law Board, p. 92.) will show what has really been the progress of the expenditure for the relief of the poor since 1845, the year preceding the repeal of the

been ameliorated, and that all branches of productive industry have been in a state of unusual activity. They likewise see that the adoption of Free-trade principles tends to improve our foreign relations, and to remove so much of the incentives to war and international disputes as arises from commercial jealousy. The influence of the prices of food upon wages, was a question on which discordant opinions, even among candid and well-informed persons, existed in 1846. The Anti-Corn-law League was principally a middle-class movement; it never received, even in the manufacturing towns, any cordial support from the working classes, who were told by the Protectionists, and believed, that their wages would be lowered by their employers in proportion to the fall in the prices of food. Sir Robert Peel, in the debates on the Corn-law Bill of 1846, took occasion to refute this fallacy, and to explain the true social law with respect to this important subject.* Now, one of the most striking effects disclosed by the

Corn Law. The expenditure for the year 1851 is less than that for the year 1845, notwithstanding the increase of population in the six years. The increase in the years 1847 and 1848 was owing, not to the repeal of the Corn Law, but to the high prices of corn during those years. The figures quoted by Mr. Walpole are those in the second, not those in the third column

| Years ended Lady-day. | Total Amount of Money Levied for Poor Rates. | Total Expenditure for the Relief of the Poor in Eng- land and Wales. | Rate per head on Population. |
|--------------------------|---|---|------------------------------------|
| | £ | £ | s. d. |
| 1845 | 6,791,006 | 5,039,703 | 6 0 $\frac{3}{4}$ |
| 1846 | 6,800,623 | 4,954,204 | 5 10 $\frac{1}{2}$ |
| 1847 | 6,964,825 | 5,298,787 | 6 2 $\frac{1}{2}$ |
| 1848 | 7,817,430 | 6,180,764 | 7 1 $\frac{3}{4}$ |
| 1849 | 7,674,146 | 5,792,963 | 6 6 $\frac{1}{2}$ |
| 1850 | 7,270,493 | 5,395,022 | 6 1 |
| 1851 | 6,778,914 | 4,962,704 | 5 6 $\frac{1}{2}$ |

* See his speech on the 27th of March, 1846; Hansard, 3rd series vol. 85. p. 237. The subject has been correctly explained by Mr. Caird, in his work on English Agriculture in 1850-51: — ‘The great difference (he says) in the rate of wages between the southern and northern counties, is a sufficient proof that the wages of the agricultural labourer are not dependent on the prices of agricultural produce. A bushel of wheat, a pound of butter, or a stone of meat, is not more valuable in Cumberland or the North Riding, than in Suffolk or Berkshire; yet the wages of the labourer in the two

recent change of prices is, that wages have not varied with the prices of food; all fees, salaries, and wages, for persons exercising any liberal profession, or any skilled calling, have remained unchanged; while the wages of agricultural labourers have, in some parts of the country, been stationary, and in the parts where they may have been reduced, the reduction has not been equal to the fall in prices. If therefore, Lord Derby's Government were now, by any serious effort, to provoke the revival of the Anti-Corn-law League, that powerful confederacy would, in its renovated state, unquestionably receive the warm support of the working classes throughout the kingdom, and not merely in the towns, but also in the agricultural districts. Although in the country the poorer class of freeholders were very generally coerced by the landowners and farmers into voting for the Protectionist candidates at the late elections, yet their feeling in favour of cheap bread, and their appreciation of the cause to which it is due, is as strong as among the operatives in the towns. Another important fact revealed by the continuous opening of our markets, is the great natural demand for corn in this country, and the large available supplies in foreign countries for its satisfaction. The reduction in the prices of grain has been considerable, though not greater than was generally anticipated, but we question whether any body in 1846 anticipated that, in a short time, the annual importations of all sorts of grain, would for three successive years, amount to nearly ten millions of quarters per annum. Tacitus, near the beginning of his Histories, says that on the death of Nero, not only the senate and the soldiery of Rome, but the generals and armies in the provinces, began to be in commotion; inasmuch as a great secret of the empire had been disclosed, that an emperor could be made elsewhere than at Rome. — 'Evulgato Imperii arcano, posse Principem alibi quam Romæ fieri.' When the provincial armies had once practically discovered their power, they never forgot or abandoned it. A similar *Imperii arcanum* has been revealed by the repeal of the Corn Law. So long as it existed, the people did not know how much food it ex-

'former are from 60 to 70 per cent higher than in the two latter counties. The price of bread is not higher in July and August than in May and June; yet, in every agricultural county, the wages of labour during the period of harvest are increased. Nor are better wages directly the effect of capital; for the farmer of the cold clays of Durham or Northumberland pays 11s. a week, while the large capitalist who cultivates half a parish in South Wilts or Dorset pays only 7s. to his labourer. The higher rate is unmistakably due to the increased demand for labour.' (P. 519.)

cluded. But now that they know by experience what is the extent of their demand, and with what regularity it can be satisfied, they will never consent to permit this abundant stream of supply to be intercepted.

The success of the Free-trade measures of 1846 and 1849, with respect to the general interest of the community, has unquestionably rather exceeded, than fallen short of, the expectations of their promoters. The loss and privations temporarily felt by the producing interests, affected by these measures, may have been considerable; but they are far outweighed by the advantage which has accrued to the great body of the community, and after a time they will be removed and compensated by voluntary adjustments. So conclusive, upon the whole, is the evidence in favour of the Free-trade policy, that the Protectionists find themselves constrained, for the present at least, to renounce their distinctive opinion, and to sail under the enemy's flag. We have heard it said, in defence of this change of opinion, that Lord Derby has only followed the example set him by Sir Robert Peel. We do not blame Lord Derby for abandoning his Protectionist policy; on the contrary, we rejoice at the tardy homage paid by him to sound principles: but the difference between his conduct and Sir Robert Peel's seems to us material. The one was a sincere convert to the doctrine of Free Trade; the other changes his policy, but retains his opinions. The one broke up his government by the change of his policy; the other changes his policy in order to retain office; and even then, does not adopt the new policy with honesty and sincerity.

Owing to the peculiar manner in which this reverse movement has been executed, in which this tergiversation has been performed — the Government do not simply abandon Protection, and remain as they were. They abandon Protection, it is true, but they maintain the case of grievance on which Protection is alleged to be founded. The conclusion may be repudiated, but the premises stand unshaken: one remedy is rejected, but the disease is unabated, and another treatment for the suffering patient must be found. The agricultural interest, the West India interest, the shipping interest, are ready to pour an unlimited number of fees into the outstretched hand of the physician: but they expect in return a perfect and entire cure.

Now, as we have seen, this perfect and entire cure has been promised by the State Physician. He has got the panacea in his laboratory; it is certain in its effects, and agreeable to the taste, and he is ready to administer it at the earliest possible period. The agriculturists are the class to be principally

benefited by this potent specific; but its advantages are not to be peculiar to any one interest, and are to extend to the entire community. Let us then try to discover what this substitute for Protection can be, and what are the gains which are to accrue to the producing interests from a revision of taxation made upon equitable principles, and doing justice to all classes.

The first remedy for unequal taxation which seems likely to emanate from the present Government, is that embodied in so many speeches of Mr. Disraeli; namely, a transfer of burdens from the local to the general taxes. We cannot believe that a Conservative Ministry contemplate so extensive a change in our system of local government as would be involved in a transfer of the cost of relieving the poor, or of repairing the roads, to the Consolidated Fund. We think it, therefore, unnecessary at present to dwell on the consequences of such measures as these. We will only remark that if the relief of the poor in England is transferred to the Consolidated Fund, a similar transfer must be made for Scotland and Ireland; and we doubt whether the English tax-payer will make a good bargain, if he guarantees the costs of an Irish poor law, administered by the agents of the Government. If any additional transfer of this sort is now made, it will probably be confined to the expenses of prisons, prosecutions, and police, or to the salaries of poor-law officers. Limited transfers of this sort may be made without danger of any great increase of expense: but the following considerations must not be overlooked. In the first place, the local rates, though paid by the occupier, are unquestionably, in the long run, a deduction from the landlord's rent. At the beginning the farmers might feel some relief (though the reduction in the rates would probably not be more than 3d. or 4d. in the pound); but after a time, the landlord would reap the entire benefit of the changes—subject, however, to the condition of paying his share of the *general* tax, from which the expense would then be defrayed. Secondly, the relief afforded by a transfer of local rates to the general exchequer would not be confined to the agricultural interest. It would, to a great extent, be shared by railways, coal mines, and manufactories, as by houses in the towns. Thirdly, if the expenses of prisons and police, and all the salaries of local poor-law officers, are undertaken by the Treasury, the Government will be directly responsible for the management of these departments, and must assume the appointments of all the persons employed. This change would strike at the root of our system of local government, and would centralise our institutions to an extent which no political

party, and least of all the 'Country Party,' has hitherto contemplated.

We will add, that a more disinterested course for a Chancellor of the Exchequer to take, than to invite transfers from the local taxation to the general Exchequer, it is impossible to conceive. If he has a surplus, it will be instantly swallowed up; if he has not a surplus, he must impose new taxes in order to meet the new charges. In the one case he is prevented from using his surplus for making any reductions or modifications of existing government taxes; in the other case he is forced to resort to the difficult and unpopular course of raising existing rates of duty, or of taxing new articles. If, therefore, Mr. Disraeli has formed any plans for making transfers of this sort on a large scale, we suspect that he will find them anything but easy of execution, and that he has been building up, not one, but a succession of brick walls, with which his head must come in collision.

We think it not unlikely that Mr. Disraeli, since the Exchequer has been under his care, has begun to look upon new charges upon the Exchequer, to the amount of several millions a year, with a less complacent eye than he regarded them, when he spoke from the Opposition benches as leader of the 'Country Party.' We have seen that in his speech at the elections, he assigned a secondary rank to the substitution of general for local taxation, and indeed almost laid it aside. The measure to which he pointed as really meeting the exigencies of the case, as being the true equivalent for the precious but unattainable remedy of Protection, and as calculated to satisfy the reasonable and just demands of the agriculturists, without inflicting any loss or causing any discontent among the rest of the community, was a **GENERAL REVISION OF TAXATION**. Setting aside then, for the present, the question of the expediency of transfers from the local taxes to the Consolidated Fund, let us inquire what are the changes in the general taxation of the country which may be expected, by rendering it more just and equitable, to give relief to the agriculturists, as well as to all other classes of the community.

In order to facilitate and simplify this inquiry, we will annex an account of the principal items of the public revenue for the year 1851, which we have extracted from the finance accounts presented in the late Session of Parliament, and signed by the present Secretary to the Treasury. We have taken the *net product* of each head of revenue, as it stands after the deduction of drawbacks, bounties, and other repayments, and not the *payments into the Exchequer*. (Sess. 1852, No. 196.)

Net produce of the revenue of the United Kingdom, for the year ended 5th of January 1852.

| | | £ |
|--|---------|-------------|
| 1. Spirits. | Customs | - 2,525,250 |
| — | Excise | - 6,030,323 |
| 2. Tea | - | - 5,900,624 |
| 3. Malt | - | - 5,035,559 |
| 4. Tobacco | - | - 4,466,468 |
| 5. Sugar | - | - 4,159,038 |
| 6. Wine | - | - 1,776,246 |
| 7. Excise licenses | - | - 1,160,570 |
| 8. Soap | - | - 1,043,026 |
| 9. Paper | - | - 928,876 |
| 10. Timber | - | - 521,870 |
| 11. Corn | - | - 504,921 |
| 12. Coffee | - | - 444,670 |
| 13. Hops | - | - 426,028 |
| 14. Currants | - | - 357,851 |
| 15. Other Duties and Receipts of Customs | - | - 1,540,137 |
| 16. Other Duties and Receipts of Excise | - | - 776,038 |
| 17. Stamps | - | - 6,529,049 |
| 18. Income tax | - | - 5,440,349 |
| 19. Assessed taxes | - | - 2,647,078 |
| 20. Land tax | - | - 1,142,905 |
| 21. Post office | - | - 2,422,168 |
| 22. Crownlands, and small branches of the Hereditary Revenue | - | - 378,783 |
| 23. Surplus fees of public offices | - | - 108,916 |
| 24. Money arising from the sale of old stores and other resources | - | - 563,452 |
| Total net Receipt | | £56,834,710 |

This sum, of nearly 57,000,000*l.* sterling, fairly represents the amount levied by the taxation of the general government in the year 1851. The payments into the Exchequer, which were only 52,233,006*l.*, do not give an accurate view of the annual taxation, inasmuch as they not only include the balances from former years, but they exclude the payments made for the costs of collection and for other purposes, out of the net receipt, before the revenue reaches the Exchequer. Thus the net receipt of the Post Office revenue in 1851 was 2,422,168*l.*, which sum was actually obtained from the public; but the payments into the Exchequer, after the expenses of collection and other charges had been deducted, were only 1,069,000*l.*, or less than half the net receipt. In like manner, the net receipt of the customs was 22,197,075*l.*, whereas the payments into the Exchequer were only 20,615,337.

Now, if the reader will cast his eyes over the twenty-four heads of receipt under which we have arranged the revenue for 1851, he will at once perceive that, although these items are not numerous, they nevertheless, in their aggregate, form a highly complex and artificial system. They are the condensed result of a series of experiments upon the interests of the country, and the endurance of tax-payers; which may be supposed to embody such modes of taxation as, upon trial, have been found least objectionable. They have undergone the severe scrutiny of a long series of Chancellors of the Exchequer, of administrations, and of parliaments, and have been deliberately retained as best fulfilling the conditions of that very difficult problem, which consists in finding a good tax. Most of them have been in existence for a large number of years; and they have been adapted by successive amendments, by gradual and tentative reforms, growing out of the suggestions of a wide experience, to the wants, feelings, and habits of the country. Their regulations have followed the variations in the processes of manufactures and in the importations of commerce, so as to avoid unnecessary interference with the operations of the trader, on the one hand, and on the other, to guard the interests of the revenue against fraud. Their stability has been a matter of calculation with all persons engaged in trade, in money transactions, or in the investment of capital. Numberless pecuniary arrangements are made with reference to public burdens; and it is a well-known remark of writers on political economy, that half the evil of a tax often consists in its recency, because in time economical relations adapt themselves to a particular mode or rate of taxation; such, for example, as an income tax. If the Chancellor of the Exchequer of any but a Conservative Ministry had on the hustings made promises of a complete and radical change of the entire system of taxation, which was to remove all injustice, and to give universal satisfaction, he would probably have been denounced by all Conservative statesmen as a rash and dangerous adventurer, who, for a temporary purpose, excited expectations which he could not reasonably hope to fulfil.

Of the twenty-four items under which we have arranged the revenue of 1851, the three last do not at present concern us. Moreover, we may pass over the Post-office revenue (No. 21.); believing that, if Lord Derby does not wish to face the restoration of a duty on corn, he will not undertake to raise the penny postage above its present rates. The sixteen first items represent the revenues of Customs and Excise. All the articles which produce more than 300,000*l.* a year are stated separately; the rest are placed together under Nos. 15. and 16. Now from

what change or readjustment of these sixteen heads of taxation is any substantial relief to be afforded to the agriculturists? The Malt Tax naturally first presents itself for consideration; but this tax produces 5,000,000*l.* a year; a sum which far exceeds any surplus which Mr. Disraeli is likely to have at his command. His estimated surplus for the current financial year, ending the 5th of April, 1853, is 461,021*l.*; being the difference between an estimated expenditure of 51,163,979*l.* and an estimated revenue of 51,625,000*l.* Even if the revenue should prove more favourable than his estimate, yet the effective surplus in April next is not likely to exceed 1,000,000*l.* The state of the Funds is such as to hold out a prospect that a reduction in the charge of the interest of the National Debt may be effected at no distant period; but the conversion of the 3 per cents. into a 2½ per cent. stock is a large operation, and can only be effected under very favourable circumstances of the money market. However, we will assume, for the sake of argument, that there is in April next an available surplus of 2,500,000*l.* How would this sum enable Mr. Disraeli to effect a revision of taxation for the relief of the agricultural interest? Would the House of Commons and the country consent to allow him to appropriate the whole of it to the reduction of the Malt Tax? Even if this were done, what benefit would the agricultural interest receive? The Malt Tax principally affects the farmer by raising the price of barley to the consumer; and the price of malt is felt by the consumer, almost exclusively in the price of beer. In the year ending January, 1852, no spirits from malt alone were distilled in England; in Scotland the quantity so distilled was 5,724,158 gallons, and in Ireland 143,883 gallons. The practice of distilling from malted grain is almost exclusively confined to Scotland*, in which country a drawback equivalent to the Malt Duty is allowed for malt used in distillation. If the Malt Tax were repealed or reduced, the price of beer would be lowered; but the farmer would derive no benefit from the measure unless the price of barley was raised. There would be an increased demand for barley; but that increased demand would be satisfied by increased home cultivation and by increased imports.† If it raised the price of

* See Parl. Paper Sess. 1852, No. 232.

† Mr. Porter, in his work on the Progress of the Nation, (p. 565. ed. 1847) states that foreign barley is unfitted for malting in England. This may have been the case at the time when Mr. Porter wrote, but the importations have increased largely since 1846, and we understand that foreign barley is now much used for malting.

barley, the price of beer would rise; and thus the increased demand would be repressed, and the price of barley would fall back again. We doubt, therefore, whether, even in the barley-growing districts, the farmer would derive any other benefit from the remission or reduction of the Malt Duty than that a larger breadth of barley would be sown; the price of barley would not rise. In the districts which do not grow barley, the farmer would receive no direct advantage from any alteration of this tax. There is now no duty on beer, as such; the Malt tax chiefly operates as a beer tax, and it falls principally on England, where the great consumption of beer takes place. The following are the net receipts of the Malt Tax for each of the three kingdoms in the year 1851:—

| | | | |
|------------|---|-----------|--------------------|
| | £ | | |
| England - | - | 4,422,962 | } |
| Scotland - | - | 406,679 | |
| Ireland - | - | 205,917 | |
| | | | Total. £5,035,559. |

Ireland, therefore, whose claim to consideration on account of the Corn Laws Mr. Disraeli declares to be irresistible, would derive but little benefit from the repeal or reduction of the Malt Tax.

The following account, for the year ended 10th of October,

Besides, if the demand for malting barley were to increase, and foreign barley was inferior to home-grown barley for this purpose, foreign barley might be more extensively used for distillation. The following account shows the recent increase in the importations of barley.

Quantity of Foreign Barley entered for Home Consumption in each of the following Years.

| Years ended 5th January. | Quarters. |
|-----------------------------|-----------|
| 1846 | 299,425 |
| 1847 | 400,448 |
| 1848 | 794,999 |
| 1849 | 899,960 |
| 1850 | 1,554,860 |
| 1851 | 1,042,801 |
| 1852 | 832,552 |

We cannot mention Mr. Porter's name without expressing our regret at the great loss which the public service, as well as the cause of economical science and statistical knowledge, has sustained in his premature death.

1851*, shows how large a proportion of the malt made in the United Kingdom is used by brewers; so that the Malt Duty in fact becomes simply a tax on the article which they manufacture:—

| | Quarters of Malt made | Used by Brewers and Victuallers. |
|------------|--------------------------|-------------------------------------|
| England - | 4,128,422 | 3,751,589 |
| Scotland - | 531,935 | 133,390 |
| Ireland - | 192,761 | 158,539 |
| | <hr/> | <hr/> |
| Total - | 4,853,118 | 4,043,518 |

The remission of the Malt Tax wholly or, in part would, therefore, in substance be, the remission of an indirect tax on beer. The persons who would really benefit by it would be the consumers of beer, not the producers of barley. We should be very glad if the consumers of beer could be relieved of this indirect tax; but, in remitting taxation, it is necessary to consider who has the strongest claim. The repeal of the Malt Tax would not only cut off a very productive branch of revenue, but would indirectly affect the duty on spirits. There is now a high duty on British and Irish spirits, which produces a revenue of 6,000,000*l.* a-year. There is no duty on beer, but there are taxes on malt and hops, the ingredients of beer. The duty on hops is not sufficient to affect the price of beer; and, therefore, if the Malt Tax were repealed, the price of beer would be substantially unaffected by taxation. But beer would then come into competition with spirits, a highly taxed article; and it would prove as formidable a rival as cider (which is wholly untaxed) is to beer in the cider-producing counties. It may be said that the moral effects of encouraging the consumption of beer instead of spirits would be good. This may be so, but we are now considering the financial effects of a repeal of the Malt Tax; and one of those effects would, as we think, be to render the spirit duties less productive.

The Hop Duty is another tax levied upon an agricultural product; but it is a product confined to a few English counties, and the entire repeal of the tax, which amounts only to about 400,000*l.* a year, would give no general relief to the agricultural interest of the United Kingdom. The repeal of the Hop Duty would no more affect the farmer of Buckinghamshire or Lancashire, or Scotland or Ireland, as a producer, than the repeal of the duty on spices or coffee. Moreover, if the excise duty on hops was repealed, the customs' duty must likewise be

* Parl. Paper. Sess. 1852, No. 203.

abolished, and foreign hops be admitted free of duty; whereas at present foreign hops are nearly excluded. The customs duty on hops last year produced only 212*l*. The excise duty on native hops is 2*d*. per lb., whereas the customs' duty on foreign hops is 2*l*. 5*s*. per cwt., or nearly 4*d*. per lb., being a protection of 100 per cent.

If, however, the duties on malt and hops are to be considered as pressing unfairly upon the agricultural interest, because they are levied on a product of the native soil, for the same reason the duty on spirits is an agricultural grievance. Spirits, in the United Kingdom, are invariably manufactured from grain, either barley or oats: high rates of duty on foreign spirits have been maintained avowedly as a protection to the English agriculturist. It would therefore follow, by parity of reasoning, that justice to the native agriculturist demands the repeal of the Spirit Duty. The spirit duties, however, including both excise and customs, yield a revenue exceeding 8,500,000*l*. a year; and we know of no less objectionable source from which so large a sum can be drawn. If the 'revision of taxation,' is to sweep away the duties on spirits, as well as those on malt and hops, as being unjust to agriculture, and if at the same time, five or six millions a year are to be transferred from the local taxes to the Consolidated Fund, the ingenuity of the Chancellor of the Exchequer in devising new taxes will be severely tasked.

Now that the Protectionists are in office, we expect to hear no more of the prohibition to grow Tobacco in the United Kingdom as an agricultural grievance. They have doubtless by this time discovered that if the home-grown tobacco was not subject to duty, the customs revenue would be greatly diminished; and that if the home-grown tobacco was liable to an excise duty equivalent to the customs duty, the cultivation would be unprofitable.

The duties on Stamps underwent a revision and reduction in the Session of 1850, and will probably not be subjected to any further alterations at the present time. The assessed taxes have no peculiar incidence upon agriculture, but are common to all classes of consumers. They are therefore not likely to attract the attention of a financial reformer who is desirous of removing inequalities of taxation, real or alleged, with respect to particular classes. The only two taxes, therefore, which remain for our consideration, are the Land Tax and the Income Tax. The Land Tax has existed in its present form since the reign of William and Mary; and all the land in the kingdom has been purchased and inherited, many times over, since its first imposition. It is in general a fixed as well as a moderate charge, and

much of it has been redeemed. It affects the owner of land exclusively: it does not concern the occupier, and it can have no influence on the prices of agricultural produce. We cannot, therefore, think that the Land Tax can occupy a prominent place in the catalogue of agricultural grievances, or that any modification of it would bring any comfort to the complaining portion of the landed interest. The Income Tax, on the other hand, cannot fail to attract the attention of the present Government, though it is not a tax pressing unduly on the agriculturist. The history of the present Income Tax is well known, and we need not repeat its details. Having been originally introduced by Sir Robert Peel in 1842, it was continued for successive triennial periods until 1851; in which year Lord John Russell's Government proposed its renewal for a further period of three years. Mr. Hume, however, when the Bill was in committee, moved to limit the term of renewal to one year; and his motion, having been seconded by Alderman Thompson, and backed by the strength of the Protectionist party, was carried. Mr. Disraeli, in supporting Mr. Hume's motion, made the following among other remarks, explanatory of the grounds on which he thought it expedient to limit the Income Tax to a single year:—

‘ My object in supporting the amendment is, that the assess-
 ‘ ment to the Income Tax should, if possible, be made more
 ‘ equitable; that I particularly, in this observation, look to the
 ‘ position of the tenant farmers under the schedule constructed
 ‘ by the Government, and to the position of professional men. I
 ‘ feel persuaded myself, that, whatever members on either side
 ‘ may say, it will be impossible to maintain for any length of
 ‘ time the principles upon which the assessment of the profes-
 ‘ sional incomes to the property tax is based. . . . You must
 ‘ endeavour to make direct taxation as universal in action as
 ‘ indirect taxation, if you intend it to form an important point
 ‘ of your financial system. Nothing is more popular at present,
 ‘ out of doors, than direct taxation; but it is popular with
 ‘ those who are not directly taxed. The present system is not
 ‘ taxation, but confiscation; nor is the evil confined to the class
 ‘ that is taxed.’*

In his budget speech of last Session, Mr. Disraeli, in proposing the renewal of the Income Tax for another year, adverted at considerable length to the principles on which that tax is founded, and particularly to the two questions of a uniform rate for permanent and precarious incomes, and of exemptions for small incomes. With respect to the first, he expressed no decided

* May 2nd, 1851. Hansard, 3rd series, vol. 116. p. 482.

opinion, but intimated a fear that if the plans of the actuaries were adopted, Schedules A., B., and C. would become as unpopular as schedule D. With respect to the other question, he laid down the principle, that direct should be nearly as universal in its incidence as indirect taxation; that if the revenue is to depend, permanently and to a large extent, upon direct taxation, its application must be made very general. Direct taxation founded on a system of exemptions is (he added) confiscation.

The Select Committee on the Income Tax, which was appointed late in the Session of 1851, and continued its sittings during last Session, came to no conclusion upon the evidence which they obtained. Upon the motion of Mr. Disraeli, the Committee resolved, that taking into consideration the importance of the subject, the state of business before the House, and the prospect of an early prorogation, there was not sufficient time for discussing and preparing a report that could do justice to the question.

The Income Tax now stands renewed until the 5th of April next, and therefore the Government must be prepared to take one of the following courses: viz. either, 1. to allow it to expire at the appointed time; or, 2. to propose its renewal in its existing form; or, 3. to propose its renewal with alterations. The first course is one which they would no doubt willingly choose: but a substitute for 5,500,000*l.* a year is not easily found. Even if they could have recourse to a small import duty on corn (from which their declarations have excluded them), they would make up but an inconsiderable fraction of this sum. The difficulty of repealing or reducing the Income Tax would be still further increased if large transfers were made from the local taxes to the Consolidated Fund. We therefore believe that Lord Derby's Government will find that they cannot escape from proposing a renewal of the Income Tax. If, however, they decide to propose its renewal, even for a limited term, they seem to be excluded, by Mr. Disraeli's expressed opinions on the subject, from proposing its renewal in its present form. If an income tax based on exemptions is confiscation, and if the principle on which professional incomes are assessed is unjust, some attempt to remove these defects must be made by the Government, before they can call upon Parliament to sanction a continuance of the tax.

In a pamphlet recently published by Mr. A. Alison, entitled 'Universal Free Trade,' a plan is promulgated for abolishing all customs, excise, stamp, and assessed taxes, and for raising the entire revenue by taxes upon income and property. For this purpose, he proposes to increase the Income Tax from 3 to 8 per cent., and to extend it to all incomes without exception, both in Great Britain and Ireland. If the tax were regulated

on these principles, he estimates that Schedules A. and C. (land and the funds) would produce 18,000,000*l.*, and schedules D. and E. (trades, professions, and public offices) 14,000,000*l.* per annum; of schedule B. (farmers' profits) he takes no notice. To these heads of Income Tax, he proposes to add a tax on wages; which taking 227,000,000*l.* as the taxable wages of the nation, gives a further sum of 18,000,000*l.* a year. These sums would together amount to 50,000,000*l.* With respect to the tax on wages, Mr. Alison says:—

'The eighteen millions we propose to raise from the industrious classes will be got with great ease if we charge the tax to the employer. The employer will deduct the tax from the workmen, in the same manner as many of the payments under the present Income Tax are made. The tax on wages will thus be collected with as much certainty as any other portion of the revenue, and we know of no objections that either the employer or employed can make to an arrangement which is to conduce to the good of all.' (P. 14.)

Mr. Alison, it will be observed, proposes to raise the same amount upon wages as upon land and the funds. We certainly do not share his opinions as to the facility with which an income tax on wages could be levied; and we fear that Mr. Disraeli is right in saying that direct taxation is only popular among those who do not pay it. We subscribe likewise to Mr. Disraeli's opinion, that if the system of direct taxation is to be made permanent and general, and is to be the chief support of our revenue, its exemptions must be brought within the narrowest possible compass. Now there is one very extensive class of direct taxes which admit of no exemptions, except on the ground of extreme poverty, to be specially proved in each individual case; they have been long in force in the United Kingdom, and they now produce about 12,000,000*l.* a year. These are the local rates; and this is the class of taxes which Mr. Disraeli and the Protectionist party have for some years been trying to undermine. It is true that their objection is founded on the ground that the local rates do not include personal property; but if the effect of the transfer which they recommend is to render an increase of the Income Tax necessary, they will only enlarge the operation of the system of exemptions to which they object. Mr. Disraeli, in his budget speech, likewise objects to the new House Tax, as affecting only 400,000 out of 3,500,000 houses; but he is doubtless aware that this objection was equally applicable to the Window Tax, for which it was commuted. A scheme of finance, detailed in a late Number of the 'North British Review,' proposes to abolish the Income Tax, and to raise 8,500,000*l.* by a house tax, varying from 15 to 25

per. cent on the rent, and extending to all houses, both in Great Britain and Ireland.*

Another principle of exemptions from direct taxation, to which Mr. Disraeli did not advert, is that founded on *territory*. Ireland is exempt from the Income Tax, the Land Tax, and the Assessed Taxes. Those three taxes, levied exclusively in Great Britain, together produced, in the year 1851, no less a sum than 9,230,333*l.* To this large sum, being more than a sixth part of the entire revenue, Ireland contributed nothing. Ireland likewise enjoys certain exemptions from indirect as well as direct taxation. Soap is subject to an excise duty in Great Britain, which, in 1851 produced 1,043,026*l.* Ireland is exempt from this duty, and the duty upon British soap imported into Ireland is drawn back. Irish spirits likewise pay a duty of only 2*s.* 8*d.* per gallon; whereas, the duty for Scotland is 3*s.* 8*d.*, and for England not less than 7*s.* 10*d.* Ireland, however, according to Mr. Disraeli's recent announcement, has an irresistible claim for relief on account of the repeal of the Corn Laws. How this relief is to be afforded consistently with an abandonment of the principle of exemptions from direct taxation, we shall probably learn when Mr. Disraeli's next budget is opened.

The unwillingness of the community to pay direct taxes has led financiers to resort to two expedients: one is the exemption of certain classes of persons, or certain districts, from direct taxes; the other is indirect taxation. In order to make an income tax, or a window tax, or a house tax less unpalatable, all persons having an income less than a certain amount, or occupying houses with less than a certain rental, have been exempted. Similar exemptions have been introduced into several others of the assessed taxes; for instance, the tax on carriages. A more sweeping exemption has been extended to Ireland, because it is a poor country. Exceptions, such as these, however, restrict the tax within a limited class; and in order to reach the bulk of the community, recourse has been had to indirect taxation. Indirect taxation accomplishes a double object: it obtains the actual payment of a tax from a person who merely advances the money on credit to the Government, and who expects to be repaid as soon as he has sold the article in which he deals. Moreover, the person who really pays the tax, pays it without any demand from the tax-gatherer, and in general without any knowledge of the fact, inasmuch as it is confounded with the price of the article. An importer who pays the duty on sugar or coffee knows that he will be reimbursed by his customer;

while the person who buys a pound of sugar or coffee at a grocer's shop, pays for it without considering how much of the price is the cost of the article, and how much is duty. In like manner, a distiller or malster, when he pays the duty on his spirits or malt, knows that it will be repaid him by the purchaser of his goods; while a person who drinks a glass of gin or a pot of beer at a public house, pays for it without reflecting that he is contributing to the revenue. As indirect taxation satisfies these two conditions, it is an ingenious contrivance; but it necessitates a vast variety of vexatious and annoying regulations; it restricts the freedom of action in trade and manufacture; it is often capricious and irregular; and it increases the expense of collecting the revenue. Nevertheless, so long as the great bulk of the community, including nearly all the less wealthy classes, object so strongly to the direct and naked payment of a reasonable tax, as to render its collection from them practically impossible, recourse must be had to indirect taxation.

We are far from thinking (as may be seen from the preceding remarks), that our present fiscal system is perfect or incapable of improvement. We have no objection to a 'revision of taxation,' provided that it be made on sound and ascertained principles. What we do object to, is a promise made, on the eve of a general election, and for a political purpose, to throw our entire system of taxation into the crucible, without any declaration of the principle on which it is to be recast. Nothing can be collected from Mr. Disraeli's speeches but general denunciations of the injustice of the present system; as to the means of removing it, there is a profound silence. Is the method of indirect taxation to be extended? Are new duties of customs and excise to be imposed? Or is the system of direct taxation to be extended by withdrawing exemptions? Is relief to be given to professional incomes under the Income Tax? Is Ireland to receive further relief, or are some of its exemptions to be withdrawn? Are any transfers to be made from the local rates to the Consolidated Fund; and, if so, how is this additional charge to be met? What are the taxes and burdens pressing on the agricultural interest, which can be fairly adjusted by means of a general and systematic revision of taxation? To none of these questions do Mr. Disraeli's scanty revelations, notwithstanding the amplitude of his promises of relief, and the confident tone in which they are proclaimed, enable us to make any reply. If it be true that *dolus latet in generalibus*, the Government have had the full benefit of this species of deception.

The opening of the Session of Parliament, which is now at hand, must however soon dissipate a considerable portion of

this obscurity. The Government will then be face to face with their opponents, and will be unable to plead their weakness or their want of preparation, as an excuse for evading interrogatories, and withholding an announcement of their policy. They are declared by their friends to possess the confidence of a majority of the newly elected House of Commons: they are therefore in the ordinary position of a Government, and cannot ask for forbearance from their opponents, or declare that their tenure of office is only provisional.

The first point which the Free-trade party in Parliament should, as it appears to us, bring to a clear understanding with the Government is, whether they intend to propose a restoration of protection, in any form, with respect to the three articles of Corn, Sugar, and Shipping. Hitherto the Government has maintained a sort of Janus-like character, with one face looking backward to Protection, and the other looking forward to Free Trade. It has succeeded in avoiding that consequence of a change of conduct, described by Livy, which leads a person, in trying to conciliate both parties, to displease both. 'Tergiversari res cogebat: ita, medium se gerendo, nec plebis vitavit odium, nec apud patres gratiam inicit.' The Government have, on the other hand, relieved the fears of the Free-trade party by their concessions on the subject of Protection, while they have kept up the hopes of the Protectionists by their promises of relief. But if we are to judge from the constant tenour of their declarations since they came into office, we should infer that all serious intention of restoring Protection, in any shape or to any extent, is abandoned. In this view we are confirmed by the recent language of their principal supporters in the press, who may be presumed to write with deliberation and upon good information. The following may serve as a specimen of the manner in which the delicate subject of Protection is now handled in these quarters:—

'We believe that a Protectionist policy will in the end be again the dominant policy of this country, alike shedding its benignant influence over our ships, our colonies, our commerce, our manufactures, our agriculture. We are content to wait, repressing, as best we may, our anxieties when we contemplate all these great interests. We suspect that these are the principles of the present Government; but their own faith is solemnly pledged to the country to deal fairly with it on the question of Protection. They are bound to abandon the attempt to impose a duty on corn; but they are as solemnly bound, in the language of Mr. Disraeli, "to have justice done to the soil." The present Ministers declare that they be-

‘ believe themselves able to do justice to the soil ; and if they do not, they will fail.’ *

‘ It is possible that the Government may voluntarily make a declaration of their intentions on this subject, as soon as Parliament meets. Whether, however, the explanation is originated by the Ministers, or is extracted from them by interrogation or debate, we trust that if the assurances given by them be unsatisfactory and ambiguous, the new House of Commons will take an early opportunity of recording its opinions on the subject of the Free-trade measures, and, by a practical resolution, will declare whether it regards them as national benefits, to be maintained and extended, or as national calamities, to be tolerated for a time, but to be ultimately suppressed.’

If, however, all intention of reverting to a Protectionist policy should be distinctly abandoned by the Government, then the time will come for an announcement of the policy which is to serve as its substitute. We have seen that the claims of the agriculturists to an indemnification for the losses which they sustained through the repeal of the Corn Laws subsist, according to the doctrine of the Government, unchanged and undiminished. This indemnification has been promised to them, and indeed has almost been pressed upon them, by the Chancellor of the Exchequer. No one ought to know better than a Chancellor of the Exchequer what are the facilities for a revision of taxation, at any given moment ; and what are his means of affording a real and effectual relief by remissions, variations, or modifications of taxes. Mr. Disraeli has declared that the present time is eminently favourable for the enterprise, and he anticipates with confidence that he will be able to afford substantial relief, not only to the agriculturists, but to all other classes of the community, by measures founded on novel but sound principles of equity and justice.

It would probably be considered as uncandid and unreasonable in us, if we were to throw any doubt upon the reality or maturity of the gigantic plan of finance which the Chancellor of the Exchequer has shadowed out to his followers and to the country. Nevertheless, if we were to judge merely from the past conduct of the Government, we should anticipate much hesitation and some equivocation, with respect to the announcement of their scheme for the revision of taxation ; we should expect that an attempt would be made first to gain time, and then when the time asked for had expired, to avoid a full and unreserved declaration. Lord Derby is suspected — we hope without

* Blackwood's Magazine for September 1852. No. 443. p. 370.
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ground—of confining his earnestness and his solemnity to his speeches, and to occasions of public display, and in his private counsels of treating public affairs with undue levity, and without the sense of their importance which becomes the deliberations of a responsible statesman.* The Derbyite party have subsisted for six years on the credit of a bill drawn for Protection. Now that the bill has become due, the payment is made by drawing another bill for revision of taxation. We trust that this system of drawing and redrawing will be put an end to, and that this old account will at length be closed by a speedy settlement. If the firm are insolvent, let their bankruptcy be formally announced; but if they are able to meet the demands of their creditors, let their assets be forthwith produced. If the expectant agriculturists are only to get a small dividend, let even that dividend be soon declared. Mr. Disraeli has not hitherto shown any want of boldness and enterprise: we cannot believe that he will shrink from the undertaking which he has announced: when we recall his recent expressions of confidence in his own plans, and remember the eagerness with which he invited the attention of the tenant-farmers to them, as a panacea for their grievances, we cannot doubt that he will, as he promised, take the earliest opportunity of submitting his matured scheme to Parliament.

It is on every account desirable, with respect to the future transaction of public business, that the country should, at an early period, be put in possession, through the present Government, of the agricultural ultimatum. If Protection on Corn is given up, but some equivalent demand is made on behalf of the landed interest, the precise terms of that demand ought to be distinctly brought forward, in the form of a practical measure,

* Lord Bacon, in the 8th book De Augmentis Scientiarum, in commenting on the verse of Proverbs: 'Homines derisores civitatem perdunt, sapientes vero avertunt calamitatem,' (Prov. xxix. 8.) makes the following remarks:—

'Mirum videri possit quod in descriptione hominum, qui ad res publicas labefactandas et perdendas veluti naturâ comparati et facti sunt, delegerit Salomon characterem non hominis superbi et insolentis, non tyrannici et crudelis, non temerarii et violenti, non impii et scelerati, non injusti et oppressoris, non seditiosi et turbulenti, non libidinosi et voluptarii, non denique insipientis et inhabilis; sed derisoris. Verum hoc sapientiâ ejus regis, qui rerum publicarum conservationes et eversiones optime nôrat, dignissimum est. Neque enim similis fore est peccatis regni et rebus publicis, quam si consilarii regum aut senatores, quique gubernaculis rerum admoventur, sint ingentia derisores.'

and with the sanction of official authority. This long-debated question will then be brought to an intelligible issue—and a decision of it may be obtained: whereas if it is kept much longer in an undecided state, the uncertainty thus created will pervade the relations of political parties, and obstruct the fair discussion of all fiscal questions which may come successively under the consideration of Parliament.

Although the state of the country is now satisfactory, and both its internal and external relations are in a sound condition; though its commerce, manufactures, and even agriculture are thriving; though its Indian and colonial dependencies are generally tranquil and well disposed, and its foreign relations are not unfriendly; yet the present position of public affairs is critical, and demands the serious attention of the community. In the first place, the momentous question of Free Trade awaits the final decision of Parliament, after the trial of a general election. It is in our opinion impossible to overrate the importance of the principles involved in this question. England has taken the lead of the entire civilised world, in giving practical effect to the system of Free Trade. Other nations will, if she persist in her policy, gradually follow her lead, and imitate her example. If, however, she turns back, or even halts in her career, not only will the country be deprived of the benefits of abundance and cheapness, but foreign nations will believe that England is dissatisfied with her experiment, and will strengthen their prohibitions against the products of our industry. In the next place, it is to be borne in mind, that England is now the only great Power in Europe which retains a free government, and in which a parliamentary system is in active operation. On the Continent, parliamentary government, having been first lowered in public opinion by the excesses and follies of the leaders of parties, has since been suppressed by the executive authorities, and the legislative chambers have been silenced or swept away. Peace has its difficulties as well as war: and the loss of the Duke of Wellington may, ere long, be equally felt in both.

In the midst of continental revolutions, experiments in government and counter-revolutions, we are justly proud of having steadily maintained without interruption our own form of Constitutional Monarchy; of having been able to uphold the dignity of the Throne without trenching upon the liberty afforded to the subject by free institutions; of having aided instead of checking the progress of enlightened views in our civil and social state; and of having given scope to a more liberal policy in our commercial relations with other countries. But, in the pride of

triumph at having thus been able to work a system of Representative Government which has been reprobated as dangerous in some countries, and has been rendered impracticable by excesses in others, it behoves us carefully to analyse and distinguish the various causes that have tended to this success, with a view to ensure its continuance. To enter fully into this subject would be to discuss the whole theory and practice of the English Constitution, and would far exceed the limits of these pages; but it does not exceed our province to dwell most emphatically upon one great and necessary element of strength in the Government of this country, viz., the respect which the leaders of party should command in Parliament, and the confidence with which the country can rely upon the judgment of Parliament in the support afforded to the Ministers of the Crown. To be entitled to the respect of a fairly elected Parliament, it is not enough that public men should possess the accidental advantages of rank and station, if they are devoid of the dignity of character and consistency of purpose necessary for endorsing such claims to distinction. It is not enough to have fluency of speech without definite opinions or fixed principles. It is not enough to be unscrupulously obstinate in opposition in order to be dexterously yielding in office; nor is it sufficient to enjoy the impunity of insignificance when placed high in power. The great political leaders should be able to demand the confidence of their supporters, on the ground not only of personal character, of talents and experience, but as the consistent adherents of a distinct line of political principles. They should be the able exponents, the honest straightforward advocates, of the policy which their principles require and their judgment approves; they should be candid in explanation, because they are sincere in their convictions; they should be slow to raise hopes which they have not power to realise, and sure to keep promises deliberately made. The leaders of a great political party ought not to make office the goal of their ambition with any other view than that of obtaining power in order to carry out the political opinions and principles which they themselves profess, and which are professed by those whom they lead; and they are but little entitled to the confidence of the country, if it should appear that when the prize of Government is obtained, they declare themselves politicians without a policy, — Ministers without measures. To ask the country, through the various constituencies, to give them a policy, is widely different from a frank and intelligible avowal of their own political creed, followed by testing the numerical strength of those who are willing to support them, on an appeal to the country. The latter has

been the recognised mode of action when the question has arisen by which party the country chose to be governed, the former has, we believe, been till lately unknown; and we sincerely hope may never serve as a precedent. Lord Derby left it to the country to decide whether he shall unfurl the banner of Free Trade or buckle on his armour to fight the battle of Protection. He was ready to stand by either, but to fall by neither. He declared his convictions and principles in favour of Protection, but has left to others the responsibility of determining his conduct. Like the Governor in the 'Critic,' whilst struggling with contending feelings, is he now willing to divide his identity, and say, the Earl is Protectionist, but the Minister Free Trader?

It is a serious evil when those in power place their political consciences at the disposal of others, and declare themselves willing to steer their conduct in the administration of affairs, not by their own convictions, but by the will of the sovereign people. Much was attempted during the late elections to inspire alarm at the prospect of democratic influence, and a sort of vague terror of some undefined danger was successfully created—but it seems to have been reserved for a Tory Government to admit a principle so dangerously democratic, as might in times less peaceful and less loyal lead the warmest friends in theory of the Church and the Throne to the most accommodating willingness to take part in the abolition of both. Real Conservatism may be as much annihilated in the name of Toryism as regal government was overthrown 200 years ago in the name of the King. During the late elections another great conservative element in our representative system has been dangerously assailed, by an attempt to claim unbounded confidence in a particular minister, dissociated from any definite line of policy. Lord Derby and his Cabinet came into office as a Protectionist Government—they pledged themselves to take the sense of the country on the great question of restoring Protection, but when the Parliament was dissolved they sent forth their friends to canvass the country with a blank in every brief to be filled at pleasure. We have heard of statesmen and demagogues associated with the cry for or against particular measures, and their names have been inscribed to the watchwords of No Popery, Civil and Religious Liberty, Parliamentary Reform, Church in Danger, Free Trade, &c., but it was new to find the Minister's name the sole ground of confidence. Lord Derby and 'something' was the cry to each constituency. Mankind is prone to interpret what is doubtful favourably to their wishes—the 'something' has been construed by many into that which they desire; and Lord Derby stands forth as a power in himself.

How far he will be able to satisfy those whom on the one hand he has allowed to dictate what he is not to do, and in whom on the other he has encouraged a blind reliance that he is about to realise the 'something' which every class and sect has most at heart, remains to be seen; but whether failure or success attend him the evil still remains of lowering the standard of political morality, by rendering political inconsistency and insincerity the path to political honours. On the Opposition now devolves the office, not only of watching with the utmost vigilance every measure framed by a Government who would seem to have set themselves the task of adopting a policy which they have denounced, but a still higher duty is thrown on them. They must endeavour, by their firmness, moderation, and honesty, to keep up the dignity, and maintain the respect in which it is so desirable that public men should be held both in Parliament and in the country.

If the conduct of the present Ministers, since their accession to office, has not been such as to raise the standard of public morality; if they may have accomplished little, either by their name or their acts, for sustaining the honour and dignity of the country; it is the more incumbent upon the Opposition to do nothing, by which the high character of this nation may be impaired, and the authority of parliamentary government be diminished; but by the calmness of their demeanour, the moderation of their language, and the prudence of their conduct to earn for themselves the respect and gratitude of all the friends of free institutions and of a truly liberal policy.

ERRATA.

No. CXCIV., p. 197.—Instead of 'Lord Palmerston and M. Thiers,' read 'Lord Aberdeen and M. Guizot.'

Page 208.—A letter from an officer of the North Somersetshire Yeomanry Cavalry has satisfied us that this regiment behaved with great promptitude and effect on the occasion of the Bristol Riot in 1831.

The present Number, p. 321.—The passage quoted from a letter to a friend occurs in the Preface to 'Le Pape.'

Page 345.—The books referred to in the Note as not being to be found in the London Libraries are those of the Continental Jurists, cited by Story and Livermore, amounting in number to ninety-one.

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