

THE
WESTMINSTER REVIEW.

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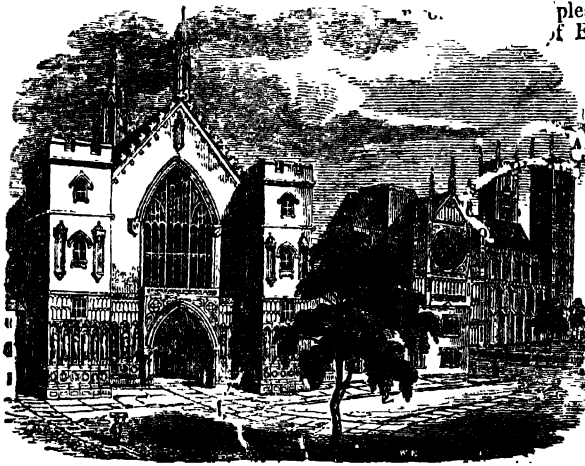
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THE
Westminster Review,

For July, 1832.

BENTHAM is dead. As the Arabs say of their great men, انحصر *'inhādharā ;'* he is sent for to The Presence. The 'second' teacher of The Greatest Happiness, as he a few years ago was called, is gone to join 'the First ;' and it is not small matters of theology, that will prevent him from being greeted as good and faithful servant.

To lament for a man who died covered with honour, not with honours, at more than the natural term of human life,—would be unreasonably as useless. Let us rather rejoice, that his active labours were prolonged for nearly sixty years, and that with a portion of them we have been contemporary.

His writings have been a leading instrument,—it would perhaps be no error to say *the* leading instrument,—in effecting the change of opinions at home and on the Continent, which is heaving up the crust of the old world, like the imprisoned waters of the geologists. They have substituted a new rule, a new measure ; they have caused the materials of human society to gravitate towards another centre of attraction than before.

Born 15 February, 1748 N. S., in Aldgate, London. Died 6 June, 1832. His first published work was his 'Fragment on Government,' in 1776 ; his last, the 'Parliamentary Candidate's proposed Declaration of Principles,' in 1831. His body, according to directions prepared by him, was applied to the service of humanity by being made the subject of anatomical illustration ; a disposition, against which, at that period, there existed many prejudices among the less instructed portions of his countrymen.

QUALIS AB INCEPTO.



THE

WESTMINSTER REVIEW.

JULY, 1832.

ART I.—*On Political Economy, in connection with the Moral State and Moral Prospects of Society*. By Thomas Chalmers, DD Professor of Divinity in the University of Edinburgh—Glasgow, Collins; London, Whittaker & Co; Hamilton & Co. Simpkin and Marshall 1832 8vo pp. 566.

THE proper business of every man and every hour, is to know as much as he can of political economy. Not but it may also be desirable that he should learn something of arithmetic and book-keeping by double entry, be acquainted with the properties of the lever and inclined plane, and have a portion of information touching the nature of the planetary motions and the divisions of the surface of the terraqueous globe. But all these acquirements may only render him a useful slave; and the other is the education which must enable him to keep the benefit of his labours for himself. It has indeed long been defined to be the science of preventing our betters from defrauding us, which is sufficient to account for its being eagerly pursued on one hand, and vilified on the other.

In such a state of things, great are the obligations of society to any individual, who possessing character unimpeachable for intelligence and virtue, will descend as a mediator between conflicting parties, and perform the office of the alkali that brings the oil and water of the community into combination for the removal of the public stains. No office more honourable has ever been exercised by learning and experience, even the legislation of the poet in the golden age of the Saint-Simomans, must yield to it in the double ratio of vigour and extent of influence. And to arbitration of this kind must every public question come. Men in these days cannot contend for ever, the times are gone by with the feudal system, when the great

and drink of mankind was quarrelling. Each side makes out the stoutest case it can; and at last comes the arbitrator, and strikes the balance between both. There may not be any defined power to enforce acquiescence in his decisions; but there is a virtual energy in the combined exercise of reason and authority, which induces such a quantity of adhesion on the part of the great masses of the public, as makes subsequent resistance unavailing. It may not settle all truth for ever and for ever; but it may make a great step towards the settling of so much truth, as shall be brilliantly useful to the present and succeeding generations.

Great outcry is made against theories and theorists; and why should there not, if the theories are wrong? Theory means seeing the consequences of one thing in another thing. There was once an outcry against the theory of arithmetic; and the last place where it made its stand, was probably the quarter-deck. Yet even there it was put down at last, by the palpable proof which was exhibited, that offensive as it might be to the prejudices of the ancient mariners, the casters of figures really knew something about the matter, and could prophesy of the land's whereabouts, when nobody else could tell whether it lay to the right hand or the left. But this result depended on the correctness of their assumptions and the accuracy of their inferences. Whatever therefore increases the fidelity of either, must in all analogous cases be an instrument of success.

Highly important in this view, is the sifting and re-examination given by the author in his First Chapter, to what has been assumed by economists as the *histoire raisonnée* of the commencement and early progress of culture and population. No man can doubt that the early proprietors of a vacant territory will fall, to the best of their instinct, on the superior qualities of soils and situations first. But it by no means follows that this shall be their period of ease and pleasantry; on the contrary the odds are, that this, as the Scottish tongue expresses it, is just the season of their greatest difficulties, and that the fatness of the fattest of the new found land is barely sufficient to keep the bodies and souls of the adventurers together for more auspicious times. And when increase of mouths brings cultivators to land that had been considered secondary to the other, it as little follows, that the cultivators of this secondary land shall not on the whole be in greater ease and comfort than were the cultivators of the first at the same comparative epoch of its cultivation. The fathers of New England may have occupied the intrinsically best land in 1632; but it does not follow that agricultural improvement may not be a safer and better business there in 1832, than it was to the fathers of New England.

But there is another way in which the descent to inferior land may be effected, without any diminution in the comfort of the labouring portion of the community.

‘Cultivation may be extended by an improvement in manufacturing, as well as in agricultural labour. It may be conceived, of the land last entered, that in return for a certain quantity of labour, it yields the subsistence of a hundred families—and that the land next inferior to it cannot be profitably cultivated, because in return for the same labour, it yields the subsistence of only ninety families. Now, overlooking for the present, the element of profit, one might conceive these hundred families to be made up of seventy belonging to the agricultural, and of thirty belonging to the secondary class,—it being the employment of the latter to prepare, for the whole hundred, the second necessaries of life. It matters not whether there be such an improvement in agricultural labour, that sixty can do the work of seventy, or such an improvement in manufacturing labour, that twenty can do the work of thirty. In either way, ninety labourers can do as much as a hundred did before; and whereas, formerly, land behoved to return for their labour the subsistence of a hundred families, ere it could be taken in, it may now be taken in, though of such inferior quality, as to return the subsistence of but ninety families. By the former improvement, the agricultural labourers necessary, for a given effect, became fewer than before,—by the latter improvement, though still as numerous, they would require the services of fewer secondaries than before. It is thus that a step of improvement in manufactures alone, can give rise to an onward step of extension in agriculture—and just because a method has been devised for the fabrication of as many yards of cloth, by fewer hands, soils of poorer out-field, than any that had yet been reached, may now be profitably entered upon. An improvement in the form of the stocking machine, may, as well as an improvement in the form of the plough, bring many an else unreclaimed acre within the reach of cultivation.’—p. 9.

It will here inevitably be asked, what is to become of the ten labourers, whether of the secondary or agricultural class, who are thus supposed to be dispensed with and thrown out of a claim for food. To which nature, who is marvellously concinnous in her operations, has provided the ready answer, that they must improve manufactures with the view of obtaining from the class of landed gentlemen whom the same progress of things will have begun to call into existence on the superior soils, a portion of the produce which will be ready to be disposed of for luxuries or comforts a little above the common. If huckaback was before woven for the farmer’s tablecloths, they must begin to weave diaper for the squire’s; and if they cannot, they and the class to which they belong will live seven on the allowance of six, or as the case may be, till somebody or other will relieve the iness at large by taking to the weaving. If it should be

mation can be realized, and even now, may the obstacle of a slowly retiring limit begin to be felt. The tendency of a progressive population to outstrip the progressive culture of the earth, may put mankind into a condition of straitness and difficulty—and that for many generations before the earth shall be wholly cultivated. We are not sure, but it may have done so from the commencement of the race, and throughout all its generations. Certain it is, at all events, that the produce of the soil cannot be made to increase at the rate that population *would* increase. Neither mechanical invention nor more intense manual labour is sufficient for this purpose. On the supposition that the numbers of mankind were to increase up to their natural capability of increase, no human skill or human labour, though doing their uttermost, could suffice for raising a produce up to the population—nor will the mass of society ever be upheld in comfort, without the operation of certain other principles, by which to restrain the excess of the population over the produce.’—p. 17.

‘ If it be not possible, then, to sustain in comfort and sufficiency the working classes, by keeping up the produce to the population, when suffered to proceed according to its own spontaneous energies—there seems only to be another alternative for the achievement of this great problem, that of keeping down the population to the produce. We know of no right, or comfortable, or efficient way of doing this, than by the establishment of a habit and a principle among the labourers themselves. If they will in general enter recklessly into marriage, it is not possible to save a general descent in their circumstances. By the operation of causes already explained, a population may flow onward, in the way of increase, from one age to another, without any abridgment on the comforts of our peasantry. When these are trencched upon, it is no longer a flow—but we should call it an overflow.’—p. 22.

This is all strikingly true ; and mixed up with many new lights which increase the final knowledge of the subject, at the same time that they enliven the road. It all, however, forms only a branch, or leader, towards the main conclusions in which the world is interested. And the apprehension may be, (which it is useful to intimate thus early,) that the whole of this belongs to one side of a complication of causes, the other side of which demands more attention than is finally given to it;—that the case is in fact something like that of a philosopher, who in discussing the planetary motions should have bestowed his attention on the centripetal force to the injury of the centrifugal.

The next Chapter is on, the ‘ Increase and Limit of Employment ;’ which forms the natural sequence to the subject of the other.

‘ But though the progress of cultivation, and the produce extracted by labourers from the last and farthest margin of it, do truly represent both the progress in numbers, and the state in respect to comfort, of our operative population ; and though, when viewed

in this way, the conclusion seems irresistible, that there is a slowly-receding limit to the means of subsistence, on which population is ever pressing, so that if it press too hardly it must straiten and depress the condition of labourers—yet we hear of a thousand other expedients for an amelioration in the state of the working classes of society, beside the only effectual expedient of a general principle and prudence in regard to marriages, which it is for the working classes of society, and them alone, to put into operation. What gives plausibility to these expedients is, that society is so exceedingly complicated a thing, insomuch that, when viewed in some one aspect, it holds out a promise of improvement or relief, which, under another or more comprehensive aspect, is seen to be quite illusory. For example, when one witnesses the vast diversity of trades, or employments, in society, by each of which, or at least in the prosecution of which, so many thriving families are supported, then it is conceived, that the high-way for the relief of the unprovided is to find them a trade, to find them employment. Or, when looking to the connection between capital and labour, and perceiving that the office of the former is to maintain the latter—then, on the idea that capital may, by the operation of parsimony and good management, be extended *ad infinitum*, is it held, by almost every economist of high name, that every accumulation of capital carries an addition along with it to the subsistence of labourers. Or again, when one looks to the multitudes supported by foreign trade, in all its departments, the imagination is, that, as agriculture has its capabilities, so commerce has its distinct and additional capabilities, and that, whatever limit there may be to the power of the one for the maintenance of families, this is amply made up by the indefinite extension which might be given to the other. Again, we often hear taxation vaguely, though confidently talked of, as the great incubus on the prosperity of labourers, and that, if this were only lightened or removed, there would thenceforth ensue a mighty enlargement both of industry and comfort to the families of the working classes. And then, in the list of national grievances, we hear of the enormous and overgrown properties which are vested in the few—and a general abundance diffused among the many is figured to be the consequence that would result, if not from the spoliation and forcible division of this wealth, at least from the abolition of entails, and of the law of primogeniture. Or in the absence, perhaps the failure, of all these expedients, emigration is held forth as a sovereign specific for all the distresses of an over-crowded land. And, lastly, after every thing but the moral habit of labourers themselves has been thought of, there follows, in this list of artifices for their relief, a scheme, which no longer existing in fancy, has been bodied forth into actual operation, and is the one of all others most directly fitted to undermine the principle and prudence of labourers—even a compulsory tax on the wealthy for the relief of the destitute, so as to disarm poverty of its terrors, and proclaim a universal impunity for dissipation and idleness. Now that this last great expedient has been adverted to, we need scarcely advert to any of those lesser ones which, though but

the crudities of mere sentimentalism, have been proposed, each as a grand panacea, for all the disorders of the social state,—such as the cottage system, and the cow system, and the village economy of Mr. Owen, and the various plans of home colonization that have been thought to supersede the lessons of Malthus, or, at least, practically to absolve us from all regard to them for centuries to come.—p. 32.

This, again, appears to be all true, under the reservation that there is another half of the story to come. Men in general begin vehemently to suspect, or more properly stoutly to believe, that cow systems and cottage systems and village economies, are all either mere tubs for the whale or at best a shifting of the evil from one set of men to some other set, so long as the limitation upon the food of the community at large is to be permitted to continue. If this is to continue, the sooner the public comes to the conviction the better, that there is no remedy but obstinate refusal to multiply. And the same conviction will be found true, with respect to that degree and portion of limitation, or more properly of pressure, which in all imaginable circumstances however happy will be discovered to be existing. But still there remains the question, of what the pressure shall be allowed to be. The case is a more complex one than at first appears. On one side of the calculation stands the evil, of the necessity for what is styled prudence, but in plainer language should be submission to suffering; an evil which would be at its maximum in a state of society where the increase of the first necessaries of life was absolutely impracticable, and which exists in other states of society in proportion to the degree in which this increase is slow, laborious, and clogged with obstacles. On the other side stand the causes which prevent or restrain the increase of food; with the examination of how far they are necessary and inevitable and how far not,—how far they are of nature's creating and how far of man's,—how far they exist by heaven's ordinance and how far by Act of Parliament. And the general inference to which the whole inquiry points,—to put it into a mathematical form, which conveys a clearness to some persons that makes up for its obscurity to others,—is that the happiness of the labouring classes, or the quantity of well-being by which they rise above the melancholy condition in which they exist under an absolute impossibility of any increase, varies as the rate at which the increase of food is proceeding, or in other words as the *fluxion* of the food; $H \propto \dot{F}$. Those may laugh at the form who like; but a mathematical formula, when right, is a terrible modification of truth, a round-shot-like method of conveyance, which goes far and tells dangerously on arriving at its destination. .

Another important inference from the phenomena which the author has so much contributed to throw light upon, is that nature infallibly intended there should be rich men. Nothing but artifice the most complicated, and violence the most outrageous, could by possibility hinder this consummation from taking place. And the individuals intended in the first instance to be rich, are manifestly the worthies who succeed in pushing through the difficulties attendant upon breaking up new countries. To be landed gentlemen is the natural reward of the fathers of new settlements, if they are not defrauded by external misgovernment, and live long enough to receive their recompense. It is the prize assigned to the successful in the lottery of a peculiarly hazardous kind of industry. And it is not difficult to see, how well devised it is, and how accordant with the physico-theology which the study of political economy everywhere brings to light, that there should be some distinct provision for raising up out of the proceeds of industry a race of men who can 'live at home at ease.' Much that improves and much that adorns society, arises out of such a dispensation. And let none be dull enough to mistake this for Toryism, the Tory creed is, that men ought to be *robbed*, to make up such a class. It is against this sentiment that the community at last is up in arms, and has proclaimed a *guerra al cuchillo* to the last rag and remnant of everything that holds by such a tenure. There will be a spending class, but no taking class, the shears are sharpened and set, which whether Jack or Peter holds the handles, will clip their phylacteries into the closest fashion that has been witnessed since the Roundheads. Our forefathers were great at such an operation, and the signs of the times show clearly, that the world is close upon the portion of its course where the phenomenon must be repeated. It is not wealth that is the evil, it is the habit of dishonesty that wealth has got into. The moment a man gets wealth, he begins to cast about for the means of getting more by the plunder of his neighbours, and the government of the country, from the memory of living men to the late accession of the Whig and Radical dynasty, has been one great joint-stock committee of management, for the organization of the plans of individuals upon this point into an operative whole. Once or oftener has the resistance to it been put down, by the skill of the plunderers in confounding the attack on unjust wealth with attacks on wealth in the abstract, and the awkwardness of the assailants in leaving pegs for the fallacy to hang upon. But honest men, as well as the devil, may grow wiser than of yore, and on no point have they attained more light, than on the distinction between that kind of

wealth and property which society is united to defend, and that which it is united to pull down.

'Had no ground yielded more in return for the labour expended on it, than the food of the cultivators and their secondaries, the existence of one and all of the human race would have been spent in mere labour. Every man would have been doomed to a life of unremitting toil for his bodily subsistence; and none could have been supported in a state of leisure, either for idleness, or for other employments, than those of husbandry, and such coarser manufactures, as serve to provide society with the second necessities of existence. The species would have risen but a few degrees, whether physical or moral, above the condition of mere savages. It is just because of a fertility in the earth, by which it yields a surplus over and above the food of the direct and secondary labourers, that we can command the services of a disposable population, who, in return for their maintenance, minister to the proprietors of this surplus, all the higher comforts and elegancies of life. It is precisely to this surplus we owe it, that society is provided with more than a coarse and a bare supply for the necessities of animal nature. It is the original fund out of which are paid the expenses of art, and science, and civilization, and luxury, and law, and defence, and all, in short, that contributes either to strengthen or to adorn the commonwealth. Without this surplus, we should have had but an agrarian population—consisting of husbandmen, and those few homely and rustic artificers, who, scattered in hamlets over the land, would have given their secondary services to the whole population. It marks an interesting connection between the capabilities of the soil, and the condition of social life, that to this surplus we stand indispensably indebted, for our crowded cities, our thousand manufactories for the supply of comforts and refinements to society, our wide and diversified commerce, our armies of protection, our schools and colleges of education, our halls of legislation and justice, even our altars of piety and temple services. It has been remarked by geologists, as the evidence of a presiding design in nature, that the waste of the soil is so nicely balanced by the supply from the disintegration of the upland rocks, which are worn and pulverised at such a rate, as to keep up a good vegetable mould on the surface of the earth. But each science teems with the like evidences of a devising and intelligent God; and when we view aright the many beneficent functions, to which, through the instrumentality of its surplus produce, the actual degree of the earth's fertility is subservient, we cannot imagine a more wondrous and beautiful adaptation between the state of external nature and the mechanism of human society.'—p. 45.

The negative as here put is something too strong; and may be held to be parcel of a theory by which the author attributes extraordinary properties to the fact of the production of rent. It may be shrewdly suspected, that specimens of all the good things mentioned might have existed, in situations where there should be no such thing as is commonly meant by the rent

of land. But the fact that the existence of rent is a cause, and a very principal cause, of these good things in the actual circumstances of this and most other countries, remains untouched by the inaccuracy.

The succeeding Sections attack a form of error, which though weakened is far from being passed away. Our well-wigged ancestors had a devout belief, that there was no cause of want but idleness, and that every boy who came to London and worked as hard as Whittington, was incontinently lord-mayor. This might be excusable in their times, but their posterity have had bitter reason to discover to the contrary; in spite of which, it does still appear, as if men's blindness to the fact was in some direct ratio to their personal benevolence. Humanity, to this hour, expends itself in making what nobody will buy. The scheme for destroying poverty by mop and broom-making, is daily reproduced with all the variety the vehicle is capable of. A man would have been mobbed till within these few years, who should have maintained that it was through anything-but downright refusal to work and to save, that any able-bodied man was poor. Nothing but the public misery, has forced on the public a better knowledge.

'It is thus that, in proportion as the mechanism of social life becomes more complex, it is also all the more bewildering; and, amid the intricacy of its manifold combinations, we lose sight both of the springs and the limits of human maintenance. One very wide and prevalent delusion, more especially, and which has misguided both the charity of philanthropists and the policy of statesmen, is, that the employment in which men are engaged is the source of their maintenance,—whereas, it is only the channel through which they draw that maintenance from the hands of those who buy the products of their employment. This principle has in it all the simplicity of a truism—and yet it is wonderful with what perversity of apprehension, both the managers of a state and the managers of a parish miss the sight of it. Whether we look to acts of parliament, or to the actings of a parochial vestry—we shall find them proceeding on its being the grand specific for the relief of the poor, to find employment for them. Now, unless that employment be the raising of food, it does nothing to alleviate the disproportion between the numbers of the people and the means of their subsistence,—and if there be a limit, as we have already demonstrated, to the food, we may be very sure that this device of employment will not turn out a panacea for the distresses of an overburdened land.'

'But the fallacy to which we now advert, is not confined to the matters of practical administration. It may also be recognised in the theories of those who have attempted to adjust the philosophy of the subject. In political economy it will often be found, that the channel is confounded with the source,—and hence a delusion, not in the

business of charity alone, but which has extended far and wide among the lessons of the science.'

'And yet it is a delusion which, one might think, should be dissipated by but one step of explanation. A single truism puts it to flight. Nothing appears more obvious, than that *any trade or manufacture originates only its own products*. All that a stocking-maker contributes to society is simply stockings. This, and nothing more, is what comes forth of his establishment. And the same is true of all the other trades or employments which can be specified. They work off nothing, they emanate nothing but their own peculiar articles. Were this sure and simple axiom but clearly and stedfastly kept in view, it would put to flight a number of illusions in political science, —illusions which have taken obstinate hold of our legislators, and which to this moment keep firm possession in the systems of many of our economists. They almost all, in a greater or less degree, accredit a manufacture with something more than its own products. The inclination is, to accredit it also with the maintenance of its labourers. In every transaction of buying and selling, there are two distinct elements,—the commodity, and the price of the commodity; of which price, the maintenance of the labourers is generally far the largest ingredient. Now, the thing to be constantly kept in view is, that a manufacture should only be accredited with its own commodity, and not, over and above this, with the price of its commodity. These two stand, as it were, on different sides of an exchange. To the manufacture is to be ascribed all that we behold on the one side. It furnishes the commodity for the market. But it did not also create the wealth that supplies the price of the commodity. It does not furnish society with both itself and its equivalent. The latter comes from a distinct quarter; and we repeat, that by confounding, in imagination, two things which are distinct in fact, a false direction has been given, both to the policy of States, and to the theories of philosophers.'—p. 47.

There may be held to be much truth in this, provided impartiality be intended to be maintained between the stockings and the equivalent, which is manifestly understood to be corn. It is true that the stocking-maker cannot do without corn; but it is equally true that the land-owner cannot do without stockings. If one man was condemned to have all stockings and no corn, and the other all corn and no stockings, the difference would be small; especially if to stockings be added such other articles of dress, as may go more strictly under the title of indispensables. Let it be settled that the stockings shall be only stockings; but at the same time let the corn be only corn.

'This confusion of sentiment appears in a variety of ways. When one sees a thriving and industrious village, and that the employment of the families secures for them their maintenance, it is most natural to invest the former with a power of command, tantamount to a power of creation over the latter. The two go together;

and because when the employment ceases, the maintenance ceases, it is conceived of the former, that in the order of causation it has the precedency. We affirm of a shawl-making village, that all which it yields to society is shawls. We accredit it with this, but with nothing more. But it is accredited with a great deal more, by those who talk in lofty style of our manufacturing interest, and the dependence thereupon of a nation's support and a nation's greatness. We hold, that if, through the exhaustion of the raw material, or any other cause, there were to be an extinction of the employment, the country would only be deprived of its wonted supply of shawls; but the prevalent imagination is, that the country would be deprived of its wonted support for so many hundred families. The whole amount of the mischief, in our estimation, would be the disappearance of shawls; in theirs, it would be the disappearance of that which upheld an integral part of the country's population. It is forgotten, that though shawls may no longer be produced or brought to market, the price that went to be paid for them is still in reserve, and ready to be expended by the purchasers on some other article of accommodation or luxury. The circumstances which have brought the manufacture to ruin, do not affect the ability of those who consumed the products of the manufacture. The employment is put an end to; but the maintenance comes from another quarter, and can be discharged in as great abundance as before, on as large a population. Their employment in making shawls was not the source of their maintenance; it was only the channel by which they drew it to their homes. The destruction or stoppage of the channel, does not infer a stoppage at the source, that will find for itself another channel, through which all that enters into the maintenance of our industrious families, might be effused upon them as liberally as before. We dispute not the temporary evils of the transition. We allow that a change of employment may bring individual and temporary distress along with it. But we contend, that the expenditure of those who support our disposable population will not be lessened, but only shifted by this new state of things; and that, after the change is accomplished in the direction of their industry, we should behold as numerous a society as ever, upheld with the same liberality in every thing (with the single exception of shawls, and the substitution of some other luxury, in their place) that enters into the comfort and convenience of families.'—p. 50.

Of course there is nothing in this peculiar to shawls. A parallel phenomenon would take place in agriculture, if either the race of *beans* were utterly to decay, or men and horses were for some reason to unite in refusing to consume them, as for instance might be the consequence of their being proved the cause of cholera and murrain. The bean lands would all be applied to growing something else; and there might be considerable evil in the transition. But still in the main, the ultimate phenomenon would be only a transfer.

'But we are further persuaded, that the confusion of sentiment

which we are now attempting to expose, has had a most misleading effect on the views and the policy of statesmen : at one time, inspiring a false hope on the promised extension of trade and manufactures ; and, at another time, creating a false alarm on the appearance of their decay. Our legislators do ascribe a higher function to trade and manufactures, than that of simply furnishing society with the articles manufactured. They conceive of them as the dispensers of a transcendently greater benefit, than the mere use and enjoyment of these articles. There are other and nobler interests associated in their minds with the trade and manufactures of the country, than the mere gratification and convenience which individuals have in the use of their products. This will at once be evident, if we resolve the manufacturing interest into its several parts,—as the shawl-making interest, wherewith our senate would not for a moment concern themselves, if they thought that all which hinged upon it was the supply of shawls—nor the stocking-making interest, if in their opinion nothing else depended on it but the supply of stockings—nor the carpet-making interest, if it involved no other or higher consideration than the supply of carpets—nor the buckle-making interest, if they did not suppose that, beside owing to it the supply of buckles, we furthermore owed the maintenance and wealth of buckle-makers. And the remark may be extended from manufactures to commerce*. We should have had no grave deliberations on the China trade, or the Portuguese trade, or the West India trade, if something far loftier had not been associated with these respective processes, than that of serving the families of the land with tea, or wine, or oranges, or sugar, or coffee, or tobacco. These mighty commercial interests are conceived to be productive of something greatly more magnificent and national ; and not only the income of all the capitalists, and the maintenance of all the labourers engaged in them, but the strength, and revenue, and political greatness of the State, are somehow associated with their defence and preservation. It is forgotten, of each trade and each manufacture, that it furnishes, and can furnish, nothing but its own proper and peculiar articles ; and that, abstracting from the use and enjoyment of these, every other associated benefit is comprehended in the equivalent price which is paid for them. All that the wine-trade of Portugal, for example, furnishes to our nation is wine—and, in reference either to the public revenue which arises from it, or to the private revenue wherewith it both enriches the capitalists, and supports the labourers employed in it, these are yielded, not most assuredly by the wine, but by the price given for the wine. The wine-trade is but the channel through which these flow, and not the source in which they originate. But, notwithstanding, there is yet a mystic power ascribed to the wine-trade, as if part of the nation's glory and the nation's strength were linked with the continuance of it. And

* 'In extending the observation from home to foreign trade, we presuppose, what we shall afterwards attempt to show more particularly, that the *terminus ad quem* of foreign trade, is the benefit, or enjoyment, administered by the commodities which it imports, to the inland consumers.'

hence a legislature tremulously alive to the state of our relations with Portugal, lest the wine-trade should be destroyed. Now though, from the interruption of these relations, or from any other cause, the wine-trade, on the one side, were destroyed, the counterpart wealth, on the other side, would not be destroyed. It would remain with its owners, to be expended by them on the purchase of some new luxury in place of the wine; by the natural price of which, the same return could be made to capitalists and labourers, and by a tax on which, the same revenue might be secured to government as before.'

'It must be obvious, that employment in agriculture is not an indefinite resource for an indefinite population—seeing that it must stop short at the land which refuses to yield the essential food of its direct and secondary labourers. And it should be equally obvious, that as little is employment in manufactures an indefinite resource—seeing that the definite quantity of food raised can only sustain a certain and definite number of labourers. The latter position seems, on the first announcement, to carry its own evidence along with it; yet there is a certain subtle imagination in its way, which we have attempted to dispose of. Our argument rests on the veriest truism—that a manufacture is creative of nothing beyond its own products. But truism though it is, it has been strangely overlooked, not only in the devices of the charitable, but both in the policy of statesmen, and in the doctrinal schemes of the economists. Yet we think a sufficient explanation can be given, both of the manner in which the perverse misconception at first arose, and of the obstinacy wherewith it still lingers and keeps its ground amongst us.'—p. 52.

In all this there is much that promises to bear on the discovery of new truths, or the establishment of suspected ones by new explanations. It is grist for the mill of political mathematics; though it might be vain to predicate at this moment what precise form of bread kind the result shall ultimately take. The point to be doubted is, whether there is not a portion of mistake arising out of the possibility of any particular trade or trades being compensated by others. Nobody, for instance, of common information affects to doubt, except for interested purposes, that if the ruinous and fraudulent trade with the West Indies were put down in the degree that would result from an equalization of the duties on sugar from other places, all the benefits to trade, revenue, or national power, which could arise under one state of things would arise under the other, with a saving to each of the members of the community of the most infamous and personally degrading tribute mentioned in history since that of the Minotaur. But this possibility of partial transfer is common to manufactures and to corn, as was shown in the instance of the beans; and consequently no inference can be made from it as to any essential distinction between the two kinds of produce. The strong presumption on the whole ap-

pears to be, that there will turn out in the end to be no essential distinction at all; as has already been authenticated by M. Say on one prominent particular in which they were supposed to differ, namely the circumstance of being produced under monopoly. [Say, Vol. iv. Ch. 20. *Translated in the Westminster Review for April 1832, p. 406 and following.*]

If a number of human beings were embarked on a six months voyage, with the understanding that they were to work in various ways for the purser on the passage, and receive from him such portions of beef and biscuit as he should be induced to give for their work under the competition that would arise,—it is as plain as most things in this world, that if such purser with a view to making the best of a limited capital, had gone to sea with only three months stock, no possible diligence among the operatives could turn it into six, or by any subtlety of man create a plenty for the voyage. They that worked best and hardest might fare better than the rest, and it is even possible that some of them might obtain for themselves a tolerable competency. But if these got more, somebody else must get less; and it is as clear as Euclid that the crew must be on half allowance in the aggregate. And if any well-meaning individuals should insist on the extent to which the prospect of gain would induce this purser to sow mustard-seed and small sallad in wet blankets in the tops and quarter-galleries, and cherish laying hens in the coops, and carefully preserve the sweepings of the hold and the shakings of his bread-bags which in ordinary times would have been thrown overboard for riddance; and if the same personifications of benevolence should exhort each of the crew to get a nice little bag, and diligently collect his crumbs, and see what a nice little supper he would make once a week out of his savings; it would be plain that it was well as far as it went, but that all this was perfect noodleism if it was held forth as any effectual removal of the evil, and most of all if it was represented as what ought to be trusted to in future voyages, or supersede the real preventive, which would be to bring the purser into port at the yard-arm *in terrorem* to future experimentalists. And if the case was extended so as to admit of the supposition that the population had a tendency to increase,—as may be done by substituting the tenants of a besieged town, in a leaguer of the duration fashionable in antiquity,—it would be equally plain that no mortal exertions in the way of labour could make provision for an increase of population under such circumstances, or prevent the certainty that if a lucky few could obtain enough to keep their offspring alive, a proportionate destruction of children or grown people through want must take place in some other part in consequence.

Here then is a triumphant proof of the precedence of agriculture; can anybody deny that commerce must be dependent upon food? It is all true. But is this all? And is this the only case? Suppose the case put, was of a Venice or a Tyre, a mud-bank or a rock in respect of the faculty of growing corn, but endowed with the power of procuring it with scarcely an assignable limit, by exchanging the results of manufacturing industry exercised on commodities of either domestic or foreign origin, joined, it may be, to the exercise of that particular kind of industry which consists in being carriers by sea for foreign nations. What now becomes of the precedence of agriculture? It is true that all corn must be got by *some* agriculture; but this was not the thing meant. When people talk of the precedence of agriculture, they mean the agriculture of the mud-bank at home. The mistake therefore is simply in talking of agriculture as if there were no corn to be had but from the cultivation of the mud-bank;—in stating what would be correct if there was none else procurable, and applying it to the case where this is not true at all, or where if it be true it is only through the interference of point-blank tyranny and undisguised wrong, operating in a particular direction as they would operate in many others if men were feeble and ignorant enough to give them leave.

In the next four Sections, there is something that desires further sifting, to remove a semblance of contradiction. If commerce 'was the prime, the executive agent in Europe, for unlocking the capabilities of the soil,' how is it that it should not be 'an *efficient cause*?' There is a deficiency somewhere; and the asserted 'dependence of the latter upon the former' [p. 62], is the point to be suspected. It may be perfectly true that the manufacturer cannot exist without food; but is it not equally true, that the agriculturist cannot exist without manufactures? If there are varieties in manufactured goods, so there are in food; there are all the gradations from frumenty to pheasant. It is no more fair, to assume that the manufacturer wants nothing but dry bread, than that the agriculturist wants only huckaback. The result of which a prospect appears to be held out, is that in countries where the facilities for creating manufactured goods are greater than for creating food, the power of exchanging goods for foreign corn is the road to the increase of the public wealth and happiness; and *vice versâ*, where the facilities are greatest for producing corn, the power of exchanging it for manufactured goods. If England *may not* buy the corn of Poland, and Poland consequently *cannot* buy the manufactures of England,—then two

countries are condemned to suffering, to please the tyrants of the soil in one. And in each country it is probable that an imaginary importance will be assigned to the produce artificially prohibited. In England, the man who produces corn will set up his claim to precedence. In Poland every boor can create corn; but where is the man that can create a yard of cloth? It is not difficult to see that in both cases the precedence is equally without foundation in anything but artificial restraints. If English artisans might produce corn out of their looms and their flitting-mills, the precedence claimed for the English agriculturist would fall to the ground. If Polish corn could be exchanged for English cloth, a clothier in Poland would equally decline in honours. The dispute between agriculture and manufactures will finally be settled by the discovery, that neither is before or greater than the other, except when the wickedness of man points a six-pounder against nature's bounty, and establishes a cordon of bayonets for the intercepting of her favours.

It is not easy to account for the neglect of these considerations displayed in the reasonings of this portion of the work, except by supposing that all skepticism on the subject is reserved till arriving at the part where a free trade in corn is immediately examined. This reservation, therefore, is necessarily to be extended to the 'momentous distinction' between agriculture and commerce, in the form in which it at present stands, and to the deduction

'that the owners of the soil, in virtue of the property which belongs to them, have a natural superiority over all other classes of men, which by no device of politics or law can be taken away from them.'
—p. 63.

Does this mean the Polish owners? Clearly not. With respect to the others, therefore, it cannot be correct, except on the supposition that the freedom of the trade in corn is finally proved impossible. Till this is proved, instead of 'no device,' every man has a device. There is a device as simple, as the child's invention of taking its fingers out of the fire. *Take away the power of injustice.* If highwaymen were uppermost, they would have *pro tanto* 'a natural superiority over all other classes of men;' but this would not prevent the discovery of a 'device of politics or law' that should speedily be operative whenever honest men recovered the superiority. The deficiency which exists for the present, consists in confounding what landlords are while under an unjust state of law, with what they would be if the law were otherwise. The whole of the arguments on this particular portion of the subject, proceed on the assumption that the land-owners and the law by which they happen at

this moment to hold the power of prohibition, are identical and inseparable. The assumption is indeed carried to such a length, as in the eyes of those who are not convinced of the ultimate soundness of the explanation in expectancy, to suggest the idea of men who should be seen sitting reasoning on the necessity of being burned in their house alive, when apparently all they had to do was to open their back door and walk out. Yet this does not hinder the whole from being interspersed with most undeniable pickings of admirable reasoning and illustration, which will serve a powerful purpose in the hands of those who are able to make use of them. Take for example the description of the system of 'expedients' in the concluding Section; always however reserving the assent to the conclusion that we are in a state of 'nearness to the ultimate and immoveable barrier of our resources,' and not rather that we are nearer to its entire removal than ever, and shall be nearer still by twenty-four hours tomorrow.

'Meanwhile, as the difficulties thicken, and the pressure becomes more severe, the expedients multiply. This is a teeming age for all sorts of crudities; and we have no doubt, that our very nearness to the ultimate and immoveable barrier of our resources, has made the necessity to be all the more intensely felt, and so given additional impulse to the speculations of philanthropists. Among others, the favourite device of employment has been acted on to a very great extent; though its inefficacy as a resource, one might think, should be abundantly obvious, on the simple axiom, that employment is creative of nothing but its own products. It was a far more rational and likely expedient centuries ago, in the earlier state of our agriculture, than it is at present; nor need we wonder, though in these days they should often have experienced a most convenient absorption of poverty and idleness in whole masses, simply by providing and dealing out work. There was room then for such an absorption, when the increasing products of the towns and villages could be met by the increasing products of a land, whose capabilities were yet so far from being fully overtaken. We accordingly meet with this expedient in the innumerable parliamentary acts of other days, for the suppression or the regulation of mendicity; and it was long the favourite scheme, both of parochial counsellors, and of individual philanthropists. The general rule of society is, that each man lives by his business; and the first natural imagination is, that this conjunction between work and maintenance is just, in every instance where poverty and idleness are seen together, to be repeated over again. England is rife with this experiment throughout her teeming parishes; and quarrying, and road-making, and breaking stones, and digging in gravel pits, and the manifold branches of in-door labour in work-houses, have all been devised; that, if possible, by the products of their industry, their surplus people might earn for themselves their subsistence, or a part of

their subsistence. The conception is prevalent all over, and has been endlessly diversified into various ingenuities, alike amiable and abortive. The platting of straw, and picking of hemp, and various sorts of millinery and hand-manufactures, have all been tried and found wanting. The effect is a general depression in the price of the prepared article, whatever it may be; or if the article be altogether new, the purchasers who are allured to it, are withdrawn from the purchase of other articles. On either supposition, a whole body of regular labourers are impoverished by the weight of these additional products upon the general market; and so utterly fruitless indeed has it turned out as a permanent resource, that, in despair, the expedient has been abandoned in many parishes, and the extra population are suffered to lead a kind of lazaroni life in idleness, and in the mischief and crime which are attendant upon idleness. The truth is, that if home colonization fail, employment in manufactures is far more likely to fail. By the former, a certain portion at least of sustenance, is drawn from the earth in return for labour—though inadequate to the full maintenance of the labourers. By the other, something is produced too, but it is not sustenance; but a commodity to be offered in return for sustenance; and which cannot earn that sustenance for additional labourers, save at the expense of all previous labourers. The home colonist, at work among the inferior soils, may perhaps extract from them three-fourths of his maintenance, and leave the remaining fourth a burden upon society. The workman in a charity manufacture, burdens society with the whole of his subsistence. The article he prepares becomes cheaper and more plentiful than before; but he himself becomes the instrument of a general distress, by inducing a dearth and a scarcity on that which is most essential to families.—p. 71.

The Chapter on the 'Increase and Limit of Capital' is a powerful stirring of that particular pool, and interesting results may be expected from every portion of the agitation. The brief definition of Capital is, that it is wealth employed in the production of other wealth. Capital in short is a tool; and as there may be more tools than can be made use of by the men that can be fed on a given quantity of corn, so there may be more capital, which is only another word for the same thing. A few passages must be subjected to the reservation formerly described. The inquiry into the nature of 'home colonization' is matter to chew upon, both novel and important. The author has apparently guided the gully to the right place, by his intimation [p. 487] that the pauper system of England is 'home colonization in disguise;' from which it is an easy step to the suggestion, that home colonization is the pauper system in disguise. Both will be found to be the same face under different hoods. By home colonization a hundred men are set to work to raise the food of ninety; and the money which the public supplies to pay the difference, by its appearance in the market creates an

increase in the price of corn, which raises the food of the ten men principally by a levy on the suppers of the class of people who are just above receiving eleemosynary support, and in some slight degree by the increased quantity of corn produced in consequence of the increase of price. Home colonization and the pauper system will be discovered to be identical in principle; but with this difference in the progress of the operations, that in the pauper system the whole food of the paupers is to be levied through the instrumentality of the increased price consequent on giving the paupers the means of appearing as competitors in the market, and in what is called home colonization only the difference between the food of the hundred men and of the ninety. Home colonization, therefore, is the pauper system, applied through the medium of a losing trade in raising corn.

The Chapter on the parallel between 'Population and Capital,' looks very like the conquest of a new territory to political mathematics. It was a valuable discovery that demonstrated the tendency the force of population has to fill up the gaps made in it by accident; the odds are that it will end in being demonstrated as clearly, that a process of the same kind takes place with capital. An inference from this is, that as the murder of a million or two of the human race does not leave a permanent gap in the numbers, but is repaired *quoad* number with vastly more pertinacity and celerity than was formerly dreamed of,—so the wrongful taking of a few millions of capital is repaired in a shorter period than would be expected, by a natural operation of a similar kind. There would seem to be truth in this. It is certain that the speculator would be wrong who should assume, that if all the men killed in the wars against liberty in America and France had been left unkilld, they and their natural posterity would have been existing at this hour in the shape of an addition to the numbers of the European population. And by a parallel mode of reasoning, if the thousands of millions expended on both sides in the same miserable contest had been left untaken, it does not follow that Europe would have been richer at this moment by that precise amount with the interest on the same. There may be a *vis medicatrix* in the case of the robbery as well as of the murder; but without forming an apology either for the robbery or the murder. At the same time it would be wrong to omit noting the integrity of purpose with which the author has gone into a train of arguments, to prevent the possibility of his discovery being applied to the defence of the funding system [See on the 'National Debt,' Appendix, p. 490]. Doubts may be suggested on the absolute correctness of all these arguments; consisting principally in na

apprehension, that when the public is described as 'bereft of a given amount of enjoyment by means of higher prices' [p. 494], it is overlooked that if one part of the public was bereft of enjoyments by these higher prices, some other part had its enjoyments increased. But whether this be so or not, the impropriety of taking the money of the citizens by the funding system, seems as clearly established as that of taking their lives.

The Chapter on the 'Possibility of Over-Production,' or of a General Glut, may be described as establishing the possibility of such a phenomenon, *whenever there is a limit to the quantity of the first necessary of life* which is food, and the population is such as to press against that limit; understanding always, that by limit is not meant a limit absolutely incapable of extension upon increased effort, but that everything is a limit, where the possibility of the increase of effort and of extension is itself visibly limited. The simple evidences of the fact, indeed, are in the shop of every trader in the country. Every trader would sell twice as many goods if he could; and why does he not? He would seldom have any difficulty in doubling the quantity of goods in his shop, if that would produce the effect; but he knows it would not, and therefore avoids. He knows that the goods in his shop, or all above what are necessary to serve as specimens and supply his daily demand, are so many things in mortmain and for which he has paid in advance without prospect of return, till a customer shall come and release the imprisoned angels. The quantity of goods makeable, is quite a distinct thing from the quantity of goods saleable, if men are either ignorant of what prudence would dictate, or are tempted to run counter to it. If there is not a glut, therefore, it is because men take care there shall not be a glut; but the fact of its being necessary to take care, proves that a glut might exist. Every shop and warehouse within the territory might be loaded with a double stock; but the question of whether these increased stocks could be sold and continue to be sold, would depend on whether in consequence of their creation, an increased quantity of food could be obtained sufficient to satisfy the demands of those who are to be induced to labour in the fabrication, and at such a price as would allow these stocks to be sold at such a rate as would induce men to purchase and consume them.

The two Chapters on 'Foreign Trade' are extraordinary instances of an individual's arriving at most liberal and equitable conclusions, in spite of the pressure and occasional outbreak of preconceived opinions of an opposite tendency. No stronger internal evidence can be given of integrity; and the conclusions

arrived at in this manner may be considered as doubly dangerous to the side of the argument which the author, apparently, would not desert if he could help it. It would be invidious to be precise in enumerating all the traits in which the original leaning is demonstrated; but some of them are remarkable. For example, the population of a country is divided [p. 219] into 'natural' and 'excrecent;' on the principle which would give the name of *natural* to that portion of a ship's crew which was fed on mustard and cresses grown about the decks, and *excrecent* to all the rest. The export manufacturers belonging to what is designated by the last of these appellations, are said [p. 229] to 'labour in the service, and be subsisted by the wealth, of foreign customers;' as if the fact was not, that they laboured in the service of themselves, and were subsisted by the wealth which God gives them grace to command in their vocation. The zeal to eat hot rolls and household bread though made of foreign corn, is styled [p. 231] 'our false and foolish ambition;' with various unsavoury comparisons, from scripture and elsewhere. But all this must absolutely be overlooked, for the honesty of the conclusions. It is impossible, however, not to suggest, that the same conclusions might have been come to by a shorter route. They present a mass of most upright casuistry, ending in establishing that men ought not to steal, and that there will be very little harm from hindering them. The source of the author's difficulties throughout, appears to be his conviction of a certain preeminence in dignity of corn. Now no man denies that corn is among the necessaries of life, and that it is that particular one of which we most urgently want more if we could get it. But this does not seem to take it out of the list of articles of commerce, or give it properties of its own distinct from all the rest. The great secret appears to be to have what we want;—to get the most of what we want that we can, and as the means to this end, to get it where and how we can get it cheapest, or in other words, easiest. The scripture was right in saying that man is not to live by bread alone; he lives by every thing he wants, and he knows best what he wants to live by. If you desire to have bread at the top of your table, bread at the bottom, and bread for the side dishes and dessert,—have it; but if you like other things better, as for instance Perigord pie, buy more Perigord pies and less bread. And it really does not seem to signify one pin to the general question, whether you, who shall be supposed to be a manufacturer of knives at Sheffield, give your knives for bread to an English land-owner, or preferring pie, transfer them directly or indirectly to Perigord in payment

for the same. But it is urged that you must have been kept alive by corn during the process of making the knives. So you may have been by Epsom salts. It positively does not appear, that there is greater inherent importance in one fact than in the other. If the corn, or the salts, were the produce of English industry, be grateful for them, unless you paid for them. But if you paid for them, then if the apothecary asks what would have become of your bowels if he had not sold you his salts, ask him what would have become of *his* if you had not been there to buy; and make precisely the same answer if the substance you have swallowed with advantage was corn. It does absolutely seem, as if a bargain for corn, or for salts, cut equally both ways, and there was no more gratitude due to the owner of either for having consented to sell them to you in the way of his trade, than to you for buying them. Each party did it to serve himself; and each party served himself, and there is an end.

But these are inconsequential *maculae*, and the important fact is, that a writer of great acuteness coming to the consideration of the subject, with manifestly no prejudices in favour of the side he finally takes but the contrary, did not discover a shadow of an argument for the justice of forcibly preventing men from eating foreign corn, however unworthy in his private opinion the practice may be; and could not, upon the maturest deliberation, come to any conclusion, but that the dangers to those who think themselves interested in the prohibition have been greatly exaggerated, and are he believes vastly less *than those of letting things go on as they are*. This is a most laudable conclusion; and better for having been come at in such a manner, than if it had been precluded by the bitterest attack upon the landed interest that ever issued from the press. There can be no doubt that their dangers have been overrated; the most forward of their opponents have said so, though it was not their business to be particularly diffuse upon that point. The land-owners,—like all men who have something they wish to preserve, but suspect they ought to lose,—try to keep up each other's spirits, by exaggerated descriptions of what they have at stake. Each does his best to frighten his neighbour into resolution; and reserves his better judgment for his private comfort in the event of failure. Abuses are always in one sense crying evils; they do squall most prodigiously *in articulo mortis*. Allowance therefore should be made upon this score; and they should never be believed on their own showing, for more than a tithe of what their outcry would suggest.

The lamentable circumstance for the supporters of the corn laws is, that little by little all their friends will be picked away

from under them. The most feasible thing in the world, when information has taken a very few strides more, will be to convince the farmers and agricultural labourers, or an efficient portion of them, that they have at all events no urgent interest in the continuance of the public wrong. They gained for a season when the mischief was brought on, but their share in the general suffering has long since eaten up the benefits. By the converse of the case, it may be undeniable that the return to justice will be attended with some present exacerbation of their condition, but with the prospect of overpowering improvement at no very remote period. This is not the most favourable position imaginable to invite men to resort to; but it is a position which there is no reason to despair of inducing a great number of intelligent individuals to resort to in the end. There will be a desertion, or at least a slackness, first among the farmers and agricultural labourers, next among those descriptions of landlords who are obliged to provide for their children in the world themselves, and have no hopes of quartering them on the public purse; and the end will be, that the remaining class of landlords with their few adherents, will have the honour of going to the bottom in a minority together.

The author labours throughout under a species of dilemma, between the idea that cultivation receives an impulse from foreign trade, and that it does not. His solution appears to be, [p. 182] that it once received an impulse, but does not now. The conclusion is a disputable one. It is palpable that many a man makes exertions in cultivation for the sake of having Port wine or claret every day or a certain number of days in the week at his table; and if the wine was not obtainable, it is reasonable to suppose his exertions might at all events be diminished. It may be urged that if there was no such thing as wine, some other object of desire would take its place. But if *all* objects of foreign produce were cut off, would not the range of objects of desire be at all events greatly reduced, and must not this produce a partial if not a total removal of the exertions? Would not the individual in fact be carried back to the situation in which it is allowed that the introduction of foreign trade produced a start; and if the introduction produced a start, must not the absence produce a retrograde movement towards the old point? It does not seem conclusive to state, that the removal of one particular foreign comfort would produce no visible effect; the question is not of the effect of putting one bar to the cage, but a multitude. The thing to be strongly suspected is, that land is cultivated in proportion to the degree of satisfaction procured to the owner or cultivator in the way he likes best.

And this constitutes an objection to the conclusion to which the author appears to come upon Irish absenteeism as distinguished from English. The question is, whether the Irish produce, consisting as it happens of articles of human food, is not produced because it can be sold in the oversea market; and whether there is any more certainty that if this was put a stop to, the provisions would continue to be produced and be eaten by the poor of Ireland at home, than that if the export of sugar and rum was stopped from the West Indies, the present quantity would continue to be produced and be given in punch to the negroes,—or that a baker would improve the feeding of his family, by stopping the exit of the bread that is fabricated within his borders.

The Chapters on the 'Effect of Taxes' repeat the phenomenon of those on Foreign Trade. The author is manifestly beset with all kinds of disputable opinions, such as an apprehension of 'a misplaced antipathy to taxation' [p. 259], and a persuasion that 'in virtue of a sweeping and bludfold retrenchment,' 'the monarchy is shorn of its splendour; the great officers of the state stripped of their graceful and becoming dignity; the system of public instruction stunted of its needful allowances; the requisite agency for the business of government crippled in all its departments; our gallant warriors made to pine in sordid destitution; science, in the Gothic barbarity of our times, unfostered and unrewarded; in a word, the glory and substantial interests of the nation sacrificed.' He believes we live 'under a regime of hard and hunger-bitten economy, [p. 261] before whose remorseless pruning hook, lie withering and dis-severed from their stem, the noblest interests of the commonwealth; a vehement outrageous parsimony which, under the guise of patriotism, so reigns and ravens over the whole length and breadth of the land, and cares not though both religion and philosophy should expire, if but some wretched item of shred and of candle-end should be gained by the sacrifice;' a conclusion which may be ascribed in a great degree to the misfortune of having been some weeks too early for the appearance of Mr. Estlinham Wilson's 'Extraordinary Black Book,' a wonderful conductor of grief and silent carrier-off of apprehensions on the subject of complaint. This is manifestly no *novus homo* from the Political Unions; yet he comes to the astonishing conclusions, that 'it is quite the wisdom of our statesmen, in this particular instance, to proceed in the current of the general feeling' [p. 299]; and, that though he is 'far from the opinion, that *vox populi*, is *vox Dei*, yet, on the present question, it so happens, that the demand of the many, runs in the

‘direction which is best suited, both to their own interests and the interests of all.’ He is convinced that

‘it were no small advantage if landlords were made to bear the whole burdens of the state ostensibly, as they do really; that the importance, the paramount importance, of landed wealth and of the landed interest, would stand forth, nakedly and without disguise, to the recognition of all men. So that it were well for them, if compelled, even though against their will, to pay all taxes. The men who hold in their hand the necessaries of life, have the obvious superiority over the men who but minister the superfluities or the comforts. They have the natural ascendancy; and we think it wholesome and befitting, that they should have the political ascendancy also. We hold it the most exceptionable feature in the modern scheme of representation, as being a violation of the rightful and natural order, that the agricultural interest is not sufficiently represented in parliament. We think, that, in partitioning the matter between the landed and the commercial, the supreme importance of the one, and the merely subordinate or subservient character of the other, have not been enough adverted to. But, perhaps, the very violence thus done to the natural propriety of things, may speed the manifestation of the truth upon this subject. The proprietors of the soil have been a vast deal too tardy in learning the lessons which relate both to their own and their country’s well-being. It is better that the repeal of the corn laws, and a reformed system of finance, should both be forced upon them. They will maintain their ground notwithstanding. They may be overborne for a season; but their indestructible wealth will at length appear manifest to all men, as being that which constitutes the main strength and support of the nation. It will even make head against the inequalities of our representative system, and secure for them, in opposition to every device and every provision in the framework of our constituency, the ascendancy in parliament—an ascendancy which will the more readily be deferred to, when it becomes clear as day, that they indeed bear all the burdens of the commonwealth. The lords of the soil, we repeat, are, naturally and properly, the lords of the ascendancy.’
—p. 301.

There really does seem some reason to apprehend, that the Political Unions will be obliged to interfere on behalf of the landlords. They will at all events give their votes and interest towards the agricultural body being in an especial manner represented in parliament, if the landlords will give good security for agreeing to be ‘compelled, even though against their will, to pay all taxes.’ The objection to their political ascendancy has always been, that they used it, like all other ascendancies, to oppress their neighbours. If they will agree to an ascendancy that shall be no ascendancy, the bargain shall be struck directly. But some care must positively be taken of the landlords. The doubt is, whether it be so absolutely and irrefragably true, that the

landlords do always really bear the whole burdens of the state. If they do, it is a most proper provision of nature. But since, if they do, the community can lose nothing by the proposal,—the community will be content with the landlords paying the nominal portion of taxes which would befall them, under a state of things where every man should be allowed to sell the labour of his hands for what he likes best, and an equitable partition of the public expenses afterwards. But even if it should be strictly true, that nature has ruled and provided that all taxes shall in the end fall on the thing called rent, it does not appear why the land-owners should thereupon assume to themselves any pre-eminence over the rest of the community. In the case, for example, of a society which should proceed to take possession of a new-found territory, it does not clearly and luminously emerge, upon what principle it should be established, that the residuary owners of what nature leaves them out of the rents that are to be, are thereby to be seated on any particular bench of honour, above those who may attain to holding an equal fraction of the aggregate wealth through the instrumentality of any other agency. It shall be conceded fully, that the residue of the rent shall be considered a fair prize in the lottery of industry as much as in other cases; but it is not evident why it should be considered *more* than in other cases. There are some persons who have not a distinct vision even of the fact of the equality; it might be dangerous, therefore, to urge them with the claim for a superiority. And the claim urged is manifestly only the argument used to the lion in the fable. Allow the lions to be the statues for a season, and it shall soon be seen who is uppermost. Allow us to rob the landed interest for seventeen years as they have been allowed to rob *us*;—give us leave to prevent them by Act of Parliament from selling the produce of their estates in open market, and to tax them in order to enable us the manufacturers to purchase more corn with our products from abroad;—and we will demonstrate in the twinkling of an eye, the priority and natural ascendancy of manufactures, and the merely subordinate and subservient character of the landed interest. The whole argument is founded on the event of a race in wrong, and may be turned end for end by only supposing the other horse had won.

The Chapter on 'Tithes' appears to accord in the main with the representation, that the effect of the mode of collection by tithes 'may be compared to the effect of a convulsion which at some period of remote antiquity should have sunk a certain part of the land of the country into the sea*.' Such a circumstance

* See Westminster Review for April, 1832, p. 404.

would cause Britain to be at this moment a less Britain than would otherwise have been the case, by a proportionate part of her territory, population, and everything else; but it will not be contended that there would be at this moment any increase in the price of corn. And by the converse of the reasoning, if all this land should rise again out of the sea, the population would finally be increased, but the increased cheapness of corn would only be for a time. In fact, the facility of obtaining food and the increase of population, are the two circumstances, of which one is always destined to eat up the other.

But there appears some danger of a fallacy on this subject, like that of Swift's servant when he omitted to clean his master's boots. 'They would soon be dirty again,' said John. 'We should soon be hungry again,' said his master, when he pushed past John's *diversoria nota* in retaliation. It does not follow, that because the effect of a given thing can be proved to be only temporary, it is therefore to be overlooked; the best dinner that ever was eaten is precisely in this predicament. The very intent and object of nature may be, that the thing or something like it, should be repeated *toties quoties*. The most important point in all political mathematics at the present conjuncture of the world, is to establish and popularize the fact, that the comfort of the world depends on a continual chase after new markets for procuring corn, as it does after new dinners. The beef of today must form no excuse for going without the mutton of tomorrow; and the welfare of the concerned depends on an uninterrupted succession of similar phenomena. The gains to the labouring classes from the commutation of tithes might be only a fortnight's dinners; but the life of man is by a succession of such things, and why should not this count for part? If any man expects to go in the strength of that meat for ever, he is wrong; but does that make any reason why the mess should be rejected if it can be had?

The Chapter on 'Productive and Unproductive Labour' may be considered as having established, what many persons have long suspected, the unprofitableness of the distinction conveyed under those terms. The nearest to an excuse that can be made for their application, is that they arose out of an indistinct notion of labour well and ill employed. But if this was what was meant, it should have been said so. A soldier, for instance, should have been attacked as producing mischief when mischievously directed, and not as producing nothing. The whole of this Chapter is valuable to those who desire instructive reading, and in many parts has more 'mirth' in it than can commonly be compressed into a subject of political economy.

The Chapter on the 'Law of Primogeniture' presents an instance of a species of inaccuracy traceable in some of the preceding divisions, as for example those on Taxes and on Tithes,—which is that of confounding the evil which people *do* charge against a practice or an institution, with the evil which they do not. Thus in the case of Taxes, very few persons in the present day believe that the removal of taxation would cause a direct increase of aggregate employment for the working classes, any more than they believe that such an effect is to be produced by levying money by taxation to be expended in building useless palaces or in digging ditches and filling them up again; and for the same reason, namely that all that in any of these cases is added to employment in some quarter or direction, must be taken off in some other.* But they say that the individuals taxed unnecessarily or for purposes in which they have no interest or concern, are robbed as they would be by taking the money from them on the high road; and this it is that they maintain to be an evil, and they must not be diverted from it by starting the other hare to hunt instead. So again in the case of Tithes, the thinking part of the public does not need to be told, that in one sense it may be indifferent to the working classes in the aggregate, whether certain large revenues are to be expended by one set of men or by some other; but this verity must not be impressed upon them to the obscuring of the considerations, that the mode of collecting these revenues has in it something peculiarly hostile to the well-being of all concerned, and that the continuation of these revenues altogether, after a decent regard for existing interests and expectations, is as completely subordinate to the opinion of the community expressed through its legislature on the adviseableness of the same, as is the continuation of the pay of a file of musqueteers. A stout resistance should always be made, to the mixing up the attacked with the unattacked; and one of the best services that can be done to the militant community, is to point out to them with clearness what it is they are going to attack and what to let alone. In short there must be no shots thrown away; and he is no friend, who invites to such an operation. On the Law of Primogeniture, in the same manner, there is no necessity to insist upon the fact, that ten thousand a-year in the hands of one son, would only be a thousand a-year apiece in the hands of ten, and that this would not make the sum more than it was before. But in the first place there is the direct consequence, that the nine junior sons are injured by the rule; and in the next, there is the indirect consequence, of vastly greater importance to the public than the other that the influence and power thus created in the

hands of the elder brother, are employed to procure a maintenance for the younger brothers out of the pockets of the public. This is clearly the end and the organized plan of the system of primogeniture; the ten thousand a-year is to be concentrated in the hands of the eldest son, that it may act as a battering-ram for procuring a thousand a-year for each of the others, or as much of it as may be found practicable, by entry into the public pantry and appropriation of the victual that is therein*.

The argument for the law of primogeniture that is founded on the greater facility of raising taxes on the larger properties, may be placed in the class of things considered doubtful. It appears to amount to this; Cut off the thousand a-year from each of the younger sons altogether, and it will be easier to levy a thousand a-year from the man of ten thousand, than it would be to levy ten sums of a hundred from ten men of a thousand a-year each. If the younger son had a thousand a-year, he would be wonderfully tenacious of the odd hundred, and it would indeed be something like cruelty to take a hundred pounds from a man who was only to have nine hundred left; therefore remedy the evil by giving him none at all. The case is particularly recommended to all the younger sons in the community; who, if they happen to be dissatisfied with the share that befalls them of the public plunder, will probably be long before they see the merit of the law on this point in its full brilliancy. The whole of the further inferences seem to demand the same kind of scrutiny. It is exceedingly difficult to get taxes from the people at large. As a remedy therefore, take from them ten times the amount of the desired taxes, by causing it to accumulate in the hands of somebody else,—and you will find this other somebody wonderfully more willing to consent, to pay the tenth part and keep the other nine. It certainly deserves some examination, whether as regards the interest of the people at large, this is not making shoes by cutting them out of boots.

On the subject of 'Emigration,' it may be suspected to be questionable, whether [p. 387] 'the country is in a distempered con-

* This was never clearly developed with application to the case of Great Britain, till it was done in the remarkable article entitled *DE LA CHARTE SELON L'ARISTOCRATIE* in the *Constitutionnel* of Sept. 4, 1829. The original and a translation were inserted in the *Westminster Review* for Oct. 1829 [p. 504]; and were republished by the author of the *Political Register*, which was no mean compliment in more respects than one. There would be nothing unreasonable in affirming, that this article in the *Constitutionnel* may be counted among the co-operating causes which produced the call for Reform in Great Britain, and as such presents an example of the reflected effect on the interests of one country, which may be produced by mingling in the politics of another.

dition, which is in the state of a vessel constantly running over.' Have not all vessels run over since Noah's? And is there not every appearance, that the process of nature hitherto, which is so earnest of the plan that is to come, has been to push forward population from the first-occupied parts of the habitable globe into the others? If population had always remained 'in a state somewhat short of fulness,' we should have been living among the ruins of the ark; for nothing but want of room ever induced the existing tenantry to quit. The point for sensible men to aim at, is manifestly to have just so much emigration as shall be forced upon them after their own best exertions to prevent it; without allowing either Shem or Ham or Japhet to hurry the process by the prohibition of obtaining food where it can be had. The suffering which nature has designed for us, is calculable and tolerable, softened by a thousand circumstances of mitigation and dilution. An Act of Parliament is what crowds the evil intended for eternity, into the interval between the first and final reading of a Corn Bill.

But if on the one hand a country is not to be pronounced in an unhealthy state on evidence of the existence of emigration, so neither on the other hand is the necessity for emigration to be unnecessarily increased to please the landlords. The plot of these last, is manifestly to make the English people breed for exportation, like the negroes in some States in America. They cannot hinder the multiplying, and they are afraid to encounter the consequences of keeping all at home. They know the cage would burst, and the makers of the law that constitutes the boundary be called to a severe reckoning; and therefore they have hit upon the middle term, of trying to make the landlord-ridden people of England breed for transportation. Every man whom the existing state of law obliges to emigrate, is an innocent man robbed by law till he embraces transportation as the lesser evil. It has long been a toast of the oppressors, that 'those who do not like the land may leave it;' and they have so shaped their policy, as to put their wish in the readiest way of execution.

The 'Compulsory Provision for the Poor' has long been known to be inefficient as the means of diminishing, and consequently of relieving, poverty. But there is one new question to determine, which is whether a long-sighted Providence has not tacked the poor-laws to the landlords backs as the instrument of retributive justice. The landlords have made a law to prevent the manufacturers from selling their wares in the market; and the manufacturers will justly retaliate when they have the power, by imposing a prohibition of a corresponding

nature on the landlords. But when the landlords made this law, they forgot that by a previous law they were saddled with the necessity of maintaining the poor they made. No prospect upon earth is so delightful, as seeing knavery and cruelty disappointed. If by any combination of circumstances it were possible, that in the actual state of things the landlords could make any attempt to get rid of the poor-laws, it would justify a division of their property by the poor. The parish relief is the poor man's right and his honourable fee simple, because it is only in consequence of having been foully and cruelly robbed that he is reduced to the necessity of taking it. It is his compensation,—a miserable one, but all he has,—for having been plundered of the first of human rights, the right which a man has of disposing of the labour of his hands. It is to escape the poor-rates, that the oppressors are anxious to encourage emigration. It only remains to be seen whether the poor of this country are simple enough to give into the plot. If they are, a few years more of Sunday schools will put an end to it.

It is on this view of the subject, that the decision of the question of the introduction of poor-rates into Ireland seems to turn. Are the Irish landlords of such a description or not, that it would be useful to stipulate, that the poor they may make by misgovernment, they shall be obliged to keep? That poor-rates have no direct effect to diminish poverty, may be readily allowed; but have they not an indirect effect, by making the artificial creators of the public misery finally the sufferers by the consequences of their own acts?

On the Chapter on the 'Education of the People,' it is desired to be brief, and to displease nobody. The great objection to be urged against the premises on which it is founded, is that the attempt 'to demonstrate the futility of every expedient, which a mere political economy can suggest for the permanent well-being of a community,' is exposed to the same weakness as an attempt to demonstrate the futility of a succession of good dinners. There is possibility that it has been overlooked, that though one expedient and one dinner may be ineffectual to permanent good, a succession may form a chain, of which very different things may be predicated; and still there may always be room enough for everything that can be done to improve the conduct and discretion of the people. The matter for regret is, that the two great modes of improvement should not always agree to go on together,—the political economist to do what may be done for the diminution of temporal evils, and the religious philosopher to exert himself to teach mankind the best mode of supporting such as will be certain to remain.

ART. II.—*The Adventures of a Younger Son*—Colburn and Bentley.
1831. 3 vols post 8vo

THERE seem to have been no pains taken to conceal the fact that the author of these volumes is Mr. Trelawney, the friend of Lord Byron, and the person from whom the poet is said to have taken the idea of the character and exploits of his Conrad. As Lord Byron was always confounded with his own Childe, so must Mr. Trelawney expect to be taken for his own hero. He probably intends that it should be so, for though his work bears many marks of being a fiction, there are more of reality; and indeed, such is the vigour, and freshness, and novelty, of many parts of the narrative, that there can be no doubt the writer is consulting the deep imprints of experience, rather than the brilliant shadows of his imagination. The known European adventures of Mr. Trelawney prepared us not to be surprised that marvels should have happened to him in the East, the native land of passion and extravagance. His enthusiastic adoption of the Greek cause, his romantic friendship with the chief Odysseus, his inhabitation of that hero's fortress cave, his espousal of his daughter, and his ultimate assassination by a scoundrel Englishman, and the long and painful recovery from his wounds, under the careful nursing, we believe, of his Greek wife, though on board an English brig. these, and other circumstances, more especially the strength and beauty of his form, while it was a youthful one, have for some time marked him out as a likely man to do and dare all those wild things here set down by him. And he was not the less adapted for the hero of romance, that it was darkly whispered here and there, that there was a mystery about his early life, that he had been concerned in strange transactions in distant climes, though the informers did not condescend to particulars, as the Scotch say, yet they looked nothing short of 'privy conspiracy' and 'sudden death.' Mr. Trelawney now tells us in three volumes what they uttered in a glance. He informs us in the person of his hero, who is anonymous,—a blank being left, which we presume is meant to be filled up with the name of the author—that very unscrupulous people have declared that he had richly earned a halter. His hero, most undoubtedly, would often have been hanged had he been caught, and he often would have been caught if he had had any foolish scruples as to the manner of disposing of the obstacles he met in his way. Whether he would have been hanged justly or not, it is difficult to say, for he has almost always taken care to prevent the other party from ever being heard in any

earthly court. No Gazette ever exceeded him in the number of his killed and wounded.

The *Adventures of a Younger Son* are, in short, the history of a modern Buccaneer; the scene of his exploits are chiefly the Indian seas, the islands of the Indian Archipelago, the straits of Sunda, the latitudes of spice, where the gale is impregnated with aroma, and all nature bursts with luxuriance and splendour. His nearest approach westward during his high career, or rather his career of the high seas, is the Isle of France, Madagascar, and the Mosambique channel. He begins life as a young gentleman, but is flogged and cuffed at school, and frowned and browbeaten at home, into a young devil: his diabolical education is completed aboard of ship in the quality of midshipman, where he kicks and buffets himself into a kind of lazy fiend, now and then visited with fits of industry, and capricious movements of generosity. His ship he leaves in India, after stabbing the captain's clerk in twenty places, and nearly destroying the second lieutenant with the butt end of a billiard-cue. Leaving him for dead, he provides for himself and sets off Mazeppa-wise, on a wild horse, as mad and untamable as himself. The career of this amiable pair is only fatal to one of them, and that apparently the least vicious of the two. The next step is naturally enough piracy. He joins a colleague with whom he has struck up a warm friendship—a merchant in disguise, but in fact a philosophical pirate, who on principle takes every opportunity of robbing the East-India Company: apparently on the ground of the said company being themselves robbers on a more extensive scale. Henceforth we have nothing but fights at sea, retreats in island-solitudes, sojourns among native savages of every shade of colour and of disposition, storms, gales, simooms, the chase, the action, the manoeuvre, the escape, the wreck, and all the wild and boisterous adventures which may be supposed to happen to a crew of lawless and ferocious sailors, careless of life, greedy of plunder, of every nation that goes to sea, of all shades of character, thoroughly unscrupulous, now and then generous, oftener drunk, and, in short, a shipful of wild beasts, whose humanity only serves them to supply craft for circumvention, skill for self-preservation, and fun for amusement. Blood runs like water: death comes and goes like a squall: the blood is up, the head is hot, the human devils struggle, and away goes the knife or the creese, and all is quiet: the thing is considered as well ended, for death is repose, and revenge is a restless hell: a corpse, more or less, is no matter, the sea is at hand for a grave—and a bucket or two of salt water seems to wash away

all stains, whether from the deck or the conscience. This it will be observed is the spirit of the Corsair: it was the spirit of Harry Morgan and his contemporaries, and at this moment flourishes as well in the West as in the East Indies. Whether the author is the inventor or the actor in such scenes, it is not for us to say; but assuredly it was not in doing nothing he got his admirable knowledge of the countries he describes so well, and whatever he may have done, it is clear he has seen a good deal.

After having discussed the character of the adventures, let us turn to the ability of the writer. We are disposed to think the *Adventures of a Younger Son* the cleverest work of description that has left the press for some years. Its subjects are rich and rare, its manner is lively and forcible to the last degree, every picture is remarkable for the brilliancy of its colouring and the vigour of its conceptions; the result of the application of powers of a highly valuable kind. In his description of character, the author is equally lively and more amusing, but he is not always so fresh; his feeling of truth is not always so vigilant. These are high praises; and they are not all. In tracing back the history of his own feelings, few authors of confessions, if any, have probed deeper into the human heart: of course much has been added and interlarded to suit the market of fiction; but still invaluable passages are left, which those who study human nature will read with satisfaction and delight. If Lord Byron had written a novel, assuredly he would not have written a better, but he would have written one very like it. There might not have been quite so much action, for life had cast him on a feather bed of ease and luxury; but Conrad and his adventures shewed that he had a taste for the stirring and the adventurous which oftentimes flourishes in a very quiet-looking soil. The tone of the description is undoubtedly Byronic, but we will not for a moment suspect the originality of the author; and a man of the vigour and activity and moral force of Mr. Trelawney was more likely to give than take an impetus from his friend the poet. And in fact, in many cases we seem to be reading the originals of parts of *Don Juan* and the *Island*, that is, as to their romantic and descriptive parts; for, excepting the chaste love of the hero for a vestal Arab wife, love forms no part of the *Adventures of the Younger Son*. The moralists cannot cry out against it on that ground, whatever they may have to allege against its indifference to the value of human life, its hatred of kings and priests, its contempt for all forms of faith, and its lawless scorn of any authority save that

of the strong hand. An eastern experience too often produces this result on the human mind : monarchs have no where been very successful in cultivating the happiness of their subjects ; and priesthood as it has hitherto displayed itself in those countries, whether native or transplanted from more enlightened countries, has always assumed a hideous form. As for the author's defence of himself for setting up his own authority and taking upon himself to deal out his own law to whomsoever he met, it is true, that the practice is pretty universal in these torrid lands, with this difference that the injustice is local instead of being perambulatory ; and the pirate differs from the petty prince in this, that the one murders and robs those whom chance directs him to, while the other plunders and punishes the creatures who feed and pay him. Such proceedings are, however, not to be defended on the part of any person or any where, much less in the instance of an Englishman of education and talent ; and the hatred to the East-India Company, and the French Letters of Marque, are but poor excuses.

They who have watched the progress of young people know how often their spring of action has been a tale of shipwreck, or a history of wild adventures. Our author seems himself to have had his fate decided by an early perusal of Lieutenant Bligh's Narrative of the Mutiny of the *Bounty*, and the *Life of Paul Jones*. The spirit of this book is not a human one ; it invests the mad-cap pranks of thoughtless and perhaps intoxicated boys, with a dangerous splendour : violence seems glorious, murder the natural result of being placed in a difficult position ; revenge is almost deified ; human suffering is only regarded when lingering, the cure is always death ; when nature seems to present the means of liberation in every direction, it is accounted stolidity to suffer. In short, the morality of the book is altogether oriental ; like the Malay, the author seems to have run a protracted muck through the East ; his blood boils, the brains seethe, the poison 'swelters' in his bosom, and the dagger is for ever dropping red—this is the history of a wild beast. And such in fact during the turbulent days of youth the hero appears to have been ; but with charming lucid intervals, when all that was human and less earthly, shone the brighter from having passed from under so dark and turbid a cloud.

The parts of the book we would wish to point out to the attention of our readers are of two kinds. We put aside the cry of battle and the shriek of death, the roar of cannon and the wild confusion of distress : neither will we follow the author into his hair-breadth scapes at sea, his dangerous

manceuvres, his contests with the demon of the storm, or his narrow encounters with the syren of the rock ; it is true, that the spirit of genius shines above them all, and that never has any sea-poet yet succeeded in raising a greater interest in the long and fearful struggle of man and the ocean ; but these parts are less valuable to us than others. The portions of the work to which we would especially direct attention, are those in which he traces the progress of a bad education, and registers the maleficent effects of cruel and unjust treatment upon a youthful disposition. Such information may be found in his description of his father's behaviour to him, of his own rebellion against it and the out-break of his aggrieved temper as shewn in his duel with and ultimate murder of the old raven : then again, in his scholastic exploits, his alternate slavery and tyranny, his ill usage at sea, and his various modes of vengeance, summoned up by the extremest acts of violence, followed up by flight, and giving himself up to all the fiery and combustible principles of the animal nature. Next, as a pleasant contrast to this thorny division of the book, is what may be termed the geographical, or perhaps only the picturesque portion, wherein, by repeated touches, and sometimes by elaborate views and characters, he describes the lands of people among whom his fortunes cast him while vagabondizing in the remotest corners of the globe.

A passage occurs very early in the first volume, which may be said to be the key to the character of the hero, whom our readers will see we never cease to consider as the author. It contains his entrance at school, the portrait of a respectable pedagogue, and a foretaste of the pupil's treatment. The result of his education at school is the shecrest ignorance, the most hardened hide, the most dogged obstinacy, and hatred of all official authority.

‘ In compliance with my father's notions respecting the inutility of early education, I was not sent to school till I was between nine and ten years old. I was then an unusually great, bony, awkward boy. Whilst my parents were in their daily discussion of the question as to the period at which the schooling of their sons was to commence, a trivial occurrence decided the question. I was perched on an apple tree, throwing the fruit down to my brother, when our father came on us suddenly. Every trifle put him in a passion. Commanding us to follow him, he walked rapidly on through the grounds, into the road, without entering the house. He led us towards the town and through the streets, without uttering a syllable, a distance of two miles. I followed with dogged indifference, yet at times inquired of my brother what he thought would be the probable result, but he made no reply. Arriving at the further extremity of the town, my father stopped,

asked some questions maudible to us, and stalked forward to a walled and dreary building. We followed our dignified father up a long passage; he rung at a prison-looking entrance-gate; we were admitted into a court; then crossing a spacious dark hall, we were conducted into a small parlour, when the door was shut, and the servant left us. In ten minutes, which seemed an eternity, entered a dapper little man, carrying his head high in the air, with large bright silver buckles in his shoes, a stock buckled tightly round his neck, spectacled, and powdered. There was a formal precision about him, most fearful to a boy. A hasty glance from his hawk's eye, first at our father, and then at us, gave him an insight into the affair. With repeated bows to our father, he requested him to take a chair, and pointed with his finger for us to do the same. There was an impatience and rapidity in every thing he said; which indicated that he liked doing and not talking.'

"Sir," said our parent, "I believe you are Mr. Sayers."

"Yes, Sir."

"Have you any vacancies in your school?"

"Yes, Sir."

"Well, Sir, will you undertake the charge of these ungovernable vagabonds? I can do nothing with them. Why, Sir, this fellow" (meaning me) "does more mischief in my house than your sixty boys can possibly commit in yours."

'At this the pedagogue, moving his spectacles towards the sharpened tip of his nose, peered over them, measuring me from head to foot; and clenching his hand, as if, in imagination, it already grasped the birch, gave an oblique nod, to intimate that he would subdue me. My imagination proceeded—

"He is savage, incorrigible! Sir, he will come to the gallows, if you do not scourge the devil out of him. I have this morning detected him in an act of felony, for which he deserves a halter. My elder son, Sir, was instigated by him to be an accomplice; for naturally he is of a better disposition." With this, my father, after arranging what was indispensable, bowed to Mr. Sayers, and without noticing us, withdrew.'

'Consider the outrage to my feelings. Torn from my home, without notice or preparation, delivered, in bitter words, an outcast, into the power of a stranger, and, a minute afterwards, to find myself in a slip of ground, dedicated to play, but, by its high walls and fastnesses, looking more like a prison-yard. Thirty or forty boys, from five to fifteen years of age, stood around us, making comments, and asking questions. I wished the earth to open and bury me, and hide the torturing emotions with which my bosom swelled. Now that I look back, I repeat that wish with my whole soul; and could I have known the future, or but have dreamed of the destiny that awaited me, boy as I was, I would have dashed my brains out against the wall, where I leaned in sullenness and silence. My brother's disposition enabled him to bear his fate in comparative calmness; but the red spots on his cheeks, the heavy eye-lid, the suppressed voice, shewed our feelings, though differing in acuteness, to be the same.'

‘ Miserable as I was during my school-days, the first was the bitterest. At supper, I remember, I was so choaked with my feelings, that I could not swallow my dog-like food, arranged in scanty portions ; and my first relief was when, in my beggarly pallet, the rush-lights extinguished, and surrounded by the snoring of the wearied boys, to me a sound of comfort, I could give vent to my overcharged heart in tears. I sobbed aloud ; but on any one’s moving, as if awake, I held my breath till re-assured. Thus I sobbed on, and was not heard, till the night was far advanced, and my pillow bathed in tears, when, outworn, I fell into a sleep, from which I was rudely shaken, unrefreshed, at seven in the morning. I then descended to the school-room.’

‘ Boys, acting under the oppression of their absolute masters, are cruel, and delight in cruelty. All that is evil in them is called forth ; all that is good repressed. They remember what they endured when consigned as bond-slaves, the tricks, all brutish, that were played on them ; the gibes at their simplicity, their being pilfered by the cunning, and beaten by the strong, and they will not allow a new comer to escape from the ordeal. Boys at school are taught cruelty, cunning, and selfishness ; and he is their victim and fool who retains a touch of kindness.’

‘ The master entered. He was one of those pedagogues of, what is called, the old school. He had implicit faith in his divining rod, which he kept in continual exercise, applying it on all doubtful occasions. It seemed more like a house of correction than an academy of learning, and when I thought on my father’s injunction not to spare the rod, my heart sickened.’

‘ As my school-life was one scene of suffering, I am impelled to hasten it over as briefly as possible, more particularly as the abuses, of which I complain, are, if not altogether remedied, at least mitigated. I was flogged seldom more than once a day, or caned more than once an hour. After I had become inured to it, I was callous, and was considered by the master the most obdurate, violent, and incorrigible rascal that had ever fallen under his hands. Every variation of punishment was inflicted on me without effect. As to kindness, it never entered into his speculations to essay it, since he, possibly, had not heard of such a thing.’

‘ In a short while I grew indifferent to shame and fear. Every kind and gentle feeling of my naturally affectionate disposition seemed subdued by the harsh and savage treatment of my master ; and I was sullen, vindictive, or insensible. Vain efforts, for they were ever vain, to avoid the disgrace of punishment, occupied the minds of others. I began by venting my rage on the boys, and soon gained that respect by fear, which I would not obtain by application to my book. I thus had my first lesson as to the necessity of depending on myself ; and the spirit in me was gathering strength, in despite of every endeavour to destroy it, like a young pine flourishing in the cleft of a bed of granite’—Vol. i. p. 14. •

The exemplification of the feelings implanted at school is seen

on shipboard, where he is sent by his father as the last resort of all untameable spirits. To be sent to sea, is in English to be sent to honourable prison : they who have spoiled or maddened their children at home, in time of war conveniently dispose of them as midshipmen on board one of his Majesty's ships ; which is better than the Port Jackson, and less expensive than a lunatic, asylum. The discipline of a marine life, generally either kills or cures ; the devil that lurks in a fierce boy's veins either promotes him, or consigns his mutilated form to fame and the ocean : but in the case of our hero, he was neither to be killed nor cured, and no glory lured him to a seaman's grave. Here is his own picture of himself :—

‘ Before this, I had gained respect in the ship by a reckless daring. My indifference and neglect of all the ordinary duties were in some degree tolerated, owing to my unwearied diligence and anxiety in every case of difficulty, danger, or sudden squalls. In the Indian seas a squall is not to be trifled with ; when the masts are bending like fishing-rods, the light sails fluttering in ribbons, the sailors swinging to and fro on the bow-bent yards, the ship thrown on her beam-ends, the wild roar of the sea and wind, and no other light than the red and rapid lightning. Then I used to rouse myself from dozing on the carronade-slide, springing aloft ere my eyes were half open, when the only reply to Aston's trumpet was my voice. I felt at home amidst the conflict of the elements. It was a kind of war ; and harmonised with my feelings. The more furious the storm, the greater my delight. My contempt of the danger insured my safety ; while the solemn and methodical disciplinarians, who prided themselves on the exact performance of their separate duties at their respective stations, beheld with astonishment the youngster, whom they were always abusing for neglect of duty, voluntarily thrusting himself into every arduous and perilous undertaking, ere they could decide on the possibility or prudence of its being attempted. The sailors liked me for this, and prognosticated I should yet turn out a thorough sailor. Even the officers, who had hitherto looked on me as a useless idler ; viewed my conduct with gaping wonder, and entertained better hopes of me.’

‘ But these hopes died away with the bustling scenes in which they were begotten ; and, during the fine and calm weather, I lost the reputation I had acquired in storms and battles. Among my messmates I was decidedly a favourite. What I principally prided myself in was protecting the weak from the strong. I permitted none to tyrannise. I had grown prematurely very tall and strong ; and was of so unyielding a disposition, that in my struggles with those, who were not much more than my equals in strength, though above me in years, I wore them out with pertinacity. My rashness and impetuosity bore down all before them. None liked to contend with me ; for I never acknowledged myself beaten, but renewed the quarrel, without respect to time or place. Yet what my messmates chiefly lauded and respected, was the fearless independence with which I treated those above me.’

‘The utmost of their power had been wreaked against me; yet, had the rack been added, they could not have intimidated me. Indeed, from very wantonness, I went beyond their inflictions. For instance, the common punishment was sending us to the mast-head for four or five hours. Immediately I was ordered thither, I used to lie along the cross-trees, as if perfectly at my ease, and either feign to sleep, or, if it was hot, really go to sleep. They were alarmed at the chance of my falling from so hazardous a perch, and to prevent, as it was thought, the possibility of my sleeping, the Scotchman one day, during a heavy sea with little wind, ordered me, in his anger, to go to the extreme end of the top-sail yard-arm, and remain there for four hours. I murmured, but, obliged to comply, up I went, and walking along the yard on the dizzy height, got hold of the top-sail lift, laid myself down between the yard and studding-sail-boom, and pretended to sleep as usual. The lieutenant frequently hailed me, bidding me to keep awake, or I should fall overboard. This repeated caution suggested to me the means of putting an end to this sort of annoyance, by antedating his fears, and falling overboard,—not, however, with the idea of drowning, as few in the ship could swim so well as myself. I had seen a man jump from the lower yard in sport, and had determined to try the experiment. Besides, the roll of the ship was in my favour, so, watching my opportunity, when the officers and crew were at their quarters at sunset, I took advantage of a heavy roll of the ship, and dropped on the crest of a monstrous wave. I sunk deep into its bosom, and the agony of suppressed respiration, after the fall, was horrible. Had I not taken the precaution to maintain my poise, by keeping my hands over my head, preserving an erect posture in my descent, and moving my limbs in the air, I should inevitably have lost my life. As it was, I was insensible to every thing but a swelling sensation in my chest, to bursting, and the frightful conviction of going downwards, with the rapidity of a thunder-bolt, notwithstanding my convulsive struggles to rise, was torture such as it is vain to describe. A death-like torpidness came over me, then I heard a din of voices, and a noise on the sea, and within it, like a hurricane, my head and breast seemed to be splitting. After which I thought I saw a confused crowd of faces bent over me, and I felt a loathsome sickness. A cold shivering shook my limbs, and I gnashed my teeth, imagining myself still struggling as in the last efforts at escape from drowning. This impression must have continued for a long time. The first circumstance I can distinctly remember was Aston’s voice, saying, “How are you now?” I tried to speak, but in vain, my lips moved without a word. He told me, I was now safe on board. I looked round; but a sensation of water rushing in my mouth, ears, and nostrils, still made me think I was amidst the waves. For eight and forty hours I suffered inexpressible pain, a thousand times greater, in my restoration to life, than before I lost my recollection.’

‘But what signifies what I endured?—I gained my point.’—Vol. i. p. 87.

But this division of the book we must reluctantly leave and proceed to close our task. Falsifying the proverb of 'Do'nt care, came to a bad end,' the refractory mid-shipman escapes to ramble over the wide world, sometimes in the character of Lolonais, cutting out the hearts of his mutinous crew, or refractory prisoners, and then again wandering in untrod wilds, and along shores known only to the sea-birds, like Robinson Crusoe; with this pleasant difference only, that in the place of Man Friday is a bounding maid of Araby the blest, by his side, lovely, innocent, but fearless—she has been bred up to death, and any form of danger comes like an acquaintance. We have no room in which fitly to introduce the Arabian Zela; but the following adventure with an orang-outan, on the shores of Borneo, is chiefly introduced that it may exhibit the modern Robinson Crusoe and his fair and female Friday. They are exploring among the woods and rocks, when a rustling is heard and the *faoo* bird appears, the invariable avant-courier of a tiger according to Zela's zoology, which may be orthodox. 'Be cautious,' cries Zela,—'it is a tiger! for that bird always gives notice of his approach.'

'I put a ball, over the large shot, in my carbine, and making a rest on the rocks for my gun, I determined not to fire till he attacked us; then, if I missed killing him, we were to swim out to the boat, which was rapidly approaching. Still as we were hidden, I hoped we should escape undiscovered. Taking my cap off, I peeped over the rock; the rustling noise in the bushes continued; when, to my astonishment, I saw, not a tiger, but a gray, hairy old man. He removed the bushes, and, after cautiously surveying the place, stooped down, and came out at the opening of the little creek. I was about to rise, but Zela held me down, and signed to me not to move or speak. When he stood up, he was the strangest looking figure I had ever seen, tall, lean and emaciated, not at all resembling any people within my knowledge. He was remarkably long limbed, and had no other weapon than a large club, such as is used by the South Sea Islanders. His face was black, with grisly hair, and deeply furrowed with wrinkles. His figure seemed bent with age and infirmities, yet he walked with long strides over the rough ground. There was a wild and sullen malignity of expression in his eyes, more like those of a demon than of a man. When he came to the margin of the sea, in an opposite direction to us, he seated himself on a rock, took up a sharp stone, knocked off the limpets and muscles, and swallowed them fast and voraciously. After this, he gathered a large leaf, put a heap of oysters and muscles on it, and folded it up. Then, looking towards the sea, with his eyes fixed for some time on the boat, he washed his hands, and returned, somewhat more nimbly, to the place whence he had issued, and disappeared.

"I'll follow him!" I cried, and jumped up.

'Zela urged me to forbear; "For," said she, "he is a *jungle admee*, more dangerous, cunning, and cruel than any wild beast."

"He is alone," I replied, "and surely I am a match for him. Besides, I shall find a path which will be useful."

'Saying this, I went after him, and discovered, upon crawling under the thick kantik bush, a narrow winding path, a good deal foot-worn. I heard the grisled old savage before me; and, unseen myself, from time to time, caught glimpses of him. Several branches of trees, under which he could not pass without stooping, he beat down, or broke off with a blow of his club. Zela, who could not be induced to stay, followed close at my heels. We tracked him for a short distance through the wood in silence. He then branched off to the right, in the direction of the great morass, passed the channel of a mountain-stream, ascended a bank, and then, coming to a rock fifteen or sixteen feet in perpendicular height, he climbed up an old moss-grown pine-tree. When he had mounted the stem of the tree, somewhat higher than the rock, he clung with his arms and legs to a horizontal branch; and, as a sailor works himself along the stays of a mast, by alternately shifting his limbs, he arrived above the summit of the rock, when, suspending his body by his hands, he let himself gently down, and walked on.'

'We followed in the same manner, cautiously avoiding his seeing or hearing us. He crossed a ridge of rocks, comparatively open. It was here grew the pine-trees that I wanted. There was little or no underwood. The old man stopped, and looking attentively at a huge pine which had fallen from age, out of which, in its half-decomposed prostrate trunk, grew a line of young pines, thus perpetuating its species, he appeared to be measuring their length with a stick. He pulled up four of them by the roots, stripped them of their branches, secured them together with a fillet of wire-grass, put them on his left shoulder, and proceeded onwards to a small space, in which were the wild mango and benana. He examined the fruit of them, and smelt them to find if they were ripe; and gathering a plantain, which did not readily peel, he threw it away. He now made many turns, we following him as close as we could, without risking discovery, till he came to an open piece of ground, which had been neatly levelled, the grass, weeds, and bushes cleared away, and in one corner, under the shelter of a remarkably thick and beautiful tree covered with white blossoms, I observed a neat hut, built of canes wattled together.'

'I looked round with admiration, marvelling at the good taste with which the recluse had selected a place for his hermitage. On one side was a rocky bank, covered with tamarind and wild-nutmeg, perfuming the air. There was an excavation in the lower part of the bank, partially screened by three tall, straight-stemmed betel-trees, with their shining, silvery-white bark; they shone resplendently-beautiful, and looked like the Graces of the forest. At the back of the hermitage was a wild waste of jungle, in which I distinguished

tamarind, nutmeg, cactus, acacia, banyans, toon, and the dark foliage of the bamboo.

'The old savage, having laid the bundle of young fir-trees against his dwelling, stooped down and entered the low door on his hands and knees; for the palmetta-leaved roof came down to within two feet of the ground. While I was attentively surveying and marking the spot, determined on visiting it again, and endeavouring to look into the hut, under cover of a thick bush on the margin of the cleared space, a rustle among the bushes made me turn my eyes to the ground, when I saw the diamond-like eye, sparkling from the black, square head of a cobra-di-capella. It was crossing the path immediately where Zela stood, and seemed to have stopped to gaze at her. Forgetting everything but her danger, I shouted out, and caught her up in my arms. The snake, without appearing alarmed, slowly retreated into the opposite bushes. Zela exclaimed, "Oh! *jungle admee!*"

'Placing her down, I turned round, and was startled at seeing him advance with his club firmly clenched in both hands, and swinging over his head, like a quarter-staff. The gaunt old wretch, by the increased malignancy of his eye, the grinding of his teeth, and the wrinkles on his narrow brow, was evidently proceeding to attack me. My carbine, cocked, was in my left hand, but ere I could get it to my shoulder, he made one huge stride, and his club was descending on my head, when, stepping a pace back, I discharged my piece under his left arm-pit, lodging the whole contents in his body. He sprung up into the air, and, before I could retire, fell slap upon me. I thought, as I fell prostrate, that the brute would certainly finish me, and called out to Zela to run to the boat and save herself; but she was forcing a boar-spear into his side, and answered, "He is quite dead; he don't move; get up!"

'With some difficulty I extricated myself, and saw that my ball had passed right through him, entering his heart, as I suppose, which had caused that convulsive spring. He bled profusely.

'We then went into his house. It differed little in the interior from those of the other natives of the island, only it had a greater degree of neatness and appearance of comfort. At one end of it was a partition, very ingeniously fastened, as a security, I conjectured, against thieves when he was absent. There was good store of roots and fruits, carefully spread out to prevent their rotting. It might have been mistaken for the abode of a mongrel Scotch philosopher.—Vol. iii. p. 8.

Here is some scenery and some zoology, but in the few short extracts we can only add to this adventure, much more of nature, and nature alone; we only wish that it had not appeared in the equivocal form of a novel, or that the author had the scientific reputation of St. Pierre, that we might put unbounded confidence in his descriptions: it is certainly most provoking that the naturalists stay at home, and the fictionists travel abroad. Had Mr. Vigors, or Mr. Swainson, been wandering

either in the island Celebes, or even among the sweltering morasses of Java, they would assuredly have been better employed than tilting at one another in monthly strokes on the arena of the Zoological Magazine. But let us leave the idea of disputes like these, and repose upon a Java calm, or rather a splendid torpor, as it shines and sleeps in the pages of the Younger Son's adventures.

We ran along the eastern coast for a bay, in which, according to my chart, there was anchorage, with the intention of procuring a supply of wood and water. We kept as close in-shore as possible, to be within reach of the land-winds; but, for many days, we lay stationary under the high land, within whose dark shadows I thought we were enchanted; for not a breath of air reached us, either from the land at night; or from the sea in the day. The buoyant rubbish of chips, feathers, and rope-yarn, thrown overboard, remained as stationary as the rubbish cast out of a cottage door. The waters seemed petrified into polished blue marble, tempting one to walk on their treacherous surface. Among the few moving things around were those little azure-tinctured children of the sea, called Portuguese men of war, with sails light as gossamer, and tiny paddles; they manœuvred about us, like a fairy fleet, the largest as big as the crystal stopper of a decanter, which, except in colour, they resembled. Here and there were scattered the jellied-looking sea-stars; and a singular phenomenon, called the puce, which comes from the bottom to the surface by inflating itself with air, till from a shrunken, withered, empty thing, it becomes round and plumped out like a blown bladder; after this, it cannot sink for a length of time. We amused ourselves by practising with our carbines at them; and also by lowering the square sail overboard to bathe in, using that method to avoid the ground-sharks, which, in those seas, near the shore, lie like silent watch-dogs in their submerged kennels. The heat was so piercing, that the Raypoots, who worship the sun, fought on the deck for a square foot of the awning's shade. I experienced the greatest relief from anointing my body with oil, and continually, like a duck, plunging my head in water; yet my lips and skin were cracked like a plum-tree. No vessel is so ill adapted for a hot climate as a schooner; she requires a great many men to work her, and has less space than any other vessel wherein to stow them. On coming on deck from below, the men appeared as if they had emerged from a steam-bath.'

‘However, calms at sea, like the calms of life, are transitory and far between; a breeze, a squall, a gale, or a tempest must follow, as certain as the night the day.’ With us the winds came gentle as a lover's voice to woo the sleeping canvass, not like the simoom of wedlock, and we glided peacefully along the rich and varied scenery of the shore to our anchorage near Balamhua, withinside the island of Abaran. Here we found an extensive range of sandy beach, a small river, and the wood so abundant, that the trees seemed enamoured of

salt water and sea breezes, drooping their heads over its surface, as if they courted the spray, and were nurtured by the briny waves laving their roots. There was a small village of Javaese at the mouth of the river, the chief of which, in consideration of a small supply of powder, and brandy, readily gave us permission to procure what we wanted on shore. We landed our empty water-casks, and began to cut wood.'—Vol. iii. p. 106.

Again, for a scenic sketch let us recommend the reader's attention to the lively colouring of the following blissful scenes, glorying in a beauty scarcely rivalled by the masterly description of the shark fight.

'While this was going on I made frequent excursions on shore, and maintained a friendly intercourse with the Bonnians, who, next to the warlike Malays, were the people I best liked; they were friendly, frank, hospitable, honest, enterprising, and brave. The Dutch policy here, was the same as that employed by the English on the continent of India—the exciting and fomenting intestine wars among the native princes, in order to secure and augment their own possessions; besides, on the part of the Dutch, reaping the collateral, and indeed principal advantage of being furnished with the prisoners of war for slaves, whom they exported to Java and the spice-islands. In other respects their settlement on this island was convenient, as maintaining open a line of communication with their other residencies in the east. In the great bay of Bonny there was a fine river, leading to a large lake in the interior, which the Rajah wisely forbade the Europeans from surveying, well knowing the covetousness of their eyes, as he said, was only to be exceeded by the rapacity of their hands.'

'In one of my excursions around the great bay, I had provided myself with a sean for fishing, and weapons for the chase. As we were pulling along the shore of the southernmost point, we opened, through a somewhat narrow entrance, to a smaller bay. It was perfectly calm, but the ground-swell rolled in heavily, and we heard the surf breaking on the shelving-beach at its extremity or bottom; above which arose a small, but rocky and rugged hill, bare on the sides, but crowned with majestic timber and patches of underwood. On each side of the bay the land was high, broken, and shelving, with jagged and rent rocks, whose sharp points continued in successive lines, bearing a most forbidding and inhospitable aspect. The prolific and rife vegetation of the east appeared vainly struggling for existence on its arid surface. Only those low and creeping plants thrived well, with wiry roots to insinuate themselves into the fissures of the hardest stone, till, swelling into wedges they break through them, and enter the hard crust of the earth. Around the entire margin of this bay, formed like a horse-shoe, was laid, I suppose by the waves, a carpet of the finest and smoothest sand; its yellow surface here and there strewn with glittering shells, and bones bleached by the salt-water and the sun, but without a single pebble. The general transparent blueness of the water, indi-

cative of its depth, and the absence of rocks and shoals, was the more remarkable as contrasted with the peculiar abruptness and ruggedness of its shores, on which there did not appear enough of level surface for the foundation of a fisherman's cot, nor were there any signs of human habitation.'

'Impressed with the idea that this bay must be an excellent place to haul the sean in, I determined to try it; and putting the helm up, impelled by the swell, we ran the boat directly in. I luffed to, about midway down, and running the boat on the weather or sea-side, slap on the beach, the sides of which were nearly as steep as a washing-basin, we landed our tackle, and a small tent I always carried with me for Zela. We again launched the boat with the sean, the men pulling deeper into the bay for a shallower and more favourable place for hauling it. Zela and myself strolled along the beach, collecting specimens of the finest shells I had seen. On the first cast of the sean, near the bottom of the bay, where the water was shallow, and the tide just turned, coming in, we had the heaviest haul of fish I ever saw or heard of, and of the most varied and finest kind. We literally heaped them up on the beach like hay-cocks; and continued, in sheer wantonness, to cast and draw, so highly were the men excited, till our eyes became satiated. In spite of the truism that the eye is a thousand times more insatiable than the mouth, for we had no more than seven mouths to fill, we toiled on, robbing the ocean of enough to cram the maws of a famished fleet. At last the greediest imagination was surfeited; and every man selecting what he thought it possible to carry, not eat, each bearing more than would have sufficed the party, we retraced our steps to where we first landed, lighted fires, and then man might truly have been designated a cooking animal, for all were cooks. The sportsman's brag that he don't toil to fill the pot was here belied; for we devoured the produce of our sport with a greediness that begot a general surfeit.'

'I left Zela with her Malay handmaidens, and, aided by a boar-spear, ascended, with one of the men, an Arab, the rough rocks to overlook the bay. In my youth I loved climbing and scrambling up rocks and mountains; now I seldom intrude on the dweller of a second story, and my greatest enemy or friend may avoid me altogether on the third; so humbled is the aspiring spirit of my youth. We wound our way along the precipitous sides of the rude barrier, which encompassed us, towards the bite, or bottom of the bay; and, rather wearied, gained a rude and jutting ledge of rocks, forming a small platform, nearly half-way to the summit. There I seated myself, lighted my pipe, and looked down on the entire bay, which lay under my feet; and further on wards, the bay of Bonny, which, banked in by islands on the sea-side, appeared an extensive lake. Looking down on the water, its aspect was flat and unruffled; many of the picturesque proas of the natives were scudding in with the last of the sea-breeze. On the narrow strip of bright sand, which lay round the water like a golden frame to a dark, oval Venetian picture, lay our little boat, the fishing-net

drawn over, and its ends spreading along the beach, like a black spider veiled in its grey web.'

'My hawk-eyed Arab now pointed out to me a line of dark spots, moving rapidly in the water, rounding the arm of the sea, and entering the great bay. At first I thought they were canoes capsized, coming in keel uppermost; but the Arab declared they were sharks, and said, "The bay is called Shark's Bay; and their coming in from the sea is an infallible sign of bad weather." A small pocket telescope convinced me they were large blue sharks. I counted eight; their fins and sharp backs were out of the water. After sailing majestically up the great bay till they came opposite the mouth of a smaller one, they turned towards it in a regular line; one, the largest I had seen any where, taking the lead, like an admiral. He had attained the entrance, with the other seven following, when some monster arose from the bottom, near the shore, where he had been lurking, opposed his further progress, and a conflict instantly ensued. The daring assailant I distinguished to be a sword-fish, or sea-unicorn, the knight-errant of the sea, attacking every thing in its domain; his head is as hard and as rough as a rock, out of the centre of which grows horizontally an ivory spear, longer and far tougher than any warrior's lance; with this weapon he fights. The shark, with a jaw larger and stronger than a crocodile's, with a mouth deeper and more capacious, strikes also with his tail, in tremendous force and rapidity, enabling him to repel any sudden attack by confusing or stunning his foe, till he can turn on his back, which he is obliged to do ere he can use his mouth. This wily and experienced shark, not daring to turn and expose his more vulnerable parts to the formidable sword of his enemy, lashed at him with his heavy tail, as a man uses a flail, working the water into a syllabub. Meanwhile, in honour, I suppose, or in the love of fair play, his seven compatriot sharks stood aloof, lying to with their fins, in no degree interfering in the fray. Frequently I could observe, by the water's eddying in concentric ripples, that the great shark had sunk to the bottom, to seek refuge there, or elude his enemy by beating up the sand; or, what is more probable, by this manœuvre to lure the sword-fish downwards, which, when enraged, will blindly plunge its armed head against a rock, in which case its horn is broken; or, if the bottom is soft, it becomes transfixed, and then would fall an easy prey. De Ruyter, while in a country vessel, had her struck by one of these fish, (perhaps mistaking her for a whale, which, though of the same species, it often attacks,) with such velocity and force, that its sword passed completely through the bow of the vessel; and, having been broken by the shock, it was with great difficulty extracted. It measured seven feet; about one foot of it, the part attached to the head, was hollow, and the size of my wrist; the remainder was solid, and very heavy, being indeed the exquisite ivory of which the eastern people manufacture their beautiful chess-men. But to return to our sea-combat, which continued a long time, the shark evidently getting worsted. Possibly the bottom, which was clear, was favourable for his enemy; whose blow, if he

succeeds in striking while the shark is descending, is fatal. I think he had struck him, for the blue shark is seldom seen in shoal or discoloured water, yet now he floundered on towards the bottom of the bay madly lashing the water into foam, and rolling and pitching like a vessel dismasted. For a few minutes his conqueror pursued him, then wheeled round and disappeared, while the shark grounded himself on the sand, where he lay writhing and lashing the shore feebly with his tail. His six companions, with seeming unconcern, wore round, and, slowly moving down the bay, returned by the outlet at which they had entered. Hastening down to the scene of action, I saw no more of them. My boat's crew were assembled at the bottom of the bay, firing muskets at the huge monster as he lay aground; before I could join them, he was despatched, and his dead carcase laid on the beach like a stranded vessel. Leaving him and them, I ran along the beach for half a mile to reclaim Zela's tent. — Vol III. 253-61.

In these extracts is much of that love and enjoyment of nature that redeem the turbulent passions and fierce contentions of other parts of the work. It is a wild beast, as we have said of the hero, but it is a noble one, and pursues his prey amidst the most glorious wilds of unhackneyed nature. We have reserved for the last a small specimen of description, which, if it be not thought to be perfect in its kind, and worthy of the strictest of painting, we must be content to forego all credit for taste in such matters. The hero's guide and model—a species of angel-devil or robber-philosopher—had, in the course of previous wanderings, discovered, within some week or so of Java, the hull of a foundered vessel, sunk as it were among a cuddle of rocks, and the occasion turning up it was determined to visit it, and try if the contents would repay a couple of idle crews for hauling it from the vasty deep. The following passage is an account of the progress and performance of the experiment.

‘We now got out our boats, after pulling about all day, under a sun so hot that our brains seemed undergoing the process of frying, we happily, before the night set in, hit on the very spot marked by De Ruyter; but, the day closing, we were compelled to desist till daylight. We ran the boats on shore on a pretty island, supped and slept, then, with the earliest dawn, we pushed on our discovery, till we came on the identical foundered wreck. The water was transparent as glass. By sounding on the hull of the wreck, we found there was not more than twenty feet water from her deck, and that, lying on rocks, but little sand had collected near her. We laid down a buoy to indicate the spot and returned to the vessels, which were drawing near to take us on board, impelled by sweeps; for so still was the wind, that the feathered vanes above the lofty truck drooped motionless.’

‘With lines, halsers, grapnels, and the other necessary materials, not forgetting the divers, we again went towards the submerged vessel. As

I gazed below, long and steadily, so perfectly was every portion of her visible, that she forcibly reminded me of those models of ships enclosed in glass cases—the rough and jagged bed on which she lay resembling the mimic waves which sometimes surround them. Even the heaps of shell-fish that now incrustated and peopled her deck with marine life, and the living sea-verdure of weeds and mosses, might have been as distinctly noted and classed as if exhibited on a table. When the dark divers descended on her decks, the glass-like element, as in a broken mirror, multiplied their forms, till they seemed to be the demons, hidden in her hold, rushing up in multitudes to defend their vessel, assaulted even under the sanctuary of the mighty ocean.’

‘After many fruitless efforts and long-continued toil, we succeeded in getting a purchase on her. Then by sinking butts of water, carefully securing them to the tackle affixed to the wreck, and restoring their buoyancy by pumping out the water from them; at length we moved her, and passed strong halsers under her. On the second day the grab and schooner were placed on each side of her, the number of casks was increased, and we hoisted on many and complicated purchases, till she was fairly suspended, and, at length, her almost shapeless hull reluctantly arose to the surface. It looked like a huge coffin, in which some antediluvian sea-colossus had been entombed. The light of day shone strangely on her incrustated, hoary, and slimy hull. Sea-stars, crabs, crayfish, and all sorts of shell-fish crawled and clung in and about her, amazed at the transition from the bottom of the cool element, in which they had dwelt, to a fiery death from the sun, whose rays, darting on their scaled armour, transfixed them as with a spear. We turned to, and, by baling, partially cleared her of water; so that it was evident, although she leaked considerably, she was not bilged. The deck and main-hold had been cleared, either by the water or by the people of Sumatra, whose fishing boats might possibly have come athwart her; but the after-hold, which was battened securely down, protected by a double deck, and bulkheaded off, was untouched. I forgot to mention that, as we were baling, we disturbed a huge water-snake at the bottom of the hold, which the men had mistaken for the bite of a cable, and that he speedily cleared the decks. Either he had a taste for shell-fish, or preferred a wooden kennel to a coral cave. We made a simultaneous and vigorous attack on him with pikes and fire-arms; yet it was not till he was gashed like a crimped cod that he struck his flag, and permitted us to continue our work. The divers said he might have eaten them when they were under water;—I know not that, but can aver that the men, more ferocious and greedy than the shark, did incontinently, now that he was out of water, eat him.—Vol. iii. 212-15.

The mottoes of every chapter are, without exception, from one of three authors, Byron, Shelley, or Keats. Trelawney was the friend and favourite of each of these gifted men; and it is possible that previous to his acquaintance with them in Italy,

he had read little, though he had done more than perhaps all these sons of Apollo put together. He has at any rate exhibited his taste in the selection of these fragments from the remains of his departed companions; and it is singular to observe how remarkably the imaginations of each in their kind had shadowed forth scenes and images of a kindred spirit with those which it has been the fate of their more muscular friend to see and struggle in.

ART. III.—1. *Mr. Bentham's Letter to the Citizens of France on Death Punishment.* London. 8vo. 1831.

2. *Report and Publications of the Society for Diffusing Information on the Subject of Capital Punishments.* Harvey and Darton. 1831-2.

3. *Report of the Committee of the House of Commons on Secondary Punishments.* 1831-2.

4. *Remarks on the expediency of Abolishing the Punishment of Death.* By Edward Livingston, LL.D. Philadelphia. 1831.

THERE is no one subject upon which recent legislation differs more usefully from the legislation of our fathers, or in which civilized society takes a wider departure from savage life in its worst form, than in the case of putting men to death in cold blood; and it is little to the honour of England to have adhered so long to a practice, neither sanctioned by good experience of its effects, nor defensible upon humane principles, nor necessary to insure public safety. It is quite incredible, that religion and philosophy should, in this respect, have shed their lights in vain for so many centuries on this island. The butcheries by the Druids, at once the judges and the priests of a barbarous age, seemed renewed under Henry VIII, when he judicially sacrificed the enormous amount of seventy thousand criminals in a single reign; and if the number of the victims has been diminished in later years, the horrors of the executions have been, and are now, aggravated not less by their more clearly proved uselessness, than by their greater repugnance to improved feelings. To the worst scenes of old not even Lord Eldon would return at the present day; and upon this as upon other topics his Lordship's followers seem happily falling away into a daily decreasing minority. But something more is due than the admission of errors which no ingenuity can defend. From the manifest failure of this portion of our past system, we are bound to adopt a wiser course; and if a sanguinary jurisprudence is so far abandoned with satisfaction, it is matter for

careful and anxious inquiry, whether what is confessedly evil in excess may not really be evil in itself—whether the acknowledged gain in a partial relief, will not become greater gain by total change? Of which questions, the consideration of certain principles and of a few authentic facts may perhaps promote a safe solution.

The first decided check opposed to the sanguinary course of the old criminal jurisprudence of Europe was made seventy years ago by the little work of Beccaria; and upwards of thirty years ago, Mr. Bentham, even then long and deeply versed in the new principles, justly pronounced that book to be complete upon the subject of the punishment of death. There is, indeed, little to be added to the arguments which it contains against all kinds of vindictive punishments. Beccaria combining and generalizing the opinions of some great men who went before him, brought it home to the hearts of all his readers, that every punishment which does not arise from absolute necessity, is tyrannical; and that upon such necessity alone, the right to punish crimes is founded. He added, that no advantage in moral policy can be lasting, which is not also founded on the indelible sentiments of the heart of man; and that whatever law deviates from this principle, will always meet with a resistance, which must ultimately destroy it. He appealed to experience for proof that the punishment of death had never prevented determined men from injuring society; and he urged, that the death of a citizen could be necessary only in the single case in which his influence might endanger public tranquillity if he were deprived of personal freedom.

The spirit of these observations has been applied with great force to punishment by the lash, by Mr. Livingston, the able legislator for Louisiana, and upon principles that well illustrate the question of the use of capital punishments, with which flogging has many analogies. Referring to a prison in the United States where whipping was allowed, Mr. Livingston says, 'Fear is the great principle of this institution, and chastisement, of the most degrading kind, is the instrument to excite it. As a punishment, it fails in two essential points; in most cases it will not deter the party from a repetition of his crimes, and very rarely will it take away by reformation his inclination to relapse. A superficial view of this subject has led to the belief, that the great secret of penal legislation is, to annex a penalty of sufficient severity to every offence; and, accordingly, all the variety of pains that the body of man could suffer, infamy and death, have figured as sanctions in the codes of all nations; but although these have been in a train of ex-

periment for thousands of years, under every form that government, manners, and religion could give, they have never produced the expected effect. The reason is to be found in that insurgent spirit with which man was endowed by his beneficent creator, to answer the best ends of his nature. The same feeling that, elevated, refined, and applied to the noblest purposes, animates the patriot to resist civil tyranny, and the martyr to defy the flames; when it is perverted, and made the incentive to vice and crime, goads on the convict to arraign the justice of his sentence, to rebel against those who execute it, and to counteract its effects with an obstinacy in exact proportion to the severity of the punishment. The convict who has performed his daily labour for years under the pang or the dread of the lash, will be rather less deterred from the repetition of the crimes, whenever he thinks himself secure from detection, than he would have been by a milder discipline; because the spirit of hatred, revenge, and a desire to retaliate on society, are stimulated and strengthened by the principles which I have supposed to be inherent in our nature. But as the object of punishment is not only to prevent the repetition, but also the commission of offences, we must inquire whether this discipline is calculated in any degree to have this effect? Its peculiar characteristic is severity; and he must be blind to the uniform history of penal jurisprudence, who can believe that increased severity diminishes the recurrence of crimes. The same operation of mind that gives the energy of mental resistance to the sufferer, operates by a sympathy invariably called into action, on all who, by their stations in society, their education, or manners, have any feelings in common with him; and by the same system of severity, converts are made to irreligion, proselytes to imposture, and accessaries to crime.

The simple truths contained in the work of Beccaria were rapidly proclaimed in many languages; and, obtaining extensive assent, they soon led to great changes in the laws of most of the countries in which they were discussed. Besides saving many lives, they alienated men's minds from the practice of torture, and chains, and unwholesome dungeons. The power of the book may be appreciated from the apprehensions felt in some countries at its probable effect if read by the people. In Spain * for example, it was prohibited until the time of the Cortes; and

* It is said, that with more capital punishments by law, Spain has more capital offenders than any country in Europe; and that in Majorca, under the same political government, and with the same manners, few crimes are capital by law, and that comparatively fewer offences are committed there, for which the milder punishments are awarded.

since the restoration of King Ferdinand, it has been again prohibited. If, in England, the new spirit excited by a calm appeal to reason and good feelings produced no improvement in the letter of the law, it is doubtless to the prevalence of this spirit throughout the civilized world that is to be attributed the mitigated rigour which has taken place in *administering* English law. So that the wisdom of mild principles in criminal jurisprudence is attested by all the fair experience with which we are acquainted.

The result of the change, in whatever circumstances made, has proved invariably beneficial. In Russia under a despotism, as well as in the free states of North America, the abolition of the punishment of death was followed by a decrease of the more atrocious crimes, which its infliction had not abated. In revolutionary France, after 1790, one hundred and fifteen different capital offences were gradually reduced to fewer than twenty, with the same consequence; and in anti-revolutionary Portugal, where the new doctrines were first zealously proclaimed at the University of Coimbra in 1779, they were adopted into the laws with similar effects, under the ministry of the Conde de Linhares in 1802. In all these countries the change took place upon a large scale; whilst in the two last, it has been introduced amidst the great perplexities to which civil discord and foreign invasion ever expose judicial tribunals. Every where too, except in the United States, these beneficial reforms were made without the support of good systems of secondary punishments, and without expressly consulting popular feelings.

In England, however, the prejudices and the interested views of a corrupt Parliament, rejected this light. The laws became even more and more sanguinary; although the public feelings were so strong during the last century upon the subject, as to compel the executive government to reduce the actual hangings from two-thirds down to one-tenth of the number condemned to die. To a late period, however, legislative change in respect to capital punishments was opposed, as if intended by the reformers to be made a stepping-stone to a wild and revolutionary un-entitlement of the whole law. The objection urged by Lord Eldon* in 1813 against Sir Samuel Romilly's proposal to abolish death for privately stealing from a shop to the value of five shillings, was, that if the Bill were passed, the House of Lords might expect to see the whole frame of our criminal code invaded. The country which had heretofore been a model for the legislation of other lands, fell far behind the measure of improvement

* Lord Eldon was, in 1821, compelled to concede, that public opinion in England required the administration of the criminal law to be mitigated in severity.—*Debates in 1821.*

adopted by the least enlightened; and at the very time that Portugal was yielding to the persuasion of Catholic professors against a vindictive jurisprudence, Blackstone in vain demonstrated to Protestant Oxford the wisdom of a milder code. The consequence justified the philanthropists; for amongst us, crimes as well as executions have continued at such an amount, as to present a melancholy contrast with those of our neighbours. In England, for example, with a degree of severity against offenders many times greater than the severity which is tolerated in France, the number of our capital offences is vastly greater than the number of the same offences committed in France. And with a severity even higher in degree above that which prevails in the United States of North America, the offences committed annually, and capital by the law in England, exceed many times the similar offences, which in the United States are subject to milder punishments. If the preventive police of France gives some advantage to that country over England in regard to crimes, as upon the Forgery debate in 1830 the Duke of Wellington insisted that it did, other causes must be sought to account for the difference in the United States. Good old English freedom is guarded there even more carefully than amongst ourselves, from police discipline; and Paley's defence of executions, because the English have 'much liberty,' is proved to be fallacious by the example of America, where with greater freedom than we enjoy, there are fewer crimes as well as fewer executions than in England.

The remarkable change which has taken place in the administration of our laws, sanguinary as they are in the letter, has probably much lessened their evil effect upon the character and temper of the people. Within these hundred years, as above intimated, about two out of three of the capital convicts used to be hanged; but the proportion has been gradually lowered. Twenty years ago it was one in ten, and it is now reduced to one in twenty; and although the overwhelming poverty of millions, has prevented this increased mildness in criminal administration from producing visibly its natural effect, it may with justice be urged, that the effects of poverty amongst us would have been aggravated, had not concurrent bloodshed been stayed by the spirit of the times. How the two circumstances of poverty, and greater or less severity run on together, each producing its proper effect, is distinguishable by a careful observer, and deserves notice. In England, Scotland, and Ireland, the gradually mitigated principles upon which the criminal laws have been administered, must, with some exceptions, have been the same during the last century. The degree of poverty in each country has much varied. In Scotland, there being year after

year less poverty than in England, crime has increased less than in England. In London and Middlesex, there being less poverty than in the other parts of England, crime has increased less than in the other parts of England; in all England, there being less poverty than in Ireland, crime has increased less than in Ireland. But throughout all these countries, the criminal administration having become generally more and more mild, crime has by *that* change been steadily checked on the one hand, whilst it has increased unequally through the influence of unequal poverty on the other. The chief exception is found in the sedition laws of Ireland, the severity of which yielded to no general feelings, and at last excited the resistance which severity of all kinds has a tendency to produce, and which there ended in Catholic Emancipation, and in a peaceful opening to equal rights in other respects.

By not attending to the two conflicting facts of increasing poverty in England which has tended to increase crime, and of mitigated criminal administration which has tended to lessen crime, many unfounded objections are made to mitigating further the severity of our laws.

It may indeed be regarded as an axiom, that the decrease of the severity of laws tends directly to increase their efficacy, circumstances being equal in other respects; and the soundness of the axiom is shown by the fact, that the most sanguinary enactments will themselves become more and more inefficacious in proportion to the increased rigour employed in their administration. This is demonstrated in a very instructive manner by evidence taken by the Committee of the House of Commons of the present year, upon secondary punishments; and by circumstances which have occurred of late in New South Wales, the great scene of English vindictive jurisprudence. The English criminal laws prevail in that colony; but those laws are executed with more or less rigour according to the changing views of the successive governors; and it is stated to the Committee, that in 1828, out of 106 capital convicts, 28 were executed; but in 1829, out of 79 capital convicts, 30 were executed; and in 1830, the number of capital convicts ran up to 134, out of whom 49* were executed †. The frightful amount

* *i. e.* 49 executions, out of a population of 50,000 souls. In England and Wales, out of a population of 12,000,000, the executions in 1830 were 52 in number. In France in 1829, out of 30,000,000, they were 60 in number.

† Evidence before the Committee of the House of Commons on Secondary Punishments, 1831-2, Appendix. In addition to the information contained in this report, the facts in the text have been supplied from other sources.

of these executions will be apparent, when it is considered, that in England the proportion of executions to convictions, is about one in twenty yearly. The severe system began in 1826, when 29 were executed, the number being under 10 in the preceding years. The steady increase of crime in New South Wales, concurrently with this increase of severity, is manifested by the returns from one court of 132 convictions in 1820; 131 in 1821; 136 in 1822; 119 in 1823; 268 in 1824 and 1825; or 134 for each year; 217 in 1828; 266 in 1829; and 278 in 1830; and it is not easy to conjecture what will be the result of this almost geometrical progression in the rigour of punishment, and contemporaneous increase of crime. Pending the process which has actually taken place in New South Wales in three years, murders, which were 7 in number in 1828, increased to 11 in 1830; unnatural crimes increased at the rate of 150 per cent; rapes at the rate of 300 per cent in the same period of time.

— These new facts, which are apparently understated in the report, give scope for the conclusions so often drawn from similar facts by the philanthropists, in discussions upon the subject of the severity of punishments. Along with still more important evidence collected by the Committee, they encourage the opinion that the time is come for definitively preventing such errors in administering the criminal laws, by an extensive mitigation of their severity. The more important evidence referred to, consists chiefly in the details furnished by the officers of the Millbank Penitentiary; by Mrs. Fry, Mr. Hoare, and others, on English Penitentiary discipline; and by Captain Basil Hall and others, on the Penitentiary system of America; proving that the difficulty as to substitutes for the punishment of death exists no longer. When in 1821, in the House of Commons, Mr. Courtenay voted with reluctance against the proposed change in the forgery laws, he rested his objections upon the absence of all other good modes of punishment; but with striking sagacity, he then expressed a strong belief, that ‘a little time would enable us so to arrange our prisons, as to make secondary punishments effectual in preventing crime.’ [*Hansard's Parl. Debates for 1821*, p. 961.] That time is clearly come; and there now remains no doubt, that imprisonment may be so managed as to admit of various degrees of restraint for various degrees of guilt, with the probable effects both of improving the punished culprits, and of instilling a salutary dread into the minds of others. Thus the main argument of Archdeacon Paley, hitherto so powerful, against the abolition of the punishment of death, namely that all other punishments had failed, falls to the ground; and the

suitableness of penitentiary imprisonment to the legitimate end of punishment once fairly demonstrated to the people at large, those who are concerned in pursuing criminals to justice will execute the law with greater activity, and with increased advantage to the public.

This substitute for capital punishments and transportation, has been met by the objection, that as the prisoners must at some time be again let loose upon society, they will spread degradation and crimes over the country. And it is asserted, that in the United States of North America, such is the consequence of a system which permits 'swarms of culprits to drop constantly out of the jails and penitentiaries of the different states.' [*Quarterly Review, March, 1832.*] A just reply to this objection, might lead to a very extensive inquiry into facts, and into the effects which the presence in the bosom of a nation, of those who have suffered chastisement under the law, is calculated to produce upon their fellow-citizens. It is probable that the deteriorated state of the punished criminal, when he is not again an active disseminator of vice, may be a useful instrument of warning to the inexperienced. And a good system of penitentiary discipline is found capable of sending forth a large proportion of the punished, able and willing to lead new lives. This at the same time leaves no opening for exaggerated accounts of success in a distant country, as in the case of the transported convict; and the freedom of the practice from any inevitable evil, is proved from the low state of crime in the two countries most familiar to us where it is pursued, namely the United States and France. In both these countries, comparatively few culprits come a second time before the criminal tribunals; and as to the United States it is remarkably untrue in point of fact, as assumed by the objection, that the absence of executions is followed by pouring great criminals upon society; for it is well established, that in that class of offenders particularly, the effect of imprisonment has for the most part been most salutary. That the removal of criminals to a new country does not cut off all communication between them and the public at home, is now generally admitted; and one of the true ways of estimating the effects of transportation as a system, and of executions as part of it, is to add the new crimes committed by the transported, and the executions inflicted upon them, to the amount of crime at home. By doing this, and by further taking an estimate of the evils produced by the accumulation of transported convicts upon a small free society abroad, unable to check their vicious moral influence, it will be found that the most imperfect system

of prison discipline now existing in Europe, accompanied by mild laws, although keeping the condemned at home, produces incomparably the least amount of evil, and the greatest amount of good.

Economy in money is not the principal point for consideration upon such a subject; but whilst deliberating upon the purpose of sparing the lives of unhappy criminals, and of lessening the amount of crime in the country by effecting salutary impressions upon the minds of all, it deserves to be considered, whether the cost also of attaining these objects may not be lessened by means easily attainable. Long ago Mr. Bentham offered to the world a definite plan for this purpose. It was founded upon the principle of contracting prisoners to a gaoler, whose interest should be so directed by the contract, as that all his ingenuity should be safely and usefully exerted for the public, however beneficial his labours might at the same time prove to himself. It will be sufficient in this place to observe upon this suggestion, that in New South Wales, eleven thousand convicts are already contracted to the farmers somewhat in this way, but without any of the checks against abuse which form essential parts of Mr. Bentham's plan; and in other respects, the contract system is established in New South Wales under circumstances which expose the public to enormous expense, and encourage an unparalleled amount of crime amongst all classes of people. The actual experience however, in New South Wales of some advantages in a contract system, suggested the prudence of endeavouring to apply it on the best principles, to at least a limited extent in that colony; where good penitentiary gaols would be the greatest blessing that could be conferred at this moment upon all classes of inhabitants, and where the high value of labour might be turned to an excellent account in penitentiaries, in the place of those scenes of horror, the penal settlements.

It being then shown to be wise, and practicable, to change the law which inflicts the punishment of death upon offenders, it remains to be determined, whether the abolition ought to take place without any exception. Is the reform to be carried so far as to commute the sentence now pronounced upon such offenders as Thurtell, and more especially upon such as the Burkes and Williamises of our days? Mr. Bentham, pursuing his principles rigorously to their legitimate limits, replies in the affirmative, and urges the citizens of France to abolish death as a punishment in all cases whatever. [*Mr. Bentham's Letter of 1831, p. 3.*] It is unnecessary to set forth the principles at length, upon which Mr. Bentham relies in support of his opinion. For the last quarter of a century, they have been the texts

upon which philanthropic inquirers and legislators have demonstrated the propriety of changing our sanguinary code; and it is but repeating familiar views, to say from the letter to the French, that the punishment of death is inefficacious, because prosecutors, witnesses, jurors, judges, and the King in Council, are confederates to evade or prevent its infliction, that it is cruel in the highest degree in those not unfrequent cases, in which the innocent have been condemned in error, but for whose calamity their remains after execution only vain and heartless regret; that it poisons the springs of justice in leading men to tamper with evidence; that the power of pardoning as now administered in regard to capital convicts in consequence of the character of the code, is stripped of its beneficent ends, and otherwise subject to many evils; that society only tolerates the continuance of capital punishments, in consequence of a culpable inattention to the true interests of mankind, and to the ready substitute for those justly condemned inflictions.

In the United States of North America, these sentiments are more and more widely felt, and, in the present year, the total abolition of capital punishments has been the subject of bills in the legislatures of New York and Pennsylvania.

But the practical question returns, whether the British public is prepared to admit the universal application of these principles? If not, Mr. Bentham himself will admit that the English legislature must proceed more slowly than he advises the people of France to proceed, for in the letter to the French [p. 9] it is stated to be a proper ground for pardoning a convicted criminal, that infliction of punishment will displease the people, meaning, of course, in the spirit of Beccaria's axiom, that no advantage can be had from punishment if not founded upon popular feelings. To answer this question safely, would require an extensive survey of the circumstances which influence the opinions of different classes of men in this country. Some exceptions must evidently at first be made in the proposed reform. But after it shall have taken effect in the numerous cases of forgery, of secondary treason, and secondary stealing, concerning which few reasonable persons entertain the slightest doubt upon the unsuitableness of the present law, the difficulty of making a just conclusion upon crimes of the first degree of atrocity will be greatly lessened. The public mind will then be steadily directed to the more simplified state of the case, and every year will find the public more and more qualified to exercise a sound judgment upon it. At present it is probable that the abolition of the punishment of death in all cases, would occasion consi-

derable difficulty. Although the cases to which such more lenient law would be applied, would be likely to be those of poor men, yet it might happen, that rich criminals would be the first objects of it,—such as the military officer who shot the trespassing fisherman in Essex last year, or a Burking case might arise, in both of which the existing popular sense of justice would require to be satisfied. The arguments however, in favour of lenient laws are so powerful, that few topics can be brought home to the bosoms of the people with more certainty of ultimate success, than those which would demonstrate to them the inexpediency of the existing code of capital punishments. A systematic and continued discussion of this subject in the public journals in London and throughout the country, the reading of papers upon it at political unions, Mechanics Institutes, and other societies, and the deepest consideration of it in assize sermons, would greatly aid a reformed Parliament to improve this branch of the law; nor could the Society for diffusing information on capital punishments, take a better mode of attaining its object, than by an abundant distribution of its books in the directions here indicated.

ART. IV.—1. *A Compendious Exposition of the Principles and Practice of Professor Jacotot's System of Education*. By Joseph Payne. —London: 1830. pp. 56.

2. *L'Enseignement Universel mis à la portée de tous les pères de famille, par un Disciple de Jacotot*. 3 Parties. Paris & London: 1830. pp. 250.

A PLAN of Education, invented by M. Jacotot, has lately excited considerable interest on the Continent, and schools upon his principles have been established in many parts of Belgium, and in some parts of France. Several pamphlets have recently appeared in this country, professing to explain M. Jacotot's plan, and a few of our schools and teachers are adopting his principles. We shall therefore attempt to explain briefly what the principles and plan are.

M. Jacotot himself has written but little. Mr. Payne, however, in his small treatise, has enabled the English reader to form a tolerable conception of the plan; while those who wish to obtain more minute knowledge, may be referred to the second work under notice.

We state M. Jacotot's principles without comment, as we do

not very clearly understand them, or their connexion with the practice of his plan.—First principle: God has made the human mind capable of instructing itself—Second All minds are equal.—Third: All is in all—Fourth: Learn a little thoroughly, and refer every thing else to it. The practice founded on these principles will be best explained by shewing the mode pursued in several branches of tuition.

Reading.—Instead of teaching a child the alphabet first, syllables next, and words last, M. Jacotot repeats to the child the first word of Telemachus, and shows him the word. He then repeats and causes the child to repeat another and another word, until he has completed the first sentence, and the child can distinguish the words. He next teaches the child each syllable in the same sentence, and finally each letter, and requires the lesson to be learned by heart. The next sentence is taught in the same manner, and when a few pages have been gone through, the child can read.

Penmanship—The child commences by copying, as well as he can, from a model, the first word of Telemachus 'Calypso,' and is made to discover and correct his errors, until he can write the word. The next word is then written, and afterwards the following words, until the writing is thought sufficiently good.

Mother Tongue and Universal Knowledge—It is considered indispensable to the success of the plan, that the child should learn by heart the first six books of Telemachus, or a considerable portion of some standard author, so thoroughly, that if the tutor repeat a few words from any part, the pupil shall be able to go on perfectly. To effect this, the child has to repeat all that he has learned several times in a day, and when he has learned a large portion, he may repeat once only every day. When he has got by heart the whole, he must repeat it at least once a week. This is stated to be the only tiresome or laborious part of the plan. The remainder of Telemachus, if not learned by heart, must be known thoroughly and minutely. When the pupil has learned the first paragraph, he is asked questions respecting each word and phrase, but is told nothing. He must find out every thing for himself. The first sentence of Telemachus is, 'The grief of Calypso for the departure of Ulysses would admit of no comfort.' The teacher asks the following questions, which the pupil answers according to his knowledge.—Who was gone? Who was grieved? Who were Calypso and Ulysses? What was the cause of Calypso's grief? Did Calypso love Ulysses? How do you know that? Was she slightly grieved, or very much? What do we call that grief

which admits of no comfort? &c.—The next paragraph affords new questions, and enables the child to answer other questions respecting the first part. The whole work is gone through in this manner, and is frequently recommenced as the child grows older, and can answer more difficult questions.

The principle of 'every thing being in every thing' is said to be exemplified in this book, because the pupil, by learning it, and comparing one part with another, will learn 'the elements of grammar, composition, criticism, mental and moral philosophy, the science of human nature in general, history, geography, &c. &c., every thing indeed that the author deemed it necessary himself to know, in order to produce his work as it actually exists. Pupils of fourteen and fifteen years of age have learned to equal Fenelon in elegance and correctness of style—to approximate very nearly to Girard in detecting the difference of synonymous words—to criticize much better than Madame Dacier often did—to make general observations on literature not inferior to those of La Harpe—and, in short, to do more than ever was done by any children except those who have by common consent been designated geniuses.' Payne, p. 21.

The exercises which are to produce these extraordinary results are twenty in number, and we shall specify each sufficiently to shew its general object or plan.

1st. *To make imitations.* Example—To describe the grief of a person, the pupil uses, as far as possible, Fenelon's words when describing the grief of Calypso.

2. *To make general reflections on particular facts.* A subject is given for composition, such as eloquence, and the pupil is told to reflect upon Paragraphs, 3, 4, and 5 of Book i. of Telemachus, and to write upon the subject.

3 and 4. *To distinguish between synonymous words and expressions.* 'Two words or expressions are given to the pupil, who is required to state the places in Telemachus where they occur, and to deduce the exact meaning of those words or expressions.'

5 and 6. *A comparison of parallel subjects, and of parallel thoughts.*

7. *Translations.* Example—The passage of Telemachus in which is expressed the regret of Calypso at the departure of Ulysses, is modified by the pupil into the regret of an ambitious man at the loss of his dignities, &c.

8. *Analysis.* The pupil is asked to analyse Telemachus, extemporaneously.

9. *Development of Thoughts.* Example—Mentor says,

'Never speak through vanity.' The pupil is required to expatiate on this text.

10. *To find subjects for Translation.* Example—Telemachus combats the lion: *translated into* virtue combats the passions. The chariot race: *translation,* ambition.

11. *To write upon any subject whatever.* Example—An ode is given to the pupil to read; from which he is to deduce what an ode is, and every thing about odes.

12. *To imitate thoughts.*

13. *To write letters;* as from Telemachus to Mentor, &c.

14. *To make portraits;* as of Telemachus, Mentor, &c.

15. *Parallels;* or comparison of characters.

16. *To write tales, sketches, &c.,* using the materials found in Telemachus.

17. *To verify the Grammar.* The pupil reads the grammar and verifies it by bringing in every instance, examples from Telemachus.

18. *To write on any subject in a given time.* The professor allows the child a quarter of an hour to write an Essay. Subjects (of which specimens are given by the 'Disciple') are, 'Adore God; love the king; serve your country. Coquetry.'

19. *Improvisation.* A word or subject is given, on which the pupil makes a little speech off hand.

20. *All is in all.* The pupil is required to show extemporaneously the particular art of Fenelon in composing Telemachus; to refer other literary productions to this; and to observe that the human mind, under all circumstances, follows nearly the same route.

LANGUAGES. A foreign or dead language is taught upon a similar plan. A book, with an interlined or annexed translation, is committed to memory; and the pupil learns the English of each sentence first, and afterwards the English of each word. He is then made to speak, write, translate, and improve the language.

DRAWING. The pupil sketches the bust of Apollo in one attitude, until he can do it correctly. Other attitudes are taken. The pupil then deduces the general proportions of the head. The whole statue is then drawn. Groupes follow. The pupil reads the best works on Drawing. He now proceeds to put in the shadows. In landscape drawing, questions are asked about the scene, before it is drawn. In colouring, a good copy is first given; and then nature is imitated. Drawing from memory, and composition follow. The pupil is asked many questions throughout.

ARITHMETIC. The pupil learns by heart a portion of a work,
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and is made to relate all that he notices, and thus to discover all that is necessary. He reads the remainder of the book, and compares one part with another. Algebra and Geometry are taught in the same manner.

MUSIC. Place the pupil at the piano with a book of simple tunes—shew the first treble and base note of the first tune—let the pupil strike them—repeat these, and add the next two: repeat these four and add others—and repeat and add until you have taught the first tune. Then let another tune be learnt, and another, and so on to the number of fifty, repeating constantly the fifty tunes, as in the case of Telemachus. Let pieces of Music be read, and played without the book. Let voluntaries be played, and small pieces be composed. Throughout the course numberless questions should be asked, and the pupil should be required to prove what he says, and to instruct himself by constant reference to what he has done previously.

In their mode of educating their plan, M. Jacotot and his disciples remind us of the celebrated characters forming in our journals, who show suchudent and benevolent desire that every one should participate in the advantage of their discoveries. The pupils of this 'Universal Instruction, of this 'Intellectual Emancipation,' of this system which is to alter the destinies of the world, (though equal at once to Lenelou, Girard, Dacier, and La Harpe), have, beyond all, that modesty which prompts them to conceal their talents from the rest of mankind. To one thing only can we compare the system—to Warren's Blacking, which is destined to throw a new brilliancy over the surface of the globe. M. Jacotot, equally enlightened and patriotic, is eventually to diffuse no less splendour through the intellectual world. The millennium will then have arrived.

M. Jacotot's ignorance of the real object of Education, is remarkable, no less remarkable is his ignorance of the human mind. Good lines may possibly be derived by an intelligent instructor, from some of his details, but the plan generally, seems to foster several of the most common defects of character. He has carried the rote system to perfection, and his pupils are excellently trained parrots. They know many words, and can say them fluently. 'Words, flowing words,' should be his motto. The difference between him and our own professors of the bichas thus, that the native pedagogue teaches words only, and very few of them, fluency being beyond his grasp, while the Belgian's notes are both rapid and numerous. A quack has a nostrum which has cured a sore foot, he proclaims it a specific for gout and consumption. M. Jacotot has a specific for teaching Language, which is therefore infallible in

teaching every thing else. But this plan, we are told, produces prodigies. Every plan produces prodigies—no manufacture is so common. We are not sorry, however, that ‘Intellectual Emancipation’ has reached our shores. The ferret is sent into holes to destroy the rats whom we cannot get at, him we can catch and exterminate with little difficulty when his task is done. If M. Jacotot will but extinguish our native venom, we will treat him well while the operation is going on, and endeavour afterwards to exterminate him with as much delicacy and comfoit as circumstances will permit.

ART. V.—*The Private Correspondence of David Garrick with the most celebrated Persons of his Time, now first published from the Originals*.
—London, Colburn and Bentley 2 vols 1to 1851.

WHATEVER minor defects may have been discoverable in the character of David Garrick, he will probably ever remain an example of the nearest approach in England to the beau idéal of an accomplished and varied actor. Nor is this all; it is not likely that we shall soon meet again with one who will so felicitously catch the spirit and tact of good company, with the attainment of a higher share of respect and general consideration than in this country is willingly accorded even to great intellectual superiority, unless accompanied with the adventitious aids of wealth and station. Not but that Quin and many more, previously excited a portion of this respect, which has also been extended to many since, but to none so widely or so universally as to Garrick. This fact may be attributed to various causes, independently of his mere histrionic eminence; among which is to be included his acknowledged companionable tact—that graceful feeling of the amenities and felicities of social intercourse, which when accompanied by constitutional vivacity and buoyant spirits, is usually found so irresistible. It must moreover be admitted, that when the prosperous and thriving manager can be added to the character of the great and versatile actor and ingenious and accomplished man, not a few of the consequences of worldly importance ensue even as respects circles entirely without the pale of that artificial domain, throughout which the manager’s nod is so awe-inspiring. There is something in worldly prosperity which operates more or less upon the spirit of society, an arbiter which, without avowing it like Napoleon, is apt to connect repeated miscarriages with some latent intellectual inferiority, and to make ‘Murders the Unlucky’ of all to whom fortune is unpropitious.

pitious. The moral of Miss Edgeworth's tale falls short of an axiom, but it may be as well that it should be generally received as something approaching to one.

But David Garrick had other claims to attention, which possibly distinguished him still more from the general run of members of his profession, and secured him esteem from people of consideration, even as much as his great talents as an actor—we allude to the absence of all the grosser vices, and his observance of that decorous attention to morals and personal conduct, a neglect of which will uniformly, in the end, degrade the possessor of the highest intellect, and even of the most towering rank and station. We are told, and we believe the tale, that this attention to the decencies and proprieties of life, is now much more prevalent among the members of the theatrical profession than it used to be; but we fear, from the very nature of things, it must prevail less among the treaders of the stage than in any other sphere of personal exertion. Be this as it may, Garrick was a prominent instance of the benefit derivable from this word propriety. He secured not only the countenance and society of people of rank, but of most of the eminently gifted individuals of his day. The drama of England,—although not with so much absurd contradiction as was formerly the case with that of France, where the king and the magistrate encouraged what was and still is formally anathematized by the church,—has excited no small portion of the same inconsistent illiberality. The law, and the religious spirit of a great portion of the people, stigmatized as mummers and vagabonds those whom the court, the nobles, and general society, more or less patronized and encouraged, as contributors to their pleasures always will be encouraged by the idle and unoccupied. The position, however, is a false one, and one which has greatly contributed to the dissipated nature of the pursuit itself, by placing the actor in a sort of border land, in which a portion of reckless lawlessness is looked for as an affair of course. Nothing can be imagined more prejudicial to good conduct in common natures, than the prevalence of this sort of conviction and expectation, and, consequently, no greater proof of a superior one, than that of soaring beyond its influence; and this was certainly the merit of David Garrick.

In one point of view, however, the stage stood far higher in the days of Garrick than it does at present—we mean in the literary and critical attention it excited among the well-educated portions of the community, and, in spite of all sorts of prejudices, the credit that was attached to the production of a popular play. As in Paris, the event was a town talk; and men of all ranks, not

excluding the sacred profession, were in consequence frequently tempted to write for the stage. As respects the drama itself, the result is not much to be boasted of, the dry pompous French style being prevalent in tragedy, accompanied with no small portion of plagiarism from the more felicitous department of comedy. It, however, certainly tended more to advance the actor, than the fastidious neglect of the Drama by the assumptive leaders of the *beau monde* since the exclusive era of George IV. Whatever in reality be the sources of that neglect, it indisputably deprives the stage of an advantage which it possessed in the days of Garrick. The enormous expenses of a modern winter theatre can only be adequately encountered by well-filled boxes, and the consequences of the secession alluded to, are observable in the wandering of the principal performers to the smaller theatres, an indisputable proof of a decline of encouragement in the great ones, however indicative of a growing spirit of competition, that may in the sequel benefit both the drama and the profession.

The present volumes contain a large collection of correspondence, including much that is good, bad, and indifferent. There is, no doubt, great occasional entertainment afforded by perusal of the letters and notes from leading characters, conveying spontaneous opinions upon passing events, and in some instances, as in the epistles of Lord Camden, sporting, literary, and critical opinions, upon points which would scarcely have been expected to engage their attention. To those who entrust themselves in the skirmishing warfare between managers, and dramatists and actors, there is also a store of entertainment. Every form may be studied of literary vanity and irascibility in the one class, and of professional self-conceit and perversity in the other. On the whole, they decidedly contribute to advance both the intellectual and social character of Garrick. His self-defence and replies are neat and piquant, and he is seldom or never worsted in the encounter*. Should a more complete

* The following letter and reply supply proofs of the truth of a portion of this observation, being at the same time further amusing as descriptive of the operation of professional feeling on the religion of an actor.

REV. D. WILLIAMS TO MR. GARRICK.

Chelsea, Jan 7, 1775.

‘Sir—The most unfortunate event that could have befallen me, the loss of an excellent and affectionate wife, has been the occasion of your not hearing from me immediately on Mr. Mossop’s death

‘I had it not in my power to attend him in the first days of his illness. I found him preparing for death with that extraordinary solemnity which accompanied all his important actions. He had gone through the general

history of the stage be ever attempted than any which exists, this voluminous collection will very much assist the author.

A few observations may not be deemed irrelevant, in relation

forms of the church ; but I believe only as religious and edifying forms, and unattended with any discourse on the state of his mind. His conversations with me were the most interesting that can well be conceived ; and, from the extreme dejection of my own mind, and the high and tragical tone in which he expressed himself, they made a dreadful impression on me. His religion was tinctured by the characters he had studied ; and many of the attributes of God were the qualities of a Zanga or a Bajazet.

“ Among other things which gave him uneasiness, and made him greatly apprehend the displeasure of that God before whom he was going to appear, his behaviour to you was not the least distressing. He accused himself severely of having attributed motives of conduct to you, which he firmly believed you incapable of. He had thought himself neglected by you in his distress, and that you sent him terms which you knew he would not comply with, because you did not wish to see him on the stage. He saw that he had been deceived by an excessive pride ; and lamented the injustice he had done you, not only in some pecuniary articles, which he did not thoroughly explain to me, but in giving ill impressions of your character to his acquaintance. The very night in which he died, he renewed this conversation. He often cried out, “ Oh, my dear friend, how mean and little does Mr. Garrick’s present behaviour make me appear in your eyes, to whom I have given so different an idea of him ! Great God, forgive me ! Witness, my dear Williams, that I die, not only in charity with him, but that I honour him as a virtuous and great man. God Almighty bless and prosper him for ever ! ”—I asked, if he chose I should make any public use of what he had said, as a kind of satisfaction to Mr. Garrick. He was then much exhausted, and could only say, “ I will leave it to your discretion.”

“ My intention, for some days, was to convey the substance of this letter to you through the channel of the public papers. But on second thoughts, this method appeared to be the best. Though you may know but little of me, and Mr. Johnston of your theatre was the only person besides who had heard him say things of this nature, I dare say you will not doubt the authenticity of the information. And I think it must give you pleasure, not only as a testimony to your character, which cannot be suspected, but as reflecting some honour on the memory of a man, who, though he was unfortunate and faulty, possessed many great and good qualities.—I am, Sir, your most obedient humble Servant,

D. WILLIAMS.’

Endorsed :—“ Rev. Mr. Williams’s letter to me upon Mossop’s death and my answer.”

MR. GARRICK TO REV. D. WILLIAMS.

Adelphi, Jan. 8, 1775.

“ Sir—I thank you for your most affecting letter. Your account of poor Mossop’s death distressed me greatly. I have been often told that his friends never spoke kindly of me ; and I am now at a loss to guess what behaviour of mine from the first moment I knew him till the time of his death could have given him that unkind and, I hope, unmerited turn of mind against me. With regard to his returning to us, it was his own

to the existing state of the English Drama, considered as a branch of national entertainments, the dramatic talent employed in its support, the histrionic ability exercised in its representation, the apparent causes of its comparative neglect, and lastly, what is likely to be the result of that breaking down of the monopoly which it is obvious must, at no distant period, be legally allowed to take place.

And first as respects the drama itself, or the modification of matter to be dramatized, which it is obvious, like all other things which depend upon the change or stability of human opinions, must always follow in the wake of governing associations. Both as respects the drama and more important matters, the fallacy has long been exposed of binding down the management of the subject to pedantic abstract theories, which constitute artificial boundaries, out of the pale of which it is pretended that nothing good is produceable. Much oracular eloquence is spouted on the danger of innovation, but a far greater portion of evil is manifestly derivable, both politically and dramatically, from taking old opinions upon trust, and standing by them after in soul and substance they are defunct. As respects the drama for instance, in spite of all that has been vented in respect to the unities, the natural division of a play into five acts, and similar points,—though something may occasionally be pleaded on the score of taste, there is absolutely no original or fundamental rule whatever, springing out of the nature of things. Yet the drama, and especially tragedy, walked with its legs tied for at least a century and a half on the strength of this principle, in France, and nearly as long in England, with the exception of the occasional violations arising out of the unrestrainable nature of a license originating in romantic liberty, supported by univalled genius, and which only partially yielded to a political importation of foreign notions, rendered strong enough by fashion to modify national predilections without overwhelming them. Such were the Gallic dramatic rules introduced by the Restoration, and

peculiar resolution of not letting us know his terms, that prevented his engagement at our theatre. Had I known his distress, I should most certainly have relieved it. It was too great a credit to our profession not to have done all in our power to have made him *easy* at least, if not *happy*.

‘The money transaction is past. He is gone and I had long ago forgotten that I thought in that instance he behaved not kindly to me. Let me once again thank you for your very polite and agreeable manner in giving me this intelligence of our departed friend, for he was truly *mine* in those moments when the heart of man has no disguise.—I am, Sir, &c

D. GARRICK.’

‘Excuse my scrawl, as I have the gout in my hand.’—Vol. II. p. 38.

which, as a fashion, prevailed until they were utterly worn out, at least as respects tragedy, soon after the termination of the reign of Garrick. The French school of Comedy is another affair; it is still good, it ever has been good, and with certain exceptions, always the original source of the domestic school of that of England. These exceptions are made by the stronger hands of our older comedy, such as Shakspeare, Ben Jonson, Massinger, Beaumont and Fletcher in parts, and several more. Putting these out of the question, and including Wycherley, Cibber, Vanbrugh, and even Sheridan, who lived a hundred years after the first, all have pilfered largely from Molière. The Plain Dealer of Wycherley, is only an English version of *La Misanthrope*, and several of the scenes of the School for Scandal are but dexterous loans from the same production. So dramatic indeed are the sociabilities of the French, that we have always followed and follow them at this moment, both in their *comédie larmoyante*, in their new conversion to the romantic, and in all those indefinable mixtures of grave and gay, real and fantastic, which amuse while they mock criticism, and at which, with the ancient lofty notions of the regular drama, we would do our best to be angry if we knew how. In fact it may be suspected, that it is part of the social progression, as the different grades of life get better acquainted with each other, to feel a necessity for approximation, both in real and in fictitious life, and that it is only as a department of the picturesque and in the way of spectacle, that any portion of the ancient chivalry retains possession of the stage. If indeed a few primary passions be well managed, in the exhibition of this as of any other stage of existence, a strong interest may still be created, but even so much, can scarcely now be done with novelty or theatrical effect. The Wallensteins, and some other of the German metaphysical tragedies, are for closet reading; but at Drury Lane or Covent Garden their representation would be either impossible or profitless.

A bold endeavour was made by a writer under the signature of John Lacy, in one of the monthly periodicals a few years back, to renovate tragedy by a daring and acute reduction of the dramatic sources of attraction to their elements; the result of which was, the maintenance of the position that *action* is the soul of the acting drama, and mere description and declamation its poison and destruction. He might have proceeded further, and asserted, that the loftiest intellect can produce no substitute for this one thing needful, as respects the actual stage. Witness the tragedies of Lord Byron, built as they are for the most part upon romantic interests and associations, which he ultimately

succeeded in making hacknied, on the subject of love, revenge, incontrollable anger, and passions of the like description. Both in action and in expression, the exhibition of the deep-seated passions is necessarily bounded; and variety can only be obtained by the production of new and striking combinations for their display. This, in fact, is the natural course of the tragic drama, and to find these occasions the fatiguing employment of its few remaining devoted partizans. Modern tragedy, indeed, reminds us of that terrific situation described in a recent tale, in which the victim of a tyrant finds himself entrapped into a recess, which by a mechanical process becomes narrower from day to day, and at last forms his instrument of execution, sepulchre, and monument.

Comedy will live longer, because its materials are less exhaustible, and every age produces new modes and varieties, and consequent associations, whatever may be the case with the primary impulses in which they take their rise. We cannot, without immense repetition, have a continual supply of comedies like the most sterling of those of Molière; but varieties, absurdities, and what Collins calls 'the countless manners,' may be deemed endless; and such, in fact, form the chief modern magazine of materials, aided by the fashionable melodramatic license of mixing romance, pathos, farce, and stage situation together. What is called comedy in the ancient legitimate sense, is however nearly gone by. There is little disposition to frequently see the best of our old ones; and as to modern productions, what it is usual to call genteel comedy is in the last stage of consumption. Nothing, in fact, can be conceived more vapid than the most recent essays in this line. Lords of the *vieille cour*, bestarred and gartered, fine lady daughters or wives, lispng out the insipid common places of fashion, the everlasting fop or seducer with a mere change of costume, and the merciless repetition of trite morality, worn-out sentiments, and wearisome *judaises* of assumed fashionable colloquy, are of a nature to make empty benches, whatever the talent exerted in their display, or the natural disposition of very silly people to think that they admire them.

As respects the actor, the tendency is in the same direction; the old school of tragedians, first, second, and third rate, are becoming every day more scarce, and the best of them may be deemed on the eve of retirement. Except as to certain melodramatic points, their successors do not appear. Not that successors would not arise if in demand; but such is not the case, nor will be, unless fresh associations favourable to a revived display of similar talent should take place. The more sterling

actors of comedy, although not in so great a degree, are in a similar predicament. It is surprising how few of them remain. The water-colour hero of pure romance, still has his representative; but all this says nothing against the primary positions, that the drama is at present existing upon worn-out associations, and that nothing but another *arata* of genius in the concoction of new ones, will rescue it from further decline.

We have been endeavouring to anticipate what will be the result of an open competition of dramatic effort by unrestrained license, and the breaking up of the monopoly of the patent theatres. The first operation may probably be unfavourable, owing to the quantity of crude speculation and inferior ability it will call into activity. When, as in the excess of everything of this kind, the evil shall cure itself, the effect will gradually become beneficial, by affording a larger field to untried dramatic and histrionic talent, under the necessary guidance of correct calculation and prudent foresight. The number of theatres will, at the same time, be adjusted to the demand, and the most illiterate frequenters of them will learn to judge by comparison, and by degrees be led into a due appreciation of the superiority of the larger establishments, in respect to the attractions in which they cannot be rivalled. The occasional wandering of the 'stars' into a lower sphere, will also assist the power of discrimination, and at the same time rescue the actors from the caprice of the manager. But, even if all these benefits should not follow, the result will be clearly preferable to the consequences of a monopoly, which prohibits everything but burletta and buffoonery to five-sixths of the population of a great metropolis, for the unattainable object of protecting two establishments founded upon a scale incompatible with their own joint prosperity, and injurious in demanding prices of admission to which the public are not disposed to submit. Why, with such an enormous increase of population, are the inhabitants of the distant suburbs, who are anxious to see a play, to be under the necessity of travelling several miles for that purpose? And as regards the interests of the patentees themselves, the improvement of the drama, or the general satisfaction of society, it is impossible to recognize in the defended monopoly, any equivalent for privileges inconsistent with a free direction of capital and talent, and in all respects so uncongenial with the spirit of the times.

ART. VI—*Observations on the Law and Constitution, and present Government of India, on the nature of Landed Tenures and Financial Resources, as recognised by the Moohummdan Law and Moghul Government, with an Inquiry into the Administration of Justice, Revenue, and Police, at present existing in Bengal* By LICUT COL GALLOWAY, of the Honourable East-India Company's Service. Second Edition, with additions—London Parbury, Allen, and Co 1832

THIS book displays so much Arabic learning, so much Mussulman casuistry, and is so deeply imbued with the true 'conservative' spirit of Islam that it might almost pass for the work of a Mufti of Constantinople. Without using the epithet in any invidious sense, it may be pronounced to be altogether a very 'unchristian' performance. The author is of opinion that the law and constitution which Great Britain ought to establish in her Indian Empire, which contains a population diversified almost infinitely by distinct languages, distinct manners, and distinct religions, should be the law of Mohammed as that law was explained by one Abou Hanifah, an Assyrian doctor of the eighth century. He not only thinks that the Mohammedan law ought to be imposed upon the people of India as a matter of expediency, but he further thinks we are bound to impose it by act of Parliament, and hence the title of the book. 'The British Legislature,' he says, 'has declared that the Indian subjects of Britain shall be protected in their rights according to the laws and constitution of India,' and he adds with much *navelty*, 'But what "laws and constitution" are here meant, the law-givers themselves knew not.' It appears then, that nearly fifty years ago, the British Parliament, in profound ignorance of the subject on which they were legislating, as had often been the case before and has often been the case since, used words without any distinct meaning, and upon these words without meaning, but to which he gives his own interpretation, our Mohammedan doctor thinks all future generations ought to be bound. His whole argument for the legality of governing India by the Koran, is, in fact, founded upon the carelessness or blundering of an Act of Parliament.

But besides all this, does not this Arabian expounder of British statutes recollect, that only three years before the Act to which he alludes, the same parliament had expressly enacted, that all matters of inheritance and succession, of contract and dealing, between party and party, should 'be determined in the case of Mohammedans, by the laws and usages of Mohammedans, and in the case of Gentus by the laws and usages of Gentus; and

where only one of the parties shall be a Mohammedan or Gentu, by the laws and usages of the defendant.' The two subsequent sections of the same statute are occupied in an endeavour to accommodate the administration of English law to the 'civil and religious usages' of the natives, the 'rule and law of caste,' &c. Surely there is nothing exclusively Mohammedan in all this.

Thirty pages are expended by the author in endeavouring to show that the Mohammedan law was the law of India when the British government made its conquests, and that it had been so for upwards of seven centuries. It is not necessary to expend much room in shewing that he is as mistaken as he is peremptory in making this assertion. First then, the Mohammedan armies had not crossed the river Kistna until the beginning of the fourteenth century, had made no permanent conquests south of it until the beginning of the eighteenth, and a considerable portion of territory in that quarter they had never conquered at all, or certainly had never occupied as conquerors. Now the British territory, south of the Kistna, contains at least ten millions of British subjects, or about one seventh part of our entire population, to which a permanent Mohammedan dominion of seven centuries cannot with truth or decency be applied. The first Mohammedan invasion of the Deccan or country south of the Nerbuddah, did not take place until the conclusion of the thirteenth century, and no permanent dominion was here established until about the middle of the fourteenth century. South of the Nerbuddah we have a population of twenty millions of people, over whom Mohammed in independent domination had no where lasted for much more than four centuries, instead of seven centuries. But where this domination had existed in its greatest strength, it had been superseded by the Hindu dominion—by the dominion of the Mahiattas—before it had endured much more than three centuries, or less than half the time alleged by our author. Is a Hindu government of 250 years standing, to pass for nothing in this part of India, and the previous three centuries of Mohammedan domination to pass for everything? The first Mohammedan invasion of India took place about the year 1000; but for near two centuries thereafter, the Mohammedan invasions were mere incursions, and a permanent dominion was not established until the very end of the twelfth century. Thus for the parts where Mohammedan rule was longest established, its duration is reduced from the author's 'more than seven centuries,' to much less than six centuries. But the truth is, that the Hindu civil laws, or rather their customs, for they had no written laws that were not either contemptible

or impracticable, continued without alteration every where,—both where Mohammedan dominion was established, and where it was not. Common sense appeals at once, in proof of this fact, to the still existing integrity of Hindu institutions and manners,—to the Hindu religion, and to Hindu languages, and not to quotations from Arabian commentators and lawyers.

After establishing to his own satisfaction, but very little, it may fairly be presumed, to that of any class of his readers, that the ‘*Moohummudan law and constitution*,’ as he is pleased to call the rude institutions of a bigotted and ferocious people, ought to be the law and constitution of India, the author proceeds to discuss the nature of landed tenures in India, and a portion of his dissertation on this question is valuable. He has shown satisfactorily, what was, however, sufficiently understood before, that the class of persons called Zemindars were, notwithstanding their name, mere collectors of the land and other taxes, and not proprietors of the soil, and he has further shown, that the Mohammedan government, vile and violent as it was, admitted a private right of property in the soil, in so far at least as suited its rude and rapacious purposes. Of the discovery made within the last thirty years, and chiefly in parts of the country not permanently conquered by the Mohammedans, of a private right of property in the soil, as existing in some classes of the inhabitants, to all appearance the successors by descent or purchase of the original settlers or cultivators, the author says nothing, except in one passage, and then to stigmatize such property as a monopoly,—for he hates all monopolies, save those of the East India Company, and these he cherishes and panegyricizes.

The author’s notion of a judicious land-tax, and of what is necessary for the comfort and prosperity of the Indian peasant, may be gathered from the following extract from one of his Mohammedan lawyers. ‘*Imam Moohummud hath said, regard shall be had to the cultivator, to him who cultivates. There shall be left for every one who cultivates his land, as much as he requires for his own support till the next crop be reaped, and that of his family, and for seed. This much shall be left him. what remains is land-tax, and shall go to the public treasury.*’ What a notion of legal and constitutional taxation! *Regard shall be had to the cultivator that he have enough to keep life*

* The word may (and hence our mistakes about it) be translated ‘land-holders,’ but it may also be translated otherwise. The Persian *isth dar* is a particle of very loose and indefinite application, and may as often be translated by the words ‘bearer,’ or ‘keeper,’ as ‘holder.’ The author’s explanations of this and similar terms are correct and judicious.

and soul together from harvest to harvest ! We are in fairness bound to add however, that the author improves in liberality as he proceeds ; and at his 185th page, he draws the following picture of rural comfort and independence, as the result of the assessment which he himself proposes. ‘ When all the fields of the husbandman are measured and assessed, you are, says he, to leave him something, which, if a frugal man, he may apply to the purchase of an additional bullock [about a crown] to extend his means in cultivation, or if otherwise disposed, lay out in buying a piece of finer cloth for his wife or favourite daughter.’ As to ploughs, harrows, manures, and works of irrigation, of which last our author admits afterwards that there is need, they are all left to shift for themselves. The single ox is to stand for accumulation of agricultural capital, and the improvement in the texture of a piece of cloth is to represent domestic comfort and luxury ! We perceive that one of the favourite authorities of the author in fiscal matters, is Tamerlane, and considering the nature of his doctrines it is impossible to be much surprised at this. ‘ Timour says, and Timour ordained,’ &c. &c. Now in the name of justice and civilization, what matters it to Englishmen, Hindus, or even Mohammedans in the nineteenth century, what the limping savage said or ordained in the fourteenth ? We know what he *did* when he had the power ; and this is better. He plundered and massacred in India as elsewhere, without distinction of religion or sex, and his track was marked by blood, desolation, famine, and pestilence. Happily the sojourn of Timour, or as the Mohammedans themselves designated him, ‘ the firebrand of the universe,’ in India did not exceed a few months, and the Indians know nothing of him except what others know,—that he was one of the greatest wholesale butchers of humanity ever heard of. Heaven protect us and the Indians from such legislation as that for which Timour is the written authority, or Timour the personal example !

The aim of the author is to show that there was a character of legality, precision, and certainty, in the Mohammedan system of taxation, particularly in reference to the principal tax, that on land. He says the law authorises the state to take ‘ to the extent of one half the gross produce ’ as tax. What is this but to say, that everything that is available may be taken, rent, profit, and all ? In this country, after an immense outlay of capital, which is furnished by the proprietor of the land, no landlord gets one third of the gross produce of the soil as rent. How can he get one half in a country like India, where very little capital has been invested in the improvement of the land ?

The thing is impossible, and the pretended rate is therefore a mere pretext for taking everything. The real principle, if it can be called a principle, on which the Mohammedan sovereigns of India proceeded, is well depicted in a conversation which the historian Ferishta reports to have taken place between one of the Emperors of Delhi and a learned Cadhi. The king, an unlearned man, put the following question, 'From what description of Hindus is it lawful to exact obedience and tribute' [land-tax], and the learned lawyer replied, 'It is lawful to exact obedience and tribute from all infidels, and they can only be considered as obedient who pay the poll-tax and tribute without demur, even should it be obtained by force; for according to the law of the prophet, it is written regarding infidels, tax them to the extent they can pay or utterly destroy them.' The Cadhi, however, proceeded to qualify this harsher doctrine by quoting the modified opinion of a later and somewhat more humane age, as given by a particular commentator, viz.— 'That the poll-tax, or as heavy a tribute imposed upon them as they can bear, may be substituted for death, and he [the commentator] has accordingly forbidden that their blood should be heedlessly spilt. So that it is commanded that the poll-tax and tribute should be exacted to the uttermost farthing from them, in order that the punishment may approximate as nearly as possible to death.' Upon hearing this, the king smiled and said, 'You may perceive, that without reading learned books, I am in the habit of putting in practice, of my own accord, that which has been enjoined by the prophet*.' Ferishta and our author state that this Emperor was a tyrant. 'He broke,' says the former, 'through all the laws and customs which were by the Mohammedan law left to the decision of the courts of justice.' In fact the Emperor's fault seems to have been that he was not sufficiently learned or sufficiently orthodox; for the Indian historian has the liberality to confess, 'that the empire never flourished so much as in his reign. Order and justice,' he adds, 'prevailed in the most distant provinces, and magnificence raised her head in the land†.'

This quotation appears to be conclusive on the subject, and when the author was referring so often to Ferishta, he ought certainly to have extracted it.

After discussing the question of landed tenures and the land tax, the author discusses a variety of other Mohammedan imposts, such as tithes, fifths, poll-taxes on infidels, war-taxes, &c. A word on war-taxes to begin with. 'A war-tax' says he, 'is, therefore, not only the best mode in point of policy, but it is the

* Brigg's Ferishta. Vol. I. p. 349. † Ibid. p. 376.

only equitable way by which extraordinary expenditure can be maintained and defrayed, and ought to have been, and ought to be, had recourse to.' Not one word is said here or elsewhere about peace-taxes. The truth is, that all taxes in India are war-taxes, that is to say, the highest taxes that can by any possibility be exacted. To talk of war-taxes therefore, is sheer superelevation. We put this plain question to the author. Did he ever know the Indian government omit an opportunity, in peace or in war, to impose a new tax when it could; and did he ever know it relinquish an old tax, when it was in the smallest degree productive? If he be as well veised in the history of Indian finance as he professes, he must promptly and distinctly answer that he never did. 'The revival of the poll-tax,' he says, 'is a question which need not be discussed,' but while he says this, being perhaps at the same time of opinion that no hint would be lost on a willing and acquiescing government, he adds, 'the inexpediency of imposing a tax, especially on the permanently settled provinces, somewhat analogous, may be fairly considered.' The permanently settled provinces it will be seen, and he frequently recurs to the topic, are the author's aversion. The land-tax was fixed in perpetuity in these about forty years ago, and this having been done, land which was worth nothing before to the occupant, and is still worth nothing every where else, has come to be worth about sixteen years purchase of the annual rent. To disturb this arrangement, and tax the property thus acquired, is the grand aim and object of our reformer. According to his own statement, the poll-tax being a badge of conquest, was considered by the Hindus 'ignominious,' and the Emperor Akbar, who was not learned in Arabic, but humane and politic notwithstanding, consequently abolished it. It appears also, that there were some circumstances of an unpleasant nature connected with the mode of rendering payment and giving a receipt in full. The law, that is, 'the law and constitution' suggested for British India, the author assures us, 'positively enjoins that the poll-tax shall be paid by the infidel in an humble and abject posture. They shall,' he says, '* pay the poll-tax with their hands *وهم صاعرون*

* The insertion of the Arabic words makes the meaning ascertainable. The words preceding them must have been *بأيديهم* 'with their own hands,' and what then follows is, 'and they themselves making little of themselves,' or showing signs of humility. In perhaps dog Latin, 'they shall pay the poll-tax *manibus ipsorum, et ipsi humiliati,*' in which the distinctions of gender and case are step for step as in the Arabic. A reader might easily fall into the mistake of believing, that the words in the text in Arabic meant something about the position of the hands.

vu hoom saughteroon, and themselves in a humble posture.' This is the interpretation of the most liberal of the Mohammedan lawyers. The more rigidly orthodox insist that 'the receiver of the tax shall call them to him, and say to them, "pay the tax you infidel dog," and when he has paid it, as he retires, he shall be kicked out.' How such a tax as this is to be collected, so that the law shall not be violated and yet the Bishop of Calcutta contribute, is a matter which puzzles us exceedingly.

After enumerating and describing the various Mohammedan 'constitutional taxes,' amounting to an inextricable jumble of about forty, the author gives two long episodes upon the well known monopolies of salt and opium, which, however, happen not to be among the list of 'constitutional taxes,' for neither the Koran nor Abou Hanifah make any mention of monopolies; nor hath the prophet himself left any traditions behind him touching this interesting question. Although not consonant with the letter of the Mohammedan law, it is not improbable that they are quite consonant with its spirit. They may be embraced, perhaps, under the head of Indian equity to be measured, not as in this country by the length of the chancellor's foot, but by the scale of a Sultan's or a corporation's conscience. 'It will, I believe, be admitted,' says the author, in a somewhat begging strain, 'that the revenue derived from the salt department, or "monopoly," as it is usually termed, is not adequate to the just expectations of those who look to the enormous increase which, within the last thirty years, has taken place in the population of Bengal.' The inhabitants subject to the salt monopoly in Bengal, amount to about thirty millions. They pay about 2,400,000*l.* per annum for the salt they eat, or rather for the salt and dirt they eat together. The net revenue derived by the East-India Company from this monopoly, is at least 1,500,000*l.* per annum, and might be 2,000,000*l.* with ease, but for the enormous charges of collection and management. Now is not all this enough and more than enough, for a people to contribute, whose houses, according to our author, are but worth two shillings a picce, and whose yearly wages he states to be no more than 3*l.*, being about one-tenth part of what is necessary for the existence of the meanest labourer in this country? At the wretchedly low rate of consumption of salt in Bengal, a family of five individuals will consume 6*s.* worth, being a tenth part of a labourer's whole income, and enough, according to our author, to buy him three dwelling houses. What would be thought in this country, of a tax on salt which should oblige the labourer to pay 3*l.* per annum for the consumption of his family? Since the accession of the British government, the price of salt

in Bengal has been multiplied four-fold, that is to say, the British tax the natives on this article by 300 per cent more than the Mohammedans did. The author, as in duty bound, ought to have protested against this infraction of 'the Mogul constitution,' but he does not. On the contrary, he even complains in one place, that 'Such are the restrictions imposed upon the present government of India, that even of the salt monopoly it is not permitted to realize the highest advantages.' Does he seriously believe, that the Indian government does not take all that its clumsy management will allow it? Like a ravenous dog, it mumbles and destroys more than it eats, but it swallows whatever it can, no matter for what purpose.

The author denounces those who complain of the Indian salt tax, as puling beings, whose declamation is of small value. 'The oriental philanthropist,' he says, 'has tears to shed because of the Company's monopoly of salt.' Why should he not have tears to shed for such an object? Does he not himself shed them in streams for violations of 'the Moolhummudan law and constitution?' His justification is curious but inaccurate, and very inconclusive. 'We, in England,' he observes, 'tax the poor man's sugar without mercy; though there, sugar is hardly less a necessary of life than salt; and we tax his salt too.' The author, it will be seen, justifies here one heavy and bad tax by another tax not at all so heavy nor so bad, though bad enough in all conscience. Intrepid in assertion, he ought, in discretion, to be at the same time accurate in fact. He is not so in the above quotation. There has been no duty or tax levied on salt in this country for the last nine years.

The author, like a good Mussulman, is very consistently angry with the progress which drunkenness has made among the Hindus, since the introduction of the British power. He says, that before our times, 'the abominable habit of drunkenness was nearly unknown.' There may be great doubts of the accuracy of this statement. Certain it is, that a great many of the 'constitutional monarchs' of Hindustan,—of the very men whose authority has been quoted by our author himself,—were notorious drunkards. The passages in reference to their carousing, to be found in *Ferishta*, are far too frequent for quotation. *They* at least, therefore, did not show a good example to their subjects. A native of India, it appears from the author's statement, can, notwithstanding a heavy duty, get drunk to his heart's content 'for the value of two farthings,' which may be supposed to be the same thing as a halfpenny. The author, therefore, is for prohibiting the use of intoxicating liquors altogether, and substituting in the room of the duty on them, a tax on 'tobacco,

an article,' he says, 'of universal consumption among the millions of our oriental subjects.' The millions then, in this case are to be taxed, on an article which has come to be considered by them a necessary of life, to make good the defalcation which would arise from an exemption in behalf of the few drunkards who at present voluntarily have recourse to strong potations, and will get drunk clandestinely and cheaply when the tax is taken off. This is in the genuine spirit of Islam.

The author is far more indulgent to opium than to ardent spirits, (we have no record of his opinion touching the consumption of Champagne, or Bordeaux, or pale ale). Of the use of opium he talks in the following indulgent strain: 'But its medicinal properties are also valuable; and to the aged it may be doubted whether its use be not highly salutary, though pernicious to the young and middle-aged: nor can its effects on the human constitution, on political grounds, be compared with those of spirituous liquors. The production of opium, therefore, in order to raise a revenue, it would be difficult for those who admit the manufacture of spirits to condemn.' Here we have the physician, the politician, the casuist, the moralist, and the financier, all saying a good word for the concrete juice of the white poppy. Ardent spirits have no such friends. How are we to account, 'on constitutional grounds,' for this singular lenity to the former? We will try. The revenue derived from the tax on spirits is a flea-bite in the Indian budget. That derived from the opium monopoly has frequently amounted to a million sterling per annum. Then, again, the Turks, a most orthodox people, and following, too, most implicitly, the doctrines of Abou Hanifah, have used opium from time immemorial,—used it till they reeled under its operation, and thought themselves in paradise and in the arms of black-eyed Houris. This last is unquestionably the most constitutional ground on which the practice can be defended. The author, however, is clear in recommending a diminished supply of opium and a higher rate of price, as the state of things most likely to be acceptable both to the 'moralist' and 'financier,'—an odd pair to be brought into such juxta-position. There is a newly acquired province called Malwa, which for ages has produced opium, which opium interferes with the profit of the old monopoly. Our author has no scruple in suggesting the propriety and justice of putting down this opium culture; and upon the conduct of those who consider such an act as an invasion of natural rights, he can bestow no milder words than 'drivelling in legislation.' Cannot the Company forbid the rearing of the opium poppy in 'their own conquered province.'

—in short, can they not do what they will with their own? The meaning of all this is neither more nor less than this, ‘Is not the Honourable Company as great in Malwa, as His Grace of Newcastle in Newark?’ It would appear that Lord William Bentinck, the merchants of India, and the cultivators of Malwa, do not agree with the author; and the consequence of the disagreement has been, that the quantity of opium produced has within the last twelve years been multiplied six-fold, and the foreign trade in it, during the same period, increased from a million to upwards of four millions sterling per annum,—constituting in fact, as it at present stands, and in as far as regards a single commodity, one of the greatest branches of trade in the world. Such have been the effects of disregarding the particular interests of the Company and the Koran.

The author has a long Chapter of 164 pages, on the permanent settlement, that is, on the law which in 1793 fixed in perpetuity, under the sanction of an act of Parliament, the assessment of the land-tax in two provinces and a part of a third. As already hinted, he hates this arrangement. He uses his best efforts in short, to subvert or impair the property created under it, sanctioned by forty years prescription and the national honour. In lieu of it, he would adopt a system which would put the whole rent of the land into the public coffers, and convert the Indian cultivators and landholders into Crown serfs, who, ‘if frugal,’ might now and then be able to save enough to buy ‘an additional bullock,’ worth a crown, or a piece of cloth of a better than the wonted texture. The abettors of the fixed assessment he calls ‘crude and meagre’ reasoners. The crude and meagre reasoners in this case consist of six Governors-General,—six Governors of Madras, and a host of Councillors too numerous to reckon. What a strange want of respect this for authority in a true conservative; but the ‘crude and meagre’ reasoners are most of them dead and gone. The opposite system has his whole approbation. The *ryotwar* settlement, (the serf settlement, being translated) he says, ‘is precisely the ancient and constitutional mode of levying the land revenue in India.’ Under ‘the ancient and constitutional mode of levying the land revenue,’ it was the custom, according to the description given of it by one of its ablest and most experienced advocates, and using his own words, ‘to exert in a great degree the authority which is incompatible with the existing regulations [with the laws] of compelling the inhabitants to cultivate a quantity of ground proportionate to their circumstances, by exercising “the power to confine and punish.”’ If by the gentle excitement thus produced, the cultivator was driven from the fields

which he tilled, it was the established practice, still using the words of the same authority, 'to follow the fugitive wherever he went, and by assessing him at discretion, to deprive him of all advantage that he might expect to derive from a change of residence.' Such, in its operation, is a part at least, of the system of which our author approves, and in favour of which, the court of directors of the East-India Company have been arguing and inditing despatches for the last twenty years. It is impossible to deny, that it is strictly constitutional—in the Mohammedan sense of the word. The argument of the author against the fixed settlement of the land-tax is, that it locks up the available resources of the state for ever; and in favour of the fluctuating tax, that it keeps them open and available for ever—that the first, in reality, amounts to a prodigal relinquishment of revenue, and the last to a frugal reservation of it. The reader will be a little surprised to hear that the public records shew the very reverse of this to be the truth. In the permanently settled provinces, the total revenues have rapidly increased, and in those not permanently settled, they have either declined or remained stationary. According to the assertion of the Directors themselves, the revenues of Bengal before the adoption of the permanent settlement had fallen off in twenty years by near a million sterling per annum. The land-tax was permanently fixed, as already stated, in 1793, in Bengal and the adjoining provinces, when the total revenues amounted to about 4,500,000*l.* In 1828, or in the course of thirty-five years, they rose to upwards of 9,000,000*l.*, or were somewhat more than doubled. Under the Madras presidency, the fluctuating land-tax panegyricized by our author, is in great vogue, and very generally prevalent. Here the total revenue in 1805, was about 5,000,000*l.* per annum, and in 1828, or in the course of three-and-twenty years, had advanced only by about six per cent, the total charges having increased meanwhile by nearly half a million. The extent of territory was the same in both cases; and the augmentation of revenue, although we have no room to enter into details, is distinctly traced to the few districts in which the land-tax was fixed in perpetuity about the year 1802. The peculiar object of the author's approbation is certain portions of the country called 'the ceded districts,' which equal in size the kingdom of Scotland. These ceded districts were the early and favoured scene of the serf system, and they have continued with a very short intermission to be so to the present day. Now the total revenue of the districts in question in 1807-8, amounted to more than 700,000*l.*, and at the end of twenty-one years laborious constitutional treatment

after the Mohammedan fashion, it had fallen off by full ten per cent. In these provinces the expense of collecting the land-tax has risen from seven and eight per cent, to fourteen and seventeen per cent. Where the land-tax is permanently fixed, it has risen from 3 (it had no business to rise at all, it ought to have fallen) to six per cent. Even tried then by the gross test of mere productiveness, the fixed assessment has palpable and uncontrovertible advantages. The author ought to have perused the printed and published documents, for the mere inspection of the figures in these, would have saved him from the perverse and erring conclusions at which he has arrived. It may be, however, that he has had no opportunity of perusing the printed documents. This may be an excuse for him, but what excuse shall be found for the directors of the East-India Company, who, with the facts staring them in the face, have recently sent instructions to their Indian Government to destroy the permanent settlement. The project is, to buy up all the lands brought to the hammer for arrears of revenue, so that the East-India Company shall, in due time, become the proprietor of an estate, to be managed in the Mohammedan way, of about twice the size of the island of Great Britain. At the average rate at which lands have been sold of late years for arrears of revenue, the completion of this project will be of the slowest. It will not be effected under 400 years, and the capital required will be about 14,000,000*l*. But the lands would rise in value when it was known that the state was a competitor for the purchase, and they will rise also in value from improved husbandry and extended cultivation,—about one-fourth of them being still a waste. Four times 400 years would not perhaps then, be a sufficient time to complete the purchase, and a moiety of the national debt of England would not be a fund adequate for the purpose. If the experience of all history can be relied on, long before the shortest of the periods named shall have elapsed, there will be neither ‘chaurs’ nor ‘deputy-chaurs’ ruling the British empire in India. While touching upon the permanent assessment of the land-tax, it is impossible to help mentioning that its author, the late Marquis Cornwallis, is not very handsomely treated by some late writers on Indian finance. Thus, a late director of the East-India Company insinuated in a public document, that he and those who accompanied him to India, were very little better than innovating democrats. Mr. Mill, on the other hand,—and although His Lordship had made an express law in India to do away, wherever they existed, with the rights of primogeniture,—intimates, that he was little better than ‘an English aristocrat.’ Our author also, gives him some

sly hits. His acts, according to him, were not benevolent, but only 'benevolent like.' It so happens, however, that about forty millions of Indian subjects, do to the present day speak handsomely of Lord Cornwallis, and that his name is the only British name in Indian story which is pronounced with any degree of respect or veneration. As far as other great names are concerned, they are in the estimation of ignorant Indians, either unknown, or chaff.

The author, throughout his work, displays the greatest zeal for increased revenue, and ingeniously endeavours to ferret out imaginary resources for such augmentation. Now we would ask himself, what possible augmented revenue can be drawn from a country, where, under the most favouring circumstances, 9s. in the pound of the land rent are already taken as tax, but where far more generally 18s. in the pound are so taken, and in a country which is correctly described by himself, in the following language. 'In India, the luxuries of life are not known, except to a few; consequently that source of revenue does not exist there. Even the necessaries of life are of so little value that they are scarcely tangible. What can the most expert financier hope to levy from a people who live almost in a state of nakedness, whose habitations cost, perhaps a rupee [2s.], and where, in many parts of the country, labourers, heads of families, receive no more than five shillings a month?'

The reader will be somewhat astounded to hear the manner in which our author proposes that the additional revenue, which he is so anxious to grasp at, should be disposed of. 'The standard of character,' according to him, is the scale of pecuniary allowances to public functionaries, and to keep up this standard, the allowances must be raised, or at all events not diminished. But on so delicate a question as this, the writer must speak for himself. 'Nor let it,' he says, 'be supposed that this would be a misappropriation of the revenue of India. On the contrary, if we attend to the relative situation of India with respect to England, it would be difficult to devise any other mode of application of that fund to the same extent which would be equally advantageous to both countries.' Even this surplus revenue, if ever it should be attained, does not quite satisfy him; for, in a subsequent part of his work, where he speaks of the disposal of the Indian patronage, he sounds the following note of preparation. 'If the patronage of India must be taken from the Directors, in the name of common sense, let it not be thrown away—let the appointments be sold, as in the king's military service; and let the proceeds be funded for the benefit of their Indian servants.' A little while before, in speaking of a sufficiently foolish pro-

ject—that of giving a portion of the Indian patronage to certain corporate bodies, he pronounces it to be ‘so extremely cool’ as to ‘appear quite ludicrous.’ Whether his own project be open to the same imputation or not, is left to the reader to judge. We will only observe, with respect to one branch of the ill-paid service to which he alludes, the civil department, that it consists of about one thousand individuals,—that, from eighteen years of age upwards, they receive at an average 2,000*l.* per annum each, or in all, 2,000,000*l.* in mere salaries, a sum amounting to more than two-thirds of the total expenditure of the United States of America, civil, military, naval, and political, exclusive of the charge for the public debt—that 8,000*l.* per annum are expended upon their education in this country—that 40,000*l.* per annum are expended in absence allowance and passage money for them, and that the state pays them retiring pensions of 500*l.* per annum after twenty-two years service. If services be performed equivalent to this scale of expenditure, the expenditure is not too great; but it must be added at the same time, that the services must be great indeed that can warrant it.

The author of the ‘*Law and Constitution*’ bestows two Chapters on the administration of justice and police. These abound in valuable facts and statements, but they also contain many unprofitable wanderings in the deserts of Arabian logic and jurisprudence. Like many other good men, he is more successful in pointing out abuses than in applying remedies. The judicial system of British India costs about a million and a half per annum*. It is needless, therefore, to add that it is the most expensive in the whole world. The courts and judges are thus described by one who was himself a judge of the supreme native court and a member of the supreme council, and is now a director of the East-India Company. ‘The courts have no fixed principles of jurisprudence to direct their investigations and govern their decisions; and the judges are not only destitute of legal knowledge, but, from circumstances beyond controul, cannot be selected for discretion and knowledge of business.’ Our author adds, ‘from their imperfect knowledge of the multitude of dialects, and of the customs, manners, and ideas of the natives, they are peculiarly ill-qualified for cross-examination, and rarely succeed in effecting any thing by it.’ Did the

* The official estimate for 1831 makes the exact sum 1,350,267*l.*, but this is at the exchange of 1*s.* 11*d.* per sicca rupee, which is about four and a half per cent under the sterling value of the Indian money, and no home charges are included. Besides this, many of the judicial and police charges are thrown on the land revenue, by converting the collectors of taxes with their establishments, into magistrates, constables, and so forth.

author ever hear of any strangers who would not be in the same helpless predicament in a similar situation? Let him fancy to himself a Frenchman, after ten years practice of the English language, attempting to cross-examine a boor from Yorkshire or Somerset; and yet the language and manners of the rural population of Yorkshire or Somerset are not so remote from those of France, as the language and manners of any province in India are from those of England. The present system pours upon India a constant stream of the incapable Judges to whom the author alludes. Then as to the number of judges and the work to be performed, the area of the presidency of Bengal, excluding very recent acquisitions, is 220,000 square miles, or about three times the size of Great Britain. It contains 234,000 towns and villages, and a computed population of about 50,000,000 inhabitants. The number of principal British judges, excluding assistants and other subalterns, for this immense territory and immense population, primary and appellate, is at the utmost 70. Each judge, therefore, has for his own share, on an average, about 3,000 square miles of territory, 3,342 towns and villages, and upwards of 700,000 inhabitants. But the district judges are also police magistrates, and these amount only to 45, so that the police is considerably worse off than the administration of justice; every magistrate, besides his share in the civil administration of justice, having a police jurisdiction over an area of near 5,000 miles, over 5,200 towns and villages, and over more than 1,100,000 inhabitants. The spoil, however, is not equally divided. The fortunate judge and magistrate of the suburbs of Calcutta has only 763 towns and villages to manage, and but 360,000 inhabitants; while the luckless wight of Dinagepore is overwhelmed with 6,000 square miles of territory, with above 12,000 towns and villages, and with a population exceeding 2,300,000. The pro-prætor of Rajeshahye (hard name with hard duty) is not quite so overburthened with territory; his jurisdiction is short of 4,000 square miles. But then he has upwards of four millions of people, or double the population of all Scotland to dispense law and police to. The stream of justice, under these circumstances, runs rather slow. The 'wounded snake' only crawls; or, as our author neatly and correctly expresses it, in speaking of all British India, 'thus it is that 80,000,000 of people, like pilgrims at a scanty fountain, are left to scramble for justice.' The banquet of Indian justice,—such a banquet as Mr. Bentham would not like to revel at,—is consequently garnished with such ornaments as the following—child-murder for the sake of the babe's trinkets, gang-robbery, perjury, bribery, fraudulent litigation, corruption, and heavy taxes on law proceedings.

It is needless to add, that the number of the English judges is physically incompetent to even the semblance of administering justice. Of all the causes tried, seven-eighths are determined by native judges, who have no salaries, but are remunerated by a contribution levied on the suitors, over and above the taxes paid by the latter on law proceedings. The total number of persons in the administration of justice and police, European and native, from the highest judge to the lowest tipstaff—from 6,000*l.* to 6*l.* per annum—is about 34,000, or about one judge or policeman to every seven towns or villages; or one shepherd to every 1,500 sheep, but no one to look after the shepherds. The revenue branch is more munificently endowed with functionaries than the justice. The revenue army, including village officers employed in the collection of the taxes, exceeds 1,000,000. This makes five tax-gatherers for every square mile, and one for every fifty inhabitants. The revenue army of Madras, it may be added, is much larger than that of Bengal, in consequence of the prevalence there of the serf system, and cannot be estimated at less than (we adopt, without hesitation, the customary phraseology on such occasions) 640,000 fighting men. This gives one fiscal-militant for about twenty inhabitants. The government of Madras, writing to the Court of Directors a few years back, told them, that the sole object of their government, up to the commencement of the present century, was ‘to collect revenue, and to furnish investment.’ Whether they have, even now, any superior object, seems on contemplating the above immense standing army, to be somewhat doubtful.

For the removal of this mountain of judicial evil, the author’s machinery, according to his own idea of it, is simple and expeditious. He has no doubt, he says, that the constitution of India is ‘purely Moohummudan,’ and to a question put by himself, as to what law ought to be introduced, he says, as might be expected. ‘I answer, at once, the Moohummudan law.’ A very material exception, however, follows. The law of the Koran must be ‘modified so as to suit the changes of the time and the mixed population of the country.’ What is this, but to confess at once that the law of Mohammed is no more applicable to the case than the law of Moses or Zoroaster? What is it better than attempting to raise a useful and habitable structure, upon a crazy and antiquated foundation, and barbarous model? It is, moreover, what the Indian Governments have been doing for the last forty years, in at least one important department of the law, and what has been the result?—the production of a load of undigested, undigestable, and unreadable trash, under which a dromedary would groan. The English judges, ac-

According to our author, do not understand their own laws in their own language; therefore, for facility's sake, let them, says he, learn the Mohammedan laws in the Arabic language—let them study a code of 1200 years old, framed for a people of whose genius and manners, past or present, they are utterly ignorant, and contained in a language of all the known languages of the world, ancient or modern, one of the most complex and difficult. But, he adds, if the judges be too lazy to learn Arabic, let translations be made for them. What is all this but telling them, that as he finds, after forty years experience, they have not strength enough to creep over their own thresholds, they must try a leap over a strange gulph, some twenty or thirty feet broad which he has prepared for them; or if they should find themselves unequal to this enterprise, that he has placed a little narrow plank across the gulph in question over which they may try to creep as they best can. Our author's mode of comparing the merits of the Mohammedan and English code is amusing. The grossnesses, racks, knouts, mutilations, and other abominations of the first, are either concealed, or thrown into the back ground; and a few of the most gross, of the many gross absurdities of the English law, are exhibited in bold relief. This being done, he desires you to contemplate the general picture. A booby who exhibited nothing but his left foot, and said that because it was better formed than one of Lord Byron's, his whole body must of necessity be handsomer,—would not be more modest or less mistaken. The English law, bad as it is, is the law of a civilized and advancing people, and it may and must be improved. The Mohammedan law is the law of a barbarous and stationary people. It admits of no alteration, because, if altered, it is no longer the Mohammedan law, according to the universal opinion of those who follow it. Even if it were true, as our author in his admiration believes, that its arrangement is clear and its definitions logical, no argument for its adoption could be founded upon them. The code has been in existence for more than twelve centuries, and has never conferred true happiness or security upon any race of men. This is conclusive against it. What is wanted in India is a change from complexity to simplicity—from technicalities to common sense—from extravagant expense to cheapness and moderation—from stranger judges to native or naturalized ones—and from utter inexperience to competent knowledge. The courts of the assistant barristers in Ireland are examples of what might be effected for India. The thirty-two Irish assistant barristers decide yearly, and they have criminal business also, thirty times as many civil suits as the whole of the seventy Indian judges put together,

including decisions by their assistants, who amount to about fifty in number. There is, however, an example on the spot, which may be considered by some, perhaps, as more pertinent. The Court of Requests of Calcutta, consisting of three Commissioners, with salaries of about one-third of the average of those drawn by the Company's judges, without absentee allowances or superannuations, and educated at their own and not the public expense, disposes of twice as many cases yearly as the whole of the judges and assistant judges of the Company's courts put together; although the fees and charges impeding the institution of suits be so heavy as to cover the whole expenditure of the court, and to afford (*proh pudor!*) some revenue besides to the Company's exchequer. In the year 1829, the arrear of civil suits in those parts of the presidency of Bengal in which there are regularly constituted courts, were about 140,000. With forms of procedure as simple as those of the Irish Assistant Barristers Courts, and with the same knowledge and expertness which prevail there, this mass of litigation would speedily be disposed of, and never be allowed to accumulate again. With the intricate forms of the Company's courts, with appeal upon appeal, and with proceedings in the Persian language, which neither the judge nor the suitors nor the witnesses understand, the last cause on the file will not be disposed of under twelve years. The fact is that the Indian judges attempt to run a steeple-race, over unknown ground, with their eyes blind-folded, and their bodies in sacks. But enough of Anglo-Indian and Mohammedan justice.

The author has a Chapter on the Government of India. An admirer of the Koran, is of course a conservative in matters of government, as well as of law and finance. He has but a poor opinion of the benefits to arise from colonization, or at least so much appears from his assertions, although the striking facts adduced by him contradict the assertions. 'The advantage of colonization,' he says, 'in respect of furnishing the wished-for market for English manufactures, and ensuring a vast variety of other alleged benefits, has been much expatiated upon. But India is already colonized; that country is full of a peaceable, industrious, and obedient population.'—'The colony was not indeed planted by us; we found it full grown.'—'It is not by inundating India with needy adventurers that we shall do this, [furnish the Indians with good examples].' There is one great convenience in the examination of this work, which is, that when the author makes a mistake in point of fact, or reasons badly in one place, he is pretty sure in some other to afford the materials of a prompt, vigorous, and satisfactory

refutation. The present is a striking example. In the course of his work he has repeatedly stated, that India, for more than seven centuries, has been inundated, as he calls it, with needy Mohammedan adventurers, consisting of Tartars, Afghans, Persians, Kurds, Arabs, and barbarians too numerous to recount, and he states (what we admit, notwithstanding their rudeness), that they conferred benefits on India—for does he not mention that their laws and institutions should be adopted for the British government of India, as the best and most suitable of all possible laws and institutions? He has no apprehension from his Mohammedans, with fire, sword, and the Koran in their hands, but he has great apprehension of the mischief that may be done by ‘needy’ Englishmen, who, to effect their wicked purposes, must transport themselves a distance of 14,000 miles, at an expense of 50*l.* a head. The number of British-born subjects, who at present proceed yearly to India, since the relaxation of the licensing system, including men, women, and children, is about 600. It would take a century and a half at this rate, to make up the numbers of one of those invading Mohammedan armies, that brought fire, sword, and ‘the law and constitution’ among the Hindus. Let us see however, what was the conduct of those Mohammedans, who notwithstanding their brutality did good to India, only because India was in a truly barbarous state before they invaded it, and could hardly fail to be improved by admixture with any class of strangers. Ferishta describing the character of one of the Emperors of Delhi, who according to him ‘was as remarkable for his fear of God as for his benevolence towards his people,’ gives the following account of his conduct towards the Hindus. ‘He was firmly attached’ says he, ‘to the Mohammedan religion, and made a point of destroying all Hindu temples. In the city of Mathura, he caused mesjids [mosques] and bazars to be built opposite the bathing-stairs leading to the river, and ordered that no Hindus should be allowed to bathe there. He forbade the barbers to shave the beards and heads of the inhabitants, in order to prevent the Hindus following their usual practices at such pilgrimages.’ The same prince once had a quarrel with a holy man, a Mohammedan of course, who maintained that it was highly improper for a king to interfere with the religion of his subjects. ‘The prince’ says the historian, ‘drew his sword, and said, “Wretch, do you maintain the propriety of the Hindu religion?” The holy man gave a discreet reply which pacified him. This constitutional monarch died in 1516. An exemplary sovereign of the Deccan, after storming a temple and putting many Rajpoots who defended it to death, proceeded to treat the temple and its votaries, according to the

same historian, in the following manner. 'The temple was now filled with wood, and being set on fire, cold water was thrown on the stone images, which causing them to break, the pieces were given to the butchers of the camp, in order to be used as weights in selling meat. One large figure in particular, representing a ram, and formed of solid marble, being consumed, the Rajpoots were compelled to eat the calcined parts with *pdu* [a mixture of betel-nut, lime, and other things, which the Indians habitually chew], in order that it might be said they were made to eat their gods.' We think there is no risk of any needy English adventurer, or even governor-general, conducting himself in a manner so outrageously orthodox. Some of the Mohammedan princes made treaties with each other, binding the parties 'to wage perpetual war against Hindus, whose destruction was solemnly agreed on.' It is the words of Ferishta we quote. The reader is not to imagine that this bigotry and brutality was confined to the earlier Mohammedan princes. Aurungzebe, who according to our author when he wants to prove him a constitutional monarch, died 'only fifty-eight years before the provinces of Bengal, &c, were ceded to the Company,' was, in his latter years, a great persecutor of the Hindus; among other acts, he demolished a temple in the holiest of Hindu cities, Benares, and built a mosque on its site. Tippoo continued his persecution of the Hindus until he lost his life, at the close of the last century. It was his practice to circumcise all the Brahmins he could get hold of, and he even subjected to the same operation, about 60,000 Christians of a single province.

Again, he says, that India is already colonized. In another part of his book, however, and when he desires to seize upon the waste lands for the East-India Company, he argues, that one half of the land in the most populous provinces, is still a waste, and that of this half, a moiety is fit for cultivation. The country that is in this state, cannot be said to be 'full of population.' The colony that occupies only three-fourths of its best lands, and that only half cultivates these three-fourths, cannot be said to be 'full grown.' It is clear that it is but an untutored, lubberly, *hobble-de-hoy* of a colony. 'Peaceable, industrious, and obedient population.' Are these the people whose dwellings are worth only 2s. a piece, and whose yearly wages amount only to 60s.? Are these the men who 'like pilgrims at a scanty fountain, are left to scramble for justice?' If they be 'peaceable' and 'industrious' and 'obedient' under such circumstances, they must be a very wonderful and a very inexplicable race. In one page, the author describes our Indian subjects to be in a 'state of moral maturity,' and in

the next, 'the moral maturity' becomes somewhat problematical, for he says, 'their morals, their minds, and their manners, have need of being new modelled, and this after the English fashion too, and that in the possible event of such remodelling, he is at a loss to conceive where would be the room left for a wish for colonization.' This is coming tolerably near the point, but he can come still nearer. After describing the deplorable state of the administration of justice, after finding the servants of the East-India Company incompetent, and after rejecting the natives altogether, in his utmost need he has recourse to 'the needy adventurers' for assistance, and upon this point expresses himself with equal justice and liberality. 'I cannot omit,' he says, 'expressing my humble opinion, in this place, that great advantage might be derived, by investing with judicial as well as magisterial power, European gentlemen not in the Company's service, resident in the interior, who are known to have an intimate knowledge of the customs of the country, of the people around them, and by whom they are respected. Many most worthy, intelligent, and highly respected gentlemen, are to be found all over the country, to whom jurisdiction to a certain extent might be given in civil disputes.'—'The natural respect accorded to such a man as I have described, would at once point him out as the fountain of justice between them, and they would submit to his decision.' In another place he recurs to the subject and uses still stronger language; thus 'The unreserved intercourse of those gentlemen with the natives, gives them a knowledge of the people, and of their real national and individual character, which no officer of government can ever acquire. No native ever approaches either a revenue or a magisterial officer of government in his real character.' This is a question of fact and not of opinion; and being so, our author's thirty years experience make him a competent judge. The same facts are testified too by every competent and candid observer, and ought long ago to have settled the foolishly contested question of colonization.

Upon questions of trade, the opinions of a soldier (the Duke of Wellington included) can be of little value;—our author's are of none at all. He admits that the Indians have no prejudices in respect to the consumption of any foreign wares or manufactures; but the increase of the value of the British imports into Calcutta, from half a million sterling in 1814 to four millions sterling at present, the prices having fallen to about one-third of what they were, is better evidence than his or any other person's opinions on the subject. The only hint which he has thrown out for the improvement of the trade between Great

Britain and India, is extremely droll. 'A more extended use,' he says, 'of British produce among the servants of the state, by encouraging a more abundant importation, would bring the principal manufactures of our country more within reach of the natives of India. This, I conceive, is the most effectual way of benefiting the English manufacturer, whilst we should incur no risk of destroying the happiness of India ["happiness of India!"—with houses worth 2*s.* a piece, wages of labour 3*l.* per annum, "luxuries unknown," "necessaries of life scarcely tangible"] by supplanting her population with the refuse of our own.' So the most effectual way of increasing the commercial intercourse between twenty-four millions of people on the one side and eighty millions on the other, is through—not the consumption—but the supposed *additional* consumption of about four thousand civil and military officers. This notion of commercial advantage, quite outstrips that of the shopkeepers of Dublin, who think the manufactures of Ireland would perish but for the Lord Lieutenant's salary.

In discussing the merits of the salt monopoly, we have another development of the author's notions on trade. He says, the monopoly is the best security for steadiness and moderation of price. This is not an orthodox opinion in the region of political economy, whatever it may be in Arabia. Even as far as price is concerned, it oozes out from our author's panegyric, that owing to some hitch in the system, the salt rose in one year by 140 per cent above its average price. His principal argument in favour of the steady price of salt, however, is drawn from the violent fluctuations in the price of corn, which according to him arise 'without any apparent cause.' He forgets altogether the effect of seasons on the production of corn, and he forgets that in every country like India, where the internal communication is imperfect, the agriculture in the hands of *metayers*, and the capital engaged in the corn trade small, violent fluctuations in the price of grain, scarcities and famines, are inevitable. But according to his custom, he has refuted himself most satisfactorily in another passage which we give, not because he refutes himself in it, but on account of its own intrinsic merit, and the faithful and accurate picture it conveys, of the actual condition of a country which has been for three quarters of a century under the government of the East-India Company.

'Notwithstanding the innumerable water-tracks which pervade the lower portions of the Bengal province, there is no part of India where communication by means of good roads or navigable canals is so much wanted. Here are few nullahs [streams] navigable even for the

lightest craft, except in the rains, and no roads; so that it is only whilst the country is inundated that any thing like free intercourse prevails between one quarter and another. Every place is consequently left almost entirely to its own resources for four-fifths of the year, like a beleaguered city suffering every privation, whilst a general superabundance reigns perhaps throughout the country.'

'Then, again, canals for irrigation. In Bengal irrigation is scarcely known; yet there cannot be a doubt of the incalculable advantage to agriculture which it would produce. The soil of the lower parts of Bengal is not refreshed in the moderate degree congenial to cultivation. It is either inundated, or parched almost to absolute sterility, like the effects of intoxication on the human frame: for having been the more drunk it becomes the more dry. And the soil is of that nature, that as soon as the moisture is evaporated, which a few days after the waters subside are sufficient to accomplish, the face of the earth becomes so indurated, that it resembles a surface of rock intersected by fissures, its miniature ravines, which no tender plant can perforate. It requires no more to convince one of the advantage which the command of refreshing moisture would give to the cultivator of such a soil.'—p. 281.

If the author will only reflect on this picture of the internal communication drawn by himself, as well as upon the absence of agricultural capital,—if he considers that the agriculture of India is universally conducted by a *metayer* system, a half or a third or a fourth to the state or the landlord and the remainder to the tenant,—and if he reflects that the only spirited capitalists, British-born subjects, are expressly excluded by an Act of Parliament from engaging in the internal trade in corn, he will no longer, we think, be disposed to consider the violent fluctuations in the price of grain to which he refers as unaccountable.

With respect to matters of government, the author states that he has come to the conclusion that 'on the whole it [the government of India] is wonderfully faultless; whilst, in the theory of its constitution, the government framed by Great Britain for her Asiatic dominions is, perhaps, as perfect as any human institution, under such circumstances, can be.' This is going pretty far for one who professes himself to be no 'partizan.' He had already denounced as execrable, the system which prevails with respect to the management of the principal branch of the public revenue, which embraces the interests of about forty millions of people, or full one half of the entire population of British India; and he had denounced the administration of justice and police as unpardonably bad. All this is not being 'wonderfully faultless,' but wonderfully full of faults. He states that the government of India has 'the vital benefit of being administered by those who have them-

selves been trained under the British constitution, who have been nurtured in the very bosom of justice, honour, and liberty.' All Englishmen being nurtured in the same bosom, it is exceedingly difficult to tell who is meant to be complimented in this passage. Can he mean the directors of the East-India Company, or the proprietors of East-India stock? If he does, the great majority of both, sitting in Parliament, vote against schedule A and schedule B, and so we must come to the conclusion, that Old Sarum, Gatton, and Co., constitute 'the very bosom of justice, honour, and liberty.' In adverting to the possible changes which may be made in the government of India, the author says that he expects no good from 'mere speculative theorists,' but trusts to 'men who have had experience of the manners, customs, and even moral obliquities of the people.' All we need say upon this subject is, that although we insist upon the application of general principles to the government of the Hindus, we deprecate the legislation of 'mere speculative theorists,' as much as he does. The evidence of men of experience we agree with him is worthy of being heard respecting the 'moral obliquities' of the people, provided always, however, that the men of experience have 'no moral obliquities' of their own.

The patronage of India, the author thinks, ought to be continued in the Directors of the East-India Company. It is there, he says, 'so distributed, so dissipated, so dispersed, that like the rays of the sun in the arctic regions, it is seen but hardly felt.' He seems in this simile to forget his Koran, and to adopt to a certain extent the ancient worship of the Magi. He can hardly be less than a worshipper, who thinks of the sun—even the sun in Lapland—when speaking of the Directors. No facts, however, are stated in respect to the patronage, and as we do not think proper to deal with mere assertions, we pass over the subject for the present. The author offers it as his opinion, that the Board of Directors are likely to be more competent to exercise 'the reality of power' in governing India than the Board of Control, on account of the superior personal experience of the Directors. In point of mere personal experience, there does not appear to be much to chuse between the parties. Since the institution of the Board of Control, near fifty years ago, the leading Directors have for the most part been men who have either never been in India, or never held any official station there. The majority of the present Directors, like their predecessors, are respectable city merchants and bankers. If there be men in the Board of Control, and there ought to be no other, who make the science of government the study of their

lives, they are more likely to be better informed than men who ought to make trade and banking the study of their lives. To use the author's own words, what superiority 'in knowledge of the people, of their manners, customs, religion, laws, peculiarities, prejudices, virtues, vices,' can the merchants and bankers of the city of London, who have their own affairs to attend to, possess over the members of any Board of Control whatever? The author is wroth with the designation of United Company of Merchants trading to the East Indies, and calls it 'an antiquated and mischievous misnomer.' Nothing can be more easy than to get rid of this 'mischievous misnomer' by dropping the character and pursuits of merchants; but until this be done, it would be a misnomer to call them anything else. If they are resolved to be sovereign merchants, they must also be merchant sovereigns.

In a similar strain of argument, perhaps of declamation, the author proceeds for three-and-thirty pages. It would not be profitable to follow him; we must, therefore, deal with facts. The government framed by Great Britain for her Asiatic dominions, and which our author pronounces to be in theory 'as perfect as any human institution can be under such circumstances,' may be admitted to have answered the purpose of its original framers, that of converting the administration of India, as Burke predicted, 'into a mystery of state.' If the original charter of government had not been somewhat invaded in 1813, Burke's picture of the consequences would at this day, and after the lapse of half a century, have been complete. 'One half of the globe would have been hid even from the common liberal curiosity of an English gentleman.' The Court of Directors and Board of Control, have been long bandying the name of responsibility, while in reality no party has been responsible to the public. Some laudable and some bad measures have originated with both, without the public having had the slightest opportunity for near fifty years, of tracing either to the parties, so that they might receive applause in the one case, or reprobation in the other. From recent evidence it would seem that most of the liberal acts have originated with the Board; but to this there appears now to have been one signal and great exception, which as an example of the working of the system, deserves to be particularized. This was the adoption of the serf system, or system of state *metayerie* in respect to the land-tax, to which we have already alluded, and the obstinate rejection of a permanent assessment. This permanent assessment had not only been commanded by statute, but solemnly pledged to the inhabitants of one portion of the Company's dominions in Bengal

amounting to near seventy thousand square miles, a country as large as Great Britain, by proclamation of the governor-general, and by two express acts or laws of the Indian legislature. The home authorities never disputed the propriety of these enactments for seven years together; at the end of which time they suddenly commenced an open warfare against them, which they have now continued for twenty years, and at an interval of thirty years after the pledge was first given it is still unredeemed. This measure, it appears, was, in the first instance at least, forced upon the Directors by the Board. It seems that a respectable officer of the Board, but one unknown to the public and utterly irresponsible for his acts, had become enamoured of the character and talents of an Indian governor who hated permanent settlements, and this officer induced successive presidents of the India Board to join in his worship. With this well-meaning officer originated the breach of promise, and through the influence of his example the same policy has been persevered in. It originated in the prospect of unbounded revenue, a prospect, as we have already seen, so justly and signally defeated; and the arguments used in justification were derived from some blunders committed in the assessment of Lord Cornwallis. This is a sufficient example of the government which is so 'perfect in theory.'

As to the Court of Directors, it is scarcely necessary to tell our readers that it is a self-elected corporation, much resembling other corporations of the same nature, consisting nominally of twenty-four gentlemen, but virtually of thirty, and sharing between them a patronage worth from half a million to 600,000*l.* sterling per annum. Once a director ever a director up to eighty. The actual administration of India, in so far as the directors administer the affairs of India, is vested in a few of the elders who rise by seniority to the capacity of governing an empire. To maintain this system the people of England alone, pay about a couple of millions per annum in the shape of an overcharge for indifferent tea. The people of India pay everything that can be got from them. Of the cost of maintaining this system, so 'perfect in theory,' we shall give one example drawn from official documents. The salaries and pensions at the East-India House, exclusive of Indian pensions, civil and military, were in 1817, and 1827, as follow:—

| | 1817 | 1827 |
|----------------|----------------|----------------|
| Salaries | £ 391,588 | 449,809 |
| Pensions | 53,570 | 100,110 |
| Total | <u>445,158</u> | <u>549,919</u> |

The whole charges, it will appear from this short statement, had increased in ten years by above 100,000*l.* sterling, the salaries being increased by above 14 per cent, and the pension-list nearly doubled. The charges of the Indian Board in 1814, and 1830, were as follow:—

| | 1814 | 1830 |
|---------------------|---------------|---------------|
| Salaries | £ 23,130 | 24,315 |
| Superannuations ... | 360 | 5,532 |
| Total | <u>23,490</u> | <u>29,847</u> |

The augmentation here in sixteen years exceeds 6000*l.*

The whole charges of the Home establishment, in so far as salaries and superannuations are concerned, appear from these statements to be, in round numbers, about 580,000*l.* per annum. This, however, is far from being the whole. Contingent charges are numerous and large. The mere expences incurred at the East-India House for repairs, taxes, coals, and candles, in 1830, amounted to nearly 60,000*l.* The value put by the Company on the East-India House and warehouses, is about 1,200,000*l.* which at a very moderate estimate, will give an annual rental of about 80,000*l.* We have here alone, therefore, a sum exceeding 700,000*l.* per annum. The number of persons employed on fixed salaries in the Home establishment is about 1,100,—a regiment of the full strength on a war establishment, or two on a peace establishment; and costing about the same sum as an army of 70,000 Sepoys. Of the good that is effected by this enormous expenditure we leave the advocates of the system to speak. The 'mystery of state' as Burke calls it, is kept up by creating work for the Indian government,—by the India House making work for the Board of Control, and the Board of Control for the India House,—by re-casting, and re-auditing Indian accounts already better cast and audited in India,—by writing, or giving cause for writing, despatches in duplicate, triplicate, and quadruplicate, which few read, and fewer understand,—until there be produced in the course of a twenty years lease, a warehouse of waste paper that would be an ample burthen for the entire establishment of the Honourable Company's baggage elephants. The whole of the 'state mystery' is, of course, conducted during the currency of the lease as much as practicable without the knowledge of the people of England or the people of India. Such is the system that is so 'wonderfully faultless,' and so 'perfect in theory!'

We have examined the 'Observations on the Law and Con-

stitution of India,' at greater length than some of our readers may be disposed to consider the book entitled to, and it may therefore be necessary shortly to explain the reasons. In the first place we were anxious to embrace the earliest opportunity of furnishing the public with some grounds for judging on the momentous question which is shortly to be discussed by the legislature, and in the next, the work of Colonel Galloway, now come to a second edition, is, with all its faults, by far the most respectable which has yet appeared in defence of the present system. It afforded, therefore, the best opportunity of examining the sort of stuff and argument of which such defence is made up. Within particular limits, the work, it ought in fairness to be added, is that of a man of learning, industry, and occasionally of acuteness. Those who are desirous of critical information respecting Indian terms, fiscal and judicial, will find in it a valuable store; and from the few examples extracted of judicious and accurate observation respecting the condition and manners of the people of India, our readers we are convinced will join with us in regretting that the work did not contain more of these, and fewer speculations on questions with which the author is less familiar.

From these statements it will appear, that the India Board, whose duty by statute it is to revise the entire proceedings of the India House, to audit the whole of the accounts, home and Indian, and to originate orders and dispatches to India on every question but commercial, costs less than one eighteenth part of the establishment at the India House. This is no proof that the charges are too small: it is only a proof that those of the India House are incalculably extravagant. Indeed the Board of Control, as it has been foolishly miscalled, for it ought to have been called the 'Board of Connivance,' has proved, from its first institution, little better than a quiet job for a Tory administration. When it was first instituted, the late Lord Melville took upon himself the performance of the duties of President gratuitously, his son, however, drawing, until 1827, a pension of 2,000*l.* a year for the father's services. He was content with his salary for the sinecure office of Treasurer of the Navy, and with various other sinecure offices Scotch and English, and the patronage of two Directors, which in those early and unprofitable times might amount to about 30,000*l.* per annum. The Minister, however, soon became weary of gratuitous services,

* Throughout this article recourse has been had for statements and figures to official documents; but as these have so recently been laid before the public, it has not been thought necessary to burthen the margin with specific references.

even under these seductive auspices, and in 1793, the charges of the India Board were fixed by Parliament at 16,000*l* per annum. In 1811, they were raised to 22,000*l* per annum, and in two years afterwards, to 26,000*l*. The actual charges, however, as we have seen, are not those prescribed by the Act of 1813, but exceed it by 3,847*l*. This, however, is not all, the Board has foisted its pensioners upon the irresponsible list at the India House, to the extent of 3,728*l*. 6*s.* 8*d.*, so that in reality, the charges of the Board amount, exclusive of office rent, to 33,575*l* 6*s.* 8*d.*, or to 7,575*l*. 6*s.* 8*d.* beyond what is prescribed by the Statute, which enacts, 'That the whole of the salaries to be paid to the members of the said Board of Commissioners for the affairs of India, and to the secretaries and officers of the same, together with all other contingent charges and expenses, should not exceed the sum of 26,000*l*. in any one year.' This was the state of affairs in the year 1827, and no doubt the Tories who imposed the charge and profited by it, will be able, with their accustomed ingenuity, to account for the surplus. The authors of the India Bill began with discreet professions of economy and disinterestedness, and the results are, that in thirty-four years time, the whole charges of one establishment have been more than doubled.

ART VII.—1 *The Pilgrim's Progress, with a Life of John Bunyan* By Robert Southey, Esq, LL.D. Poet Laureate, &c London, Murray M 401 18.0

2 *The Retired Mans Meditations, or The Myserie and Power of Godlines shining forth in the Living Word, to the unmasking the Myserie of Iniquity in the most Refined and Purst forms In which Old Light is restored, and New Light Justified, Being the Witness which is given to this Age* By Henry Vane, Knight 4to 1655.

3 *The Trial of Sir Henry Vane, Kt., at the King's Bench, Westminster* 8vo. 1662.

'MANY are poets who have never pen'd
Their inspiration—'

has been truly said by one of the greatest of those poets who have penned their inspiration, and whose thoughts and voices have gone into the uttermost parts of the earth. It may be truly said also, that many are poets whose inspiration, though it has been penned, has never assumed the form of 'numerous' verse. Indeed many of these have been endowed, whether such endowment be considered as a blessing or a curse, with a million times more of the poetical spirit than nine out of ten among those

whose names figure in many a 'corpus poetarum,' or are snatched from the dark oblivion which is their meed and assuredly will at last be their inevitable doom, in any popular collection of 'Lives of the Poets.' How many such have lived and returned to dust,—have died and made no sign to mankind of the soaring god within them!—strong and fervent spirits, of whom the world was not worthy, full of burning thoughts that have never been revealed, but have gone down to the grave along with them, destined to sleep for ever in the deep dream of a poet's soul.

But in such spirits all those thoughts do not so sleep. On the contrary, though they come not revealed to the world of man, linked either to epic or lyric song, their rest is rather like that of the worm that dieth not. While at times they assume the forms of angels of light, and point out to such men as the fervent and enthusiastic Vane a reign of everlasting peace and justice, purity and happiness, even on earth; they 'bite and gnaw' such a man as Bunyan, 'like a burning worm'—or, more vehement still, to use his own 'words that burn,'—'thoughts like masterless hell-hounds, roar and bellow, and make an hideous noise within him.' The rapture of such men's minds could find no parallel on earth; even as the gloom was bodied forth but in the hell of Dante and of Milton. Such men were not born to share the tame tame medium of duller and feebler spirits. They seemed now to be bathed in everlasting floods of celestial light,—and anon they walked in the valley of the shadow of death, and their souls seemed overwhelmed in the blackness of darkness for ever.

It was in vain for the spirits of such men to seek consolation and sympathy among the creatures of clay by which they were surrounded. Numa sought them in the communings of his own heart in Egeria's solitary grotto,—Mahomet and Cromwell in the dust of battle, and scorn for the race of mankind they cozened and swayed,—Vane in the theological hallucinations of his acute and extraordinary mind—and Bunyan, when he sought for them from his fellow-man by telling him he was afraid he had committed the sin against the Holy Ghost, received such return as the imaginative and devil-haunted tinker of Elstow might have expected from his God-fearing but unimaginative friend. His comforter replied, 'he thought so too.' Bunyan, however, very sensibly consoled himself with the reflection 'that this friend of his, though a good man, was a stranger to much combat with the devil.'

In the age of Vane and Bunyan, the imaginings of all the fervent and imaginative minds took the religious colouring of the age. Vane's whole career was one unending strife, not only

with the spiritual, but with what he considered the temporal enemy of mankind. Bunyan's struggles were confined to the spiritual. Their religious phantasy haunted them both to the last, and to both it turned out—although in its progress to Bunyan at least it had been a source of great mental agony—a firm hope, an enduring consolation. It cheered Bunyan in prison and in poverty; and it enabled Vane in prison and on the scaffold to display a composure and a dignity which have seldom been surpassed by man.

The phantoms of the brain that at times haunt strongly all imaginative men, would probably, had they lived in that age, have assumed the form of the juggling fiend, the tempting and ever watchful and malignant devil, whom Bunyan so often and so stoutly encountered with a spiritual, and to whom Harrison sometimes gave battle even with an earthly weapon. It requires little effort of the imagination to picture Samuel Johnson giving himself a breathing at the broad-sword exercise, or exhibiting himself as a master of fence against the assaults of such an enemy; and less still to shadow him forth in some of the athletic attitudes of Bunyan, vigorously and manfully repulsing the suggestions of the tempter, his very body agitated by the strong workings of his mind, 'pushing and thrusting with his hands or elbows, still answering as fast as the Destroyer said, "sell Him;" "I will not! I will not! I will not! no, not for thousands, thousands, thousands of worlds!"' Byron even, though that is more difficult, may be supposed pacing his midnight chamber the prototype of the dark and daemon-haunted Lara.

It has sometimes been made matter of wonder, that men in other respects so clear-headed, cool, and collected, as were Sir Henry Vane and Oliver Cromwell, should ever have given themselves up to such excesses of religious enthusiasm as they unquestionably sometimes did. The mass of the *esprits forts* as they have been called or have called themselves; by which is meant small wits and one or two men like Hume, men who are slow to understand enthusiasm of any kind, in this instance are on political grounds still more disinclined to regard it with a favourable eye, and probably having themselves at some period of their lives been exercised with Presbyterian intolerance, have made the theological vagaries of those great men a never-ending subject of ridicule. Let them laugh that win,—and if they think they have 'won', let them by all means continue their laugh. But the laugh of many small wits, and even one or two great ones, will never be able to put down a great and just cause. Some have attempted to explain the apparently paradoxical phenomenon above referred to, by saying that their

very enthusiasm on some points made them cool on all others. Experience does not seem to justify this opinion. Men are not generally disposed to commit the management of their worldly affairs to violent religious enthusiasts, in short to fanatics. But in reality this is an erroneous statement of the case. Those men were not fanatics. They were not more enthusiastic in religion than in everything else they undertook. They were at all times energetic agents, 'not slothful in business, fervent in spirit.' Who that has read of Vane, toiling from early morn till late night in parliamentary business, scarcely allowing himself time for needful rest and refreshment, or of Hampden and Cromwell labouring in committees over night and charging at the head of their regiments on the following day, can doubt this? They were urgent in business because they believed it right to be so; they were instant and fervent in prayer for the same reason. Their error lay in attempting to understand things that were not understandable. And this was not so much their error, as the error of their age. And mark how Milton avoided the error into which Vane fell, and to do so will illustrate our meaning. Milton, in his *Paradise Lost*, has treated many of the same subjects which Vane has treated in his '*Retired Man's Meditations*.' But Milton's work was a poem, and it proved one of the noblest works ever devised by man. Vane's was a theological tractate, and the same certainly cannot be predicated of it. Nevertheless, that it is not deserving of the censure that has been bestowed upon it, will be attempted to be shown presently. Milton would seem to have avoided in his prose writings the occasional darkness and extravagance of Vane and others, by having a vent for his more fanciful speculations in his verse. It may be remarked too, that Bunyan, after he began to employ his imagination in this, what perhaps for want of a better term may be called legitimate way, was no longer haunted by those airy phantoms that once nearly drove him into insanity; and, though he did occasionally receive a visit from his old enemy,—as, for example, when he replied to one of his hearers who complimented him on his 'sweet sermon' which he had preached 'with peculiar warmth and enlargement,'—'Yes, you need not remind me of that, for the devil told me of it before I was out of the pulpit,'—he no longer in his troubled visions beheld

' More devils than vast hell can hold.'

Clarendon and others complained of a 'peculiar darkness' in Vane's prayers. In the following passages taken from his prayer with his family and friends in his chamber on the morning of his execution there seems nothing peculiarly dark; on the

contrary there are passages that might to some persons seem too clear.

‘Thou art the great Judge and Law-giver; for the sake of thy Servants therefore, O Lord, return on high, and cause a righteous Sentence to come forth from thy presence, for the relief of thy despised People. . . . The day approaches in which thou wilt decide this Controversie, not by Might nor by Power, but by the Spirit of the living God. This Spirit will make its own way, and run through the whole Earth. Then shall it be said, Where is the fury of the oppressor? . . . Thy poor Servant knows not how he shall be carried forth by thee this day, but, blessed be thy great Name, that he hath whereof to speak in this great Cause. When I shall be gathered to thee this day, then come thou in the Ministry of thy holy Angels that excel in strength. We have seen enough of this World, and thou seest, we have enough of it. Let these my Friends, that are round about me, commit me to the Lord, and let them be gathered into the Family of Abraham the Father of the Faithful, and become faithful Witnesses of those Principles and Truths that have been discovered to them, that it may be known, that a poor weak Prophet hath been amongst them, not by the words of his mouth onely, but by the voice of his Blood and Death, which will speak when he is gone My hour-glass is now turned up, the sand runs out apace, and it is my happiness that Death doth not surprize me. . . . Little do my Enemies know (as eager as they are to have me gone) how soon their breaths may be drawn in*.

‘Oh! what abjuring of Light, what Treachery, what meanness of spirit has appeared in this day? . . . Lord, strengthen the Faith and Heart of thy poor Servant, to undergo this dayes work with Joy and Gladness, and bear it on the Heart and Consciences of his Friends that have known and seen him, that they also may say, the Lord is in him of a truth.

‘Oh that thy Servant could speak any blessing to these three Nations. Let thy Remnant be gathered to thee. Prosper and relieve that poor handfull that are in Prisons and Bonds, that they may be raised up and trample Death under foot. Let my poor Family that is left desolate, let my dear Wife and Children be taken into thy Care, be thou a Husband, Father, and Master to them. Let the Spirits of those that love me be drawn out towards them.’— *Trial of Sir Henry Vane, Kt.* p. 22. *Brit. Mus.*†

If Clarendon, Hume, or any other of the detractors of Sir Henry Vane, can produce a human composition in the nature

* This was on the 14th of June, 1662. On the 10th of July, 1663, articles of high treason were exhibited in the House of Lords against his murderer, Edward, Earl of Clarendon, Lord High Chancellor of England. — *State Trials*, vol. ii. fol. 553. fol. edit.

† This publication contains besides, several of Sir Henry’s notes, speeches, and thoughts on various subjects, which are not, as far as we know, to be met with elsewhere; and which, since the above work is very scarce, it is desirable should be republished.

of prayer, ancient or modern, that for sublimity, truth, simplicity, or pathos, can surpass the above, we will admit half of the calumnies they have propagated against this great injured man's memory to be not calumnies. Vane's was indeed a hard fate. 'The character of the murdered was to be written for posterity. The murderer had the pen in his hand; and with the same infernal skill which had contrived the doom, he could blacken for a while the very memory of his victim*.' In a late number of the *Quarterly Review*, the admirers and followers of Clarendon in the present day—those over whom the experience of all history has passed in vain—have even improved upon the malignant calumnies of Clarendon. He seems to have been able to deliver to these men all his hatred and more than all his malice:—which is extraordinary; for if Clarendon had cause to hate the man who had foiled him in debate and overreached him in council, the same cause does not extend to them. Unless, indeed, it may be explained on the grounds that they extend to Vane the benefit and privileges of the hatred they bear to those who stand in the same relation to them in which he stood to Clarendon. The writer in question attempts to establish a parallel between the age of Vane and the present, in which there is about as much exactness as in the 'comparisons' of the valiant Welshman, between Macedon and Monmouth.

Bunyan was committed to prison for presuming to think, in opposition to His Worship the magistrate, that he had received the gift of preaching as well as of tinkering. The churchmen of that day, no doubt, and of the age preceding, during Laud's reign, thought it foul scorn that tradesmen, much more tinkers, should take upon them the calling of divines. This was well answered in the following passage of May. 'To this were added those daily reports of ridiculous Conventicles, and preachings made by Tradesmen, and illiterate people of the lowest ranke, to the scandall and offence of many: Which some in a merry way would put off, considering the precedent times, that these Tradesmen did but take up that which Prelates and the great Doctors had let fall, preaching the Gospell; That it was but a reciprocall invasion of each others calling, that Chandlers, Salters, Weavers, and such like preached, when the Archbishop himselfe, instead of preaching, was daily busied in Projects about Leather, Salt, Sope, and such commodities as belonged to those Tradesmen.' [*May's History of the Parliament*. p. 114.] There is every reason to believe, that had it been required of him, Bunyan would have died the death of 'heroic martyrdom.' He says, 'Wherefore,

* Westminster Review, No. XVI. p. 349.

thought I, the point being thus, I am for going on, and venturing my eternal state with Christ, whether I have comfort here or no. If God doth not come in, thought I, I will leap off the ladder even blindfold into eternity; sink or swim,—come Heaven, come hell;—Lord Jesus, if Thou wilt catch me, do:—if not, I will venture for thy name!’ Mr. Southey attempts to draw a distinction between his situation and that of those martyrs whose example he was prepared to follow. The distinction is much the same as that drawn by Laud and his biographer Heylin; and the answer is the same in both cases. If it was ridiculous in the dissenters to decline such observances as the church prescribed, it was surely not less ridiculous in the church to insist upon compliance with them. In our own day, we have seen poor men taken into custody for meeting to learn the broad-sword exercise. But it seems stranger and harder still, to imprison men for assembling to worship God according to the dictates of their consciences. If the former act might by possibility be construed into an offence against the community, the latter hardly could. The question of idolatry and the stake is not a question of degree. Men, especially such enthusiasts as Bunyan, would just as soon resist unto the death for a very small as for a very great matter. And with reason; for if they are obliged to comply in the small, what security have they that they shall not likewise be obliged in the great?

The imprisoning and retaining as a prisoner for twelve years this poor man for acting according to the dictates of his conscience, was an act worthy of the dynasty of harlots which then governed England. What a contrast between the wasteful and luxurious court of Charles, and the condition in which the poor tinker of Elstow left his deserted family.

‘I found myself,’ he says, ‘a man encompassed with infirmities. The parting with my wife and poor children, hath often been to me in this place, as the pulling the flesh from the bones; and that not only because I am somewhat too fond of these great mercies, but also because I should have often brought to my mind the many hardships, miseries and wants that my poor family was like to meet with, should I be taken from them; especially my poor blind child, who lay nearer my heart than all besides. Oh, the thoughts of the hardships I thought my poor blind one might go under would break my heart to pieces!—Poor child! thought I, what sorrow art thou like to have for thy portion in this world! Thou must be beaten; must beg; suffer hunger, cold, nakedness and a thousand calamities, though I cannot now endure the wind should blow upon thee! But yet, recalling myself, thought I, I must venture you all with God, though it goeth to the quick to leave you! Oh, I saw in this condition I was as a man who was pulling down his house upon the heads of his wife and

children yet, thought I, I must do it, I must do it!—*Life by Southey*, p. lxx.

What a contrast between this really conscientious man and some of the time-serving prelates of that day. The man who delivered the following passage in a sermon preached before Charles II. had formerly made a panegyric upon Cromwell.—‘And who that beheld such a bankrupt beggarly fellow as Cromwell, first entering the parliament house with a thread-bare torn cloak and greasy hat (perhaps neither of them paid for), could have expected that, in the space of so few years, he should, by the murder of one king and the banishment of another, ascend the throne?’ Charles, on hearing this, fell into a violent fit of laughter, and turning to Lord Rochester, said, ‘Odds fish, Lory, your chaplain must be a bishop, therefore put me in mind of him at the next vacancy.’ O protégé, worthy of such patrons! what halcyon days! O golden age, as thou hast well been named, of the coward, the bigot, and the slave!

Mr. Southey dwells, with singular complacency, on the reflection how little of toleration was to be found in any sect of that day; but he does not appear to do justice either to the tolerance of the Independents, or the intolerance of the High Churchmen. Of the former it may be said to their honour, that they were the first religious sect in the modern world who set an example of religious toleration. Belonging to the latter, one individual, whom reasoning *à priori* we should take to be an especial favourite of Mr. Southey, is deserving of notice. The personage referred to, is no other than the most reverend father in God, William Laud. One passage in his life, strongly characteristic of his gentle and christian disposition, presents itself. On the 30th of April, 1633, he thus writes to that congenial spirit, his worthy and dearly-beloved coadjutor, Strafford. ‘There is one Christopher Sands, who, as I am informed, dwells now in Londonderry, and teaches an English School there, and I do much fear he doth many Things there to the Dishonour of God, and the endangering of many poor Souls. For the Party is a Jew, and denies both Christ and his Gospel, as I shall be able to prove, if I had him here. I humbly pray your Lordship, that he may be seized on by Authority, and sent over in safe Custody, and delivered either to myself, or Mr. Mottershed, the Register of the High Commission; that he may not live there to infect his Majesty’s Subjects.’*

The unfortunate man, it seems, was a Jew, ‘an Ebrew Jew,’ and the enlightened prelate’s horror of a Jew was not

*. Strafford’s Letters and Dispatches, vol. i, p. 82.

inferior to that of Sir John Falstaff. How His Holiness* must have regretted that the practice of pulling out their teeth had gone out of fashion, in that comparatively humane age ! May, the historian of the Parliament, was justified in saying of this man that his disposition was too fierce and cruel for his coat. That this cruelty, however, was not confined to those of his coat, the following fact will show. When Prynne, some time after having undergone his cruel sentence; again had to appear before the Star Chamber, several of the 'Lords of the Council' actually commanded the usher of the court to turn up his hair, and expressed great indignation that his ears had not been better cropped †. It would require no small portion of the genuine spirit of Christianity, for such a man to join afterwards in real earnest in the state prayer for 'the Lords of the Council and all the nobility.'

Hume the historian has been pleased to characterize the theological writings of Sir Henry Vane as 'absolutely unintelligible;' but he has not been pleased to inform us whether he had read them or not. After the brief analysis which we mean to give of some of them, the reader will probably agree with us in thinking that he had not. To pass an opinion upon a production which he had not read, is perfectly consistent with the character of Hume as a writer, and is what we should be led to expect both from his indolence and his dishonesty. It would be thoroughly of a piece with his effrontery in passing a judgment upon some of the writings of Aristotle, after perusing the 'titles of the chapters.'

We readily admit, that much of Vane's religious writings is to us unintelligible; but we deny that that is the fault of the writer. It is our fault to whom the subjects of which Vane treats and his mode of treating them are not familiar; nor will this appear at all paradoxical to those who understand how difficult it is, even on common subjects, to make the train of any one man's ideas exactly coincide with that of any other man's. It is also in some measure the fault of the subjects themselves, which we defy any man to write clearly or intelligibly upon. Yet we affirm, that in the attempt which we have considered it a duty due to a great and injured name to make, to read the above work, we have, in the midst of much that to us certainly appeared utter darkness, constantly encountered flashes of that bright genius, of that powerful, penetrating, and sagacious mind,

* We may perhaps be permitted to make use of this term, as it was bestowed on him by a body of no less authority than the University of Oxford.

† State Trials, vol. iii. p. 717, 8vo edition.

which was so much admired in the orator and the statesman. Whether it be true, as Hume affirms, that no traces of eloquence, or even of common sense, appear in these writings, the reader shall judge for himself.

Concerning the creation, nature, and ministry of angels, he thus speaks.

‘ These in their creation are described by the light which God made on the first day, Gen. 1. 3, 4. when he said “ let there be light, and there was light; and God saw the light that it was good:” approving this first work of his hands in the beginning of that day: and God by his dividing the light from the darkness, signified the heavenliness of their frame and constitution, as they stand exalted and separate in their beings from all sensual life, in the form of invisible spirits, whereof the material heavens in their creation are the first shadow; which are called, Prov. 8. 26. “ the highest part of the dust of the world;” as David also (giving account of both their creations together) Psal. 104. ver. 2, 3, 4. saith, “ who coverest thyself with light as with a garment: who stretchest out the heavens like a curtain: who layeth the beams of his chambers in the waters: who maketh the clouds his chariots, who walketh upon the wings of the wind; who maketh his Angels spirits, and his Ministers a flaming fire:” in which posture and preparation, the Psalmist describes the Word as he proceeds to the rest of the creation, ver. 5, 6, &c. intimating, that as man in his bodily state was made dust of the ground, so the Angels were made a flame of fire, in their natural constitution.’ — *The Retired Mans Meditations*, p. 12.

Again,

‘ As thus they are this heavenly building, they are the first heavens, the Tabernacle and clouds of heaven, or the air, for the day-break and glorious sun of God’s first appearance, to run his race and finish his course in; whereby to enlighten the ends of the earth, and all things under heaven. These sons of this morning are the first light-bearers to the Inhabitants of the first world, and therein are covering Cherubs unto the Son in his own proper glory; and that they may be enabled to bear light, or the similitude of Christ in his first appearance, unto others, they are first the receivers of that light in themselves, in a spirituality of being and form, fitted and suited thereunto, which accommodates them with the exercise of senses merely spiritual and inward, exceeding high, intuitive and comprehensive: a manner of life, shadowing out the divine life in the name of the Father, whose voice is not heard at any time, nor shape seen, but is like a consuming fire, to burn up and slay whatever natural Organ is conversant about it, or stands before the beams and raies of its most pure and invisible glory.’ — *Id.* p. 45.

Of the tree of knowledge of good and evil :

‘ In this tree of knowledge of good and evil man had the sight of himself in the exercise of his natural life and operations appertaining

unto him as he became a living soul; in the well or evil use whereof he might arrive unto the experience of the supream good held forth to him as the end of his creation, the endless life that was to follow; or else he might come by the forfeiture of the present good he enjoyed, to know the evil of a much worse condition then [*than*] at first he had: for the avoiding of which, and to continue in a posture meet to receive the other, God required him in the state of innocency to abide in a waiting frame of spirit, as a sojourner and stranger in the midst of his present enjoyments in the earthly Paradise, that so through his patient forbearance from taking up his Rest, or terminating his delight in seen things, he might preserve in himself an unengaged, unprejudiced spirit to what was yet behind of the counsel of God to be communicated to him, as to a more excellent attainment and inheritance to be exhibited to him in the light of the approaching day of the Lord, the beamings forth whereof, as considered in type, were already present.'—*Id.* p. 55.

Is this absolutely unintelligible? Are there no traces here of eloquence or even of common-sense?

Similar sentiments have been beautifully expressed by Milton, (though scarcely more beautifully than above by Vane), in his nineteenth sonnet.

When I consider how my light is spent
 Ere half my days, in this dark world and wide,
 And that one talent which is death to hide,
 Lodg'd with me useless, though my soul more bent
 To serve therewith my Maker, and present
 My true account, lest he returning chide;
 Doth God exact day-labor, light deny'd,
 I fondly ask, but patience to prevent
 That murmur, soon replies, God doth not need
 Either man's work or his own gifts; who best
 Bear his mild yoke, they serve him best: his state
 Is kingly; thousands at his bidding speed,
 And post o'er land and ocean without rest;
 They also serve who only stand and wait.

Of the fall of man:

'The occasion of this was twofold: First the present enjoyment of good from God under the ministry of the first covenant, the fruit of which, to the eye of flesh and blood even at its best, was so glorious, and appeared so beautiful and desirable, that man was easily persuaded that it was the best and highest attainment, hee needed to look after; and thereby, through Sathan's subtilty, rendered secure and negligent as to the use of means given by God to carry him on, pass him through and conduct him out of this his corruptible state, as from glory to glory, into the power of an endless life (without the intervening of sin) to the full and perfect securing of mans nature from all prevailing power of sins assaults for ever; which was not done by creation.

'The second occasion of mans fall, was the freedom of his will, wherein the judging and desiring faculties of his mind were entirely committed by God to his own free motion and operation, upon the terms of the covenant he was brought into with God; which was, to be dealt with according unto his works, to be rewarded with life or with death, as he should rightly order or abuse this liberty of action with which God had invested him by way of tryal and probation. That man had such a power of free-will as this,

'First, the nature and tenor of the Covenant he was taken into, doth demonstrate; which is conditional in reference to the works of man; And God throughout deals with man under that Covenant according to his works, strongly thereby asserting them to be mans own; so as the very reward which comes thereby, is accounted to him of debt, even the thing which his own action (as left alone unto himself therein) hath brought upon him, and entitled him unto.

'Secondly, without such a power of free-will, mans first estate could not have been mutable, at least could never have changed into corruption; for if it had been necessary to him to have stood, he could not have fallen; and if it had been necessary to him to fall, God had thereby made himself the Author of sin, which could not be.'—*Id.* p. 58.

Hume was himself a subtle reasoner; but he can show no reasoning more subtle than this.

Some might perhaps say, that in the following passage Vane vaticinated of the 'great unpaid.'

'We have already considered Magistracy as in its corrupted, degenerated use, it is in a manner the Throne and seat of the beast, serving to promote and advance the great design and interest of the Devill in the world; whereby it doth become part of his Kingdome and hath its place and use in the Government that Antichrist keeps up, to the oppressing and keeping under the deare Saints and Holy ones of the true and living God.'—*Id.* p. 383.

He then proceeds to show wherein he conceives magistracy 'as to the purity of its constitution and righteousness of its exercise,' to consist.

'Magistracy then is the Rule which God hath ordained to be exercised over the outward man, by man himself qualified thereunto, to act in righteousness and in the fear of the Lord, in discharge of this his high and great trust; and so is an office meerly respecting Rule and Government over men in their outward concernes, which is capable to be rightly used or not, according as the persons entrusted therewith, are qualified and do exercise the same, the office of it self being good, and the end for which it is set up, being according to Gods Ordinance and institution, for the ministring of punishment to them that do ill, and encouragement and protection to them that do well.

'And men may lawfully arrive and attaine unto this office and dignity, either in an ordinary way, through the endeavours and free choice

of men ; or extraordinarily, by the immediate call of God himself to the exercise thereof, making those that are to obey, “ willingly subject in that day of his power.”

‘ For the office it self, it is (as we have shewed) in Gods institution, a Rule that is set up over the outward man, in righteousnesse and in the fear of the Lord, obliging the persons intrusted with this power, to put forth righteousnesse in all their actings that appertaine to their publick charge.’—*Id.* p. 390.

In the following again he affords a glimpse of his great hobby :—

‘ And as in this, the principles of natural justice and right, in their highest improvement, are to be their Rule ; so the fear of the Lord should oblige them in a humble dependency upon him, and trembling posture of mind before him, to be watchful, in not suffering any thing to be done by them, that may carry in it, hinderance or opposition to the breaking in of higher discoveries upon them, as to the very exercise of the Magistratical office, in the purity and perfection, wherein it is promised to be brought forth in the last dayes by Christ himselfe ; unto which they should alwayes have willing and ready minds, to make way and to submit.’—*Id.* p. 390.

‘ —so that considered, such as God requires it to be, it is mans Ruling over men in righteousnesse, and in the true feare of the Lord.

‘ And this Christ, in his own person as the Sonne of man, is perfectly qualified to do, whose right also it is, having all power in heaven and in earth put into his hands. And his Saints when fitted by him, to sit upon the Throne of the same glory with him, shall likewise be found prepared to laing forth even Magistracy itself in its right exercise, exactly answering the end for which it was set up by God ; and so shall be acknowledged by all the Nations of the world, during the thousand years Reigne of Christ on earth.’—*Id.* p. 392.

Respecting the question as to whether the saints of God are to content themselves with having this in their eye only, and with the contemplation of it by faith, he says,

‘ Though the Saints should sit down in faith and patience, waiting to see this promise accomplished by the immediate power and hand of Christ, without entertaining any solicitude in reference to other meanes, they should not be disappointed nor fall short of their expectations at the last.

‘ But secondly, there is a duty of the day, a generation-work, respecting the time and circumstances of action, in which the lot of our life is cast, which calls upon us to use all lawful and righteous meanes that are afforded by the good hand of God, through the inward light and knowledge he vouchsafes, and outward providences and helps which he casts in, whereby to make way for, and to be hastening unto the coming of that day of God, wherein the old heavens and earth shall be rolled away as garments, yea, with the works that are therein, be burnt up, and the new heavens and the new earth wherein dwelleth righteousnesse shall be brought forth in their roome.

‘ Our part is the same therefore in this, as in the practice of other righteous duties appertaining to us, the perfection whereof we cannot expect until the redemption of the body ; and yet we are to be using all lawful meanes and endeavours, to come as near the Primitive patterne and Rule as we can, in our whole practice throughout.

‘ So that when once we have well considered what Rule Christ himself if he were on earth, would exercise over men, in protecting those that do well, and being a terrour to evil works, as also in distributing righteousnesse equally and impartially unto all, upon the grounds of right and just (which every one, in the measure of light they have attained, are acquainted with, and do acknowledge for the Rule which they are willing to be concluded under, as to all their outward concernes) we ought in the way of Christ, and in the use of all lawful meanes, to be as near this in our practice as possible we may, in the Rule over men, which we shall be either as principals or accessories in setting up, holding ourselves obliged in heartinesse and freedome of mind, to maintain.’—*Id.* p. 303.

He then refers to the case of his own country, and thus concludes.

‘ For if once the Lord be pleased so farre to enlighten the minds of men in these Nations, Governours and people, as to shew them the good of Magistracy as it is in its Primitive institution, and is held forth in promise, for to be restored in the last dayes ; It will then be their desire and delight to enquire and consider in a way of free debate and common consent, on behalfe of the good people of these Nations (who in all these great trials have stood faithful, and unshaken, as to the knowne cause they have beenc engaged in) how the Rule over them may be brought nearest to its first institution and original patterne, in the exercise and practice thereof amongst them (founded, as we have seene, upon the principles of natural right and just, and so exclusive to all private interest and personal concerne of any singulars that shall be found to stand in competition with, or preference to the good of the whole) and how that which is the Ordinance and Institution of God, may become also the ordinance and statute of man, established in a free and natural way of common consent to the reuniting of all good men as one man, in a happy union of their spirits, prayers and counsels, to resist all common danger and opposition, which by Devils or Men may be raised against them.’—*Id.* p. 395.

Of a truth the Fifth-Monarchy man appears to have had his approximations to the utilitarian republican.

We began to read with considerable interest, the Chapter on ‘ The thousand years reign of Christ,’ being prepared to regard this as Sir Henry’s strong subject. But we are compelled to admit, that we found it, to use Hume’s words, ‘ absolutely unintelligible.’ At the same time we think the opinion of Clarendon, expressed respecting another work of Vane’s, applies to it, viz.—‘ that the subject-matter of it is of so delicate a

nature, that it requires another kind of preparation of mind, and it may be another kind of diet, than men are ordinarily supplied with.'

The extracts given will, we think, be found sufficient for the purpose for which they are intended. A more complete analysis of this and other religious works of Sir Henry Vane, would be foreign to the general purpose of this work, and would be in itself, we conceive, an undertaking of no great utility.

Having already given the opinion of one eminent man on Vane's merits as a writer, we shall add those of two others (Bishop Burnet and Lord Clarendon), which appear more just, or at least expressed with more modesty than the former. Burnet's words are,

'For tho' he set up a form of religion in a way of his own, yet it consisted rather in a withdrawing from all other forms, than in any new or particular opinions or forms; from which he and his party were called Seekers, and seemed to wait for some new and clearer manifestations. In these meetings he preached and prayed often himself, but with so peculiar a darkness, that, though I have sometimes taken pains to see if I could find out his meaning in his works, yet I could never reach it, And since many others have said the same, it may be reasonable to believe he hid somewhat that was a necessary key to the rest. His friends told me, he leaned to Origen's notion of an universal salvation of all, both of devils and the damned, and to the doctrine of pre-existence.'—*Hist. of his own Time*, fol. 1724. vol. 1. p. 164.

The following is Lord Clarendon's opinion, previously alluded to, on his book 'Of the Love of God, and the Union with God.'

'Which when I had read, and found nothing of his usual clearness and ratiocination in his discourse, in which he used much to excel the best of the company he kept, and that the style thereof was very much like that of Sancta Sophia; and that in a crowd of very easy words, the sense was too hard to find out: I was of opinion that the subject-matter of it was of so delicate a nature, that it required another kind of preparation of mind, and it may be another kind of diet, than men are ordinarily supplied with.'—*Animadversions on Mr. Cressy's Answer to Stillingfleet*. p. 59.—From the Bibliograph. Britannic. Art. Vane.

In regard to mere style, there is but small similitude between Vane and Bunyan, as might be expected from the very different education their minds had received. In Bunyan, together with the vigour and freshness of a powerful, there is much of the

coarseness of an unpolished genius. In Vane, on the other hand, is found, joined to great intellectual power and acuteness, almost all the knowledge and philosophy of his age. In one respect these writers may be said to possess a resemblance. Whoever wishes to see the English language in all its vigour and freshness, will not consider the time lost which he may have devoted to the pictured and glowing page of Bunyan, and the subtle and powerful, though sometimes impalpable and uninviting, disquisitions of Vane.

ART. VIII.—*The Life of Frederic the Second, King of Prussia.* By Lord Dover.—London. Longman and Co. 2 vols. 8vo. 1832.

LORD Chesterfield in a letter to his son, thus speaks of a battle that had lately taken place between the Russians and Prussians. 'The late action' he remarks, 'has only thinned the human species, without giving either party a victory, which is plain by each party's claiming it. Upon my word, our species will pay very dear for the quarrels and ambition of a few, and those by no means the most valuable part of it. If the many were wiser than they are, the few must be quieter, and would perhaps be juster and better than they are.' This is a truth which every day's experience will make plainer; but we do not see how the matter would have been mended, had the action, instead of being a drawn one, given to either party a triumph. The species would have suffered probably as much or more from a victory, and the victor and the victim have been not a whit the wiser or the better. The royal game of war would have been still played out at the expense of human happiness and human life. The history of Frederic the Great is the history of a famous player at this game: he was a man so disciplined and endowed, that for half a century he was able to maintain himself almost alone and without aid against all comers, and ultimately succeeded in winning every prize he had contended for. Other lovers of this game generally play it by deputy, scarcely directing the moves at a distance, and only glorifying themselves in the fact that they are causing men to be pushed about, castles to be taken, and knights to be slain in every corner of the theatre of war; but Frederic was not a gambler after this fashion. He loved the sport and excelled in it; when he could not partake of it, he preferred that it should cease. It is chiefly for this that he is called *great*; like Alexander, and Charlemagne, he presided at the slaughter he commanded. He did not merely embroil the human race, he assisted in person to increase its confusion, and

did not fall a sacrifice to his temerity. He survived the hundreds of thousands he and his brother sportsmen caused to die: he was never caught in his own toils: he bagged more game than any of his rivals, and though it was the main end and hope of many of them to circumvent and ruin him, he escaped their every device, and turned their machinations upon themselves. This it is to be *great*.

The object of Frederic's life, as it had been that of his two immediate predecessors, was to consolidate his empire: it had been a duchy, it then became desirable that it should be a kingdom, and then a powerful kingdom: these are motives which in the eyes of all the world have justified, nay even sanctified, the wars of the Great Frederic. But what did human kind gain? What has Europe benefited by half a century of almost perpetual bloodshed and devastation? Nothing: but it was the taste of the times—the great Louis had been amusing himself in a similar manner for the previous half century, and now it was the turn of a yet greater. Frederic was scarcely dead, when all Europe was again set together by the ears, as if it were their destiny; as if they sprung out of the earth armed to the teeth, and with no 'organ' in their heads but that of 'combativeness.' We are not at all sure, that the many have grown 'wiser,' and the few 'quieter:' it is by no means certain, that the royal players are tired of the game, or their tools of being played with: the sheep of the fold do not carry their mutton to the shambles with more indifference, than the nations of the earth send forth their best and bravest to suffer and die at the bidding of a few wilful kings.

But Frederic could play at other games than the royal one of nine-pins. To be an extraordinary King is a fortunate accident; but for a King to be an extraordinary man, is an event of very rare occurrence, and only brought about by very peculiar causes. If ever a man who did little for posterity and less for his own age (though much for his own kingdom) deserved the title of Great, it was assuredly the subject of Lord Dover's Memoirs. His passion for war, or rather the passions which constantly led him into war, are a deduction from the true claims to greatness of any other kind, than that in which Jonathan Wild was great; but in this particular department of greatness, it is a subject of praise that he conducted himself as a consummate general, that he extricated himself from difficulties that must have crushed almost any other man; that he extorted the admiration of his very enemies, and ultimately gained his point by the exertion of perpetual self-government, never-failing vigilance, inexhaustible ingenuity, courage, fortitude, and patience, endurance

of privation, and contempt of luxury. It is on his generalship, on his success in war, on the sensation his battles made in his time, that the traditional greatness of Frederic chiefly rests; in this the poor multitude have, with their usual suicidal stolidity, glorified him for the qualities most noxious to themselves, while the truly great merits of Frederic as a magistrate, as a legislator, as a lover of justice, as the destroyer of privileges, as an indefatigable administrator and enlightened financier, in short, with the exception of his being a warrior, as the benevolent friend of his people, are permitted to sink into oblivion.

The work of Lord Dover is well timed. While Frederic lived, he filled the eye of the whole of Europe, and for some time after his death he was made the hero of almost every anecdote of the day; the world was surfeited with his name: then came the French Revolution; and such men as Beattie wrote *Essays on Truth*, with frontispieces describing the thrusting of Hume and Voltaire into the flames of Hell: we are not sure that Frederic has not a niche in the picture: but it was the cry to associate his name with the philosophers, the infidels, and other detestable persons, who were supposed to be conspiring to pull down the throne and the altar: and in England their efforts were eminently successful: in the years succeeding the French Revolution, the name of Frederic was pretty nearly as odious as that of Voltaire, and the *Quarterly Review*, in speaking of either, would not hesitate to class them both with Marat, Hebert, or Anacharsis Cloots. Peace however, as it is its wont to do, is dispersing the thick cloud of ignorance and delusion; men are inquiring freely again, and begin to turn round upon the teachers of error, and the professional propagators of interested falsehood. There is a pause, and reason resumes her seat. At such a time, light bursts in from all quarters; day by day we become wiser; the scales drop from our eyes, and the intelligent and the inquiring at the present moment might celebrate an almost perpetual triumph over error. The settling of high reputations on their true bases, is a proper employment at such an epoch. It was not to be expected, that Lord Dover would produce a work on so important a subject altogether in the rising philosophical spirit: he does not partake of it; neither if he did, is his mind of that character to excel in its exposition. But he is a fair and industrious compiler, and is sufficiently conversant with literature and society, to be able to select with taste, and collect without tediousness. Here in short are, in a moderate compass, the means of forming an enlightened opinion of Frederic, or at least the opportunity is presented of acquiring such a general notion of his education, life, and character, as will be highly

useful by way of text, to a deeper inquirer, or altogether satisfactory to one who wishes to obtain the information only as part of a general historical store.

The great peculiarity of Frederic's character is, that he followed the business of a King as other men follow a profession whereby they live. He gave up all his time to his duties, he studied them carefully, discharged them conscientiously, was warped neither by fear nor favour, despised pleasure, and kept all favourites at a distance out of the wholesome apprehension of being governed. His will was law it is true, but only because his will was under the despotic command of his duty: had he been as incapable of self government as Louis XIV. for instance, he would, like that monarch, have been ruled by every body about him, his mistress, his minister, or his valet; and instead of being the virtuous despot he was, would have become a vicious slave, decked out with all the trappings of royalty and the external ensigns of command. This assiduous attention to the duties of his position must be mainly attributed to the severe discipline of his youth, which his excellent good sense enabled him to turn to the best account. No King born to a throne ever passed through such a youth of hardship and privation: a sprig of royalty even in exile and misfortune can command a train; flatterers think it worth their while to trade upon the chance of a restoration; and pleasure seems imperative in the absence of occupation: but Frederic in his father's palace led a harder life than a London apprentice in the bonds of a cruel master. If he made a friend, his friend was sacrificed; if he complained he was punished; if he tried to evade, he was imprisoned; in one instance, as was well known, he was tried for his life, and if it had not been for the interference of the Emperor it is more than probable, that instead of his name being handed down as Frederic the Great, he would have been known in history as the young prince who fell a victim to the capricious cruelty of a tyrannical parent. What the old monster could not effect by physical, he tried to bring about by moral means,—by forcing young Frederic to stand over the execution of his friend Katt, who was put to death for assisting him to escape from his cruel thralldom. The prince was carried away ill from the scene, was seized with a fever, and narrowly escaped an eternal liberation from domestic misery. The good fruit produced by this severe discipline was an accident; it might have subdued the generous feelings, extinguished hope, cultivated fear, and encouraged the baser passions, in short engrafted the vices of a slave on one born to the power of a despot: its effect was altogether opposite; it taught him the mastery of his

passions and appetites ; he was subdued, but it was to himself and to his own purposes, the purposes of his wisdom and benevolence. In any man this is virtuous, but not altogether rare ; but in a King the rarity is so great, that the event seems miraculous. A good President of the United States, is an object of every day occurrence ; but a good King is really something to write a book about.

Frederic William, the father of the great Frederic, was also a great man in his way, and if he had not preceded in the occupation of the throne of Prussia, it is very probable the epithet *great* would never have been attached to the name of the son. He was, as has been stated, a cruel and capricious tyrant in his family, an unnatural father, and a brutal husband ; but his people were his treasure, and he husbanded them. Prussia was scarcely admitted in the rank of kingdoms : his father had been the first who had assumed the royal title, and by his profusion, parade, and littleness of mind, had attracted the contempt rather than the respect of Europe. His son Frederic William resolved that Prussia should be powerful and formidable. He had discernment enough to see that the wealth and prosperity of his people was the true source of power, and a well disciplined standing army the only argument likely to be understood by his neighbours. Thus, his people and his army became his passions ; for them everything was sacrificed that Kings usually prize : his father's household was dismissed ; in one day a hundred chamberlains bit the dust ; the royal establishment was reduced to that of a private citizen, and the royal family had far from enough to eat. Saving was the source of wealth ; the people were only to be taxed for the army ; the pensions of the royal academy were taken from savans and conferred upon midwives. Had there been many sovereigns in Europe with equal power and the same opinions, the race of the North would not have run small : those arts which the Duke of Bedford and Mr. Coke have employed to substitute a fine animal for a feeble one, the King of Prussia employed for elevating the standard of his army.

Like every other resolution adopted by Frederic William, its execution became a passion ; and though accumulation was another mania, it gave way before the fury for tall men. Giants were sought for in all neighbouring countries, and no tall man was safe ; every man of six feet six, though dwelling in the extremity of Europe, trembled in his shoes ; fathers were torn from their families ; priests from the very altar. The Abbé Bastiani was carried off while celebrating mass in a village in the North of Italy, and was not the only one. For *the great Joseph*, a monk, the King gave 5000 florins for enlisting, and paid 1500 rix-dollars.

to the monastery he belonged to. Andrea Capra cost 3500 rix-dollars, Andrea receiving 1500 as bounty money, and 2000 being paid to those who discovered and kidnapped him. But the most expensive recruit was James Kirkland, an Irishman, who cost the treasury the enormous sum of 1,267*l.* 7*s.* The items are so curious that we are tempted to make room for them.

| | £. | s. |
|---|--------|----|
| For the man himself, on condition of his giving up his person | 1000 | 0 |
| For the sending of two spies | 18 | 18 |
| The journey from Ireland to Chester | 30 | 0 |
| From Chester to London | 25 | 12 |
| The man who accompanied him on the journey | 10 | 10 |
| To himself on his arrival | 1 | 18 |
| Three years of wages promised to him | 60 | 0 |
| To some of his acquaintance in London, who helped to persuade him | 18 | 18 |
| A fortnight's allowance | 1 | 8 |
| For a uniform, shoes, &c. | 19 | 6 |
| Journey from London to Berlin | 21 | 0 |
| Post-horses from Gravesend to London, and back | 6 | 6 |
| To other persons employed in the business | 8 | 7 |
| To two soldiers of the guard who assisted | 15 | 15 |
| To some persons for secrecy | 12 | 12 |
| Expenses at the Inn at Gravesend | 4 | 13 |
| To a justice of peace | 6 | 6 |
| To a man who accompanied and watched him constantly | 3 | 3 |
| For a boat | 0 | 5 |
| For letters to Ireland and back | 2 | 10 |
| | <hr/> | |
| | £1,267 | 7 |

During the life time of Frederic William's father, it used to be disputed whether, without subsidies, that monarch could maintain an army of 15 or 20,000 men. His son solved the problem by his rigorous economy, by consulting the commercial and financial prosperity of the people as far as was compatible with his object, and by attending in person to all their grievances; so that from the first year of his reign he kept up 50,000 men, and at his death left an army of 75,000 men, consisting of the finest troops of Europe. At that time the population amounted to about two millions and a quarter. Frederic William's sole luxury was the manœuvring of his tall regiment; it was exercised from morning till night. It may therefore be supposed, that one of the first tasks he would wish to impose upon his son was that of the drill. But alas! Frederic, than whom in after-life no man ever loved drilling more, had no taste for military arts in his youth; he preferred his flute and his

books : and though his father got together a regiment of boys, their princely colonel took no pleasure in command, and neglected to discipline his youthful comrades. This was, probably, the foundation of the unnatural abhorrence the Corporal of Potsdam conceived for his son, the offence was visited with the utmost severity, with blows and abuse, and sometimes with confinement on bread and water. Frederic was fond of fine clothes and elegant literature, and his father said in despair, ' He is nothing but a cockcomb and a French wit, who will ruin the whole concern.' When the King entered the apartment of his son unexpectedly, he used to throw his uniform coat over his suit of brocade and hide his flute-master in the chimney. Frederic William was given to perpetual indulgence in spirituous liquors, his debauches brought on the gout, and it might have been supposed that suffering would have distracted his attention, and, at any rate, have impeded his personal vigilance. His family were soon reduced to despair when they saw him in his paroxysms of gout, glowing with intemperance and rage, mounted in a four-wheeled chair, in which he insisted upon being taken wherever he considered a little investigation would be useful. His daughter, the Margravine of Bareith, who has left us her amusing memoirs, he used to call the English Blackguard, and his son Frederic, the rascal Fritz, at dinner he would pelt them with plates, and after it make them pass in review before his chair, that they might be within reach of his crutch on one occasion, he struck the princess royal a blow that must have felled her to the ground, had it hit her, but as she avoided the stroke he caused himself to be rolled after her in his chair, but those who pushed him gave the poor girl time to escape from the apartment. This strange man had one kind of taste for the fine arts, he loved daubing, for it cannot be called painting, though his courtiers, of course, in his presence compared him to Raphael. A story is told of him, which for sharpness as well as meanness, is worthy of a King of Persia. ' Well,' said he, one day, to an attendant who was extolling the beauties of one of his pictures, ' how much do you think that picture would bring at a sale ? ' ' Sire, it would be cheap at a hundred ducats.' ' You shall have it for fifty,' said the King, ' because you are a good judge, and I am therefore anxious to do you a favour.' The courtier in future, no doubt, resolved to be more discreet in the terms of his criticism. On some of his pictures he inscribed ' Fredericus Wilhelmus in tormentis pinxit.' He seems to have been determined to have companions in his tortures : his treatment of young Frederic, which induced the latter to endeavour to make his escape,

was absolutely horrible; he used to spit into his plate, in addition to giving him food which alone sometimes made him and his sister vomit at table; he would seize him as he entered his room and cane him till for very lassitude he was obliged to cease; simply because his son learned music of a teacher of the harpsichord, a citizen of Potsdam, he had the man's daughter seized and publicly whipped by the executioner in various parts of the town. One of these acts of atrocious violence was thus told by Frederic himself to his sister. 'As I entered,' says he, 'the King's room this morning, he first seized me by the hair, and then threw me on the ground, along which, after having exercised the vigour of his arm on my unhappy person, he dragged me in spite of all my resistance, to a neighbouring window; his intention apparently was to perform the office of the mutes of the seraglio, for seizing the cord belonging to the curtain, he placed it round my neck. I had, fortunately for myself, the time to place myself upon my legs, and I seized hold of both his hands and began to cry out. A servant came immediately to my assistance and delivered me from his hands.' He then adds, 'I am daily exposed to similar dangers, and my miseries are so excessive and so desperate, that it is only violent remedies which can put an end to them.' The remedy adopted was an endeavour to escape—desertion it was called by the King, and dishonour; the attempts were more than once repeated, and invariably failed, and not even a deserter from his tall regiment could be more vilely or cruelly treated than was this the future hero of Europe. It was long before he was permitted any repose from persecution; some time, however, before the death of the King, he was permitted to fix on a retreat at Rheinsberg, to follow his own pursuits, and chuse his own companions. It was here that he began his system of early rising and intense study; he surrounded himself with congenial companions, establishing a sort of little social academy around his own board; not forgetting, however, the discipline of his regiment. The old madman would sometimes endeavour to surprize him by an early visit, and on one particular occasion, whether Frederic had received information, or it was his habit, he found him putting his troops through their exercise by break of day. A circumstance of the kind was enough to assure the old disciplinarian before he died, that all was not lost.

In what temper of mind Frederic availed himself of the advantage of tranquillity and repose, may be judged of by the following brief extracts from his letter written about this time: many such are to be found in his correspondence from Rheins-

berg, where, free from the insane persecution of his father, he indulged his taste for philosophy and intellectual amusement. It was here that many of his works in prose and verse were composed, and his correspondence with Voltaire, D'Argens, Rollin, and others commenced.

"I set off on the 25th to return to my dear garden at Rupin. I burn with impatience to see again my vineyards, my cherries, and my melons; and there, tranquil and free from all useless cares, I shall live really for myself. I become every day more avaricious of my time, of which I render an account to myself, and never lose any of it without much regret. My mind is now wholly turned towards philosophy: that study renders me wonderful services, which are repaid by me with affection. I find myself happy, because I am much more tranquil than formerly: my soul is much less agitated with violent and tumultuous emotions. I suppress the first impulses of my passions, and do not proceed to act upon them, till after having well considered the question before me."—"I am returned from Cleves, and am now a peaceable inhabitant of Remusberg, applying myself to study, and reading almost from morning till night. With regard to the news of the world, you will learn them better through the gazetteers than through me. They contain the history of the madness and folly of the great, the wars of some, the quarrels of others, and the childish amusements of all. These news are as little worthy the attention of a man of sense, as the quarrels of rats and mice would be."

'Upon another occasion he dwells with much complacency upon his continual and uninterrupted studies; and, as the fruit of them, dispatches to his correspondent an ode addressed to the Deity. "During the four months that I have been here, I have never ceased studying. I consider it a duty to employ my time well, and to derive as much benefit from it as I am able. As I wish to communicate to you some of my amusements, I venture to send you an ode, of which the subject has been no small assistance to me in composing it. Once more, my dear Diaphanes, excuse my follies, and regard this ode with some indulgence: it is not to extort your approbation, but to give you an account of my amusements, that I send it to you."—p. 204.

Somebody at this time accused the prince of irreligion. 'You know,' said he to his correspondent Suhm, 'that the charge of irreligion is the last refuge of calumniators, and that once asserted, nothing more need be said. The king took fire, but I remained tranquil and silent; my regiment did wonders; and the manual exercise, a little flour sprinkled upon the heads of the soldiers, men above six feet high, and a good many recruits, have proved arguments stronger than those of my calumniators.'

Frederic William at length died, leaving minute instructions as to what should be done with himself after death, even as to

the way the horses heads should be turned when the hearse arrived to take his body. One of his orders was a generous one : viz. that on the day of his funeral a festival should be given in his garden to the officers of his regiment, and that the best cask of hock in his cellar should be opened ; expressly directing, that ' at this repast, good wine alone should be drunk.'

The accession of Frederic to the throne occasioned an entire change in his apparent character and pursuits. The literary recluse was instantly converted into the man of business, the statesman, and the general. Literature, which had been his occupation, became the resource of his leisure hours : he laid down a division of his time, to which he adhered during his long life with exemplary punctuality and exactness ; and turned his day to such an account, that he did really, and not nominally, transact the whole business of the state. His ministers were converted into clerks, and clerks too who were compelled to attend to their work. With all this, he contrived to spend as much actual labour on his favourite pursuits of poetry, history, and philosophy, as many men who consider themselves devoted to them. He had a mania for writing French verses : the occupation was more than relaxation to him ; it was, he said, actual repose. Whatever may be thought of his verse, it is impossible for any one who has paid any attention to his different historical works, to deny that they are productions of great value and authority. The style is peculiarly pointed and luminous, and the remarks with which they abound, are full of the wit, and the good sense, and the knowledge of mankind, which characterize Frederic's habitual trains of reflection.

It would have been impossible for Frederic to have got through such a variety of affairs as continually solicited his attention, and which were invariably and methodically dispatched as they occurred, without the habit of early rising. He was, however, naturally a lover of sleep ; and he found it exceedingly difficult to accomplish his object. The method by which he ultimately succeeded, may be useful to those who cannot, however, enforce it on the same penalty. He ordered himself to be called at four in the morning ; but, at that hour, he was unwilling to rise, and begged for a little more time, which, it may be readily supposed, was not harshly refused ; and thus, instead of rising at four, he found himself in bed at six : in vain he scolded and commanded—no one could be found who would obey Frederic awake, and resist Frederic half-asleep. At last, determining to vanquish himself and his nature, he commanded the person whose business it was to awake him, under pain of being made a common soldier for life, every morning to

dash upon his face a towel steeped in cold water. By this measure he conquered his somnolency, and continued to rise at four o'clock till an advanced period of his life. This is a type of his whole life; where he suspected a weakness, he instantly flew in the face of it, and instead of being merely content to overcome it, he rushed to the very opposite extremity; an admirable system, it may be observed, by which a man may convert the very defects of his nature and education into virtue. Few of Frederic's qualities were more remarkable than his coolness in the field; and yet, in the first engagement in which he commanded, he fled from a victory, carried away, it has been said, by a body of his own routed cavalry. He only stopped at some distance, where he took refuge in a mill. This was at the battle of Mollwitz, where it was said—'il s'étoit couvert de gloire et de farine.' Whether this was a momentary fit of panic or not, it is most certain, that had it been so, Frederic would have forced himself to subdue the unworthy feeling, and, in his next engagement, have punished his shrinking frame by a more than necessary exposure. In only one point, did he yield even a transitory triumph to the baser and corporeal passions: he was an epicure, and somewhat of a glutton; he had an enthusiasm for pork-pie and many other good things; he constantly maintained in his kitchen twelve cooks of twelve different countries, each of whom was expected to excel in his national dishes. When his guests grew tired of philosophy, he used to give them, according to his own phrase, a chapter of Duval, his French cook, whose works, it may be added, he never ceased to love as long as he lived. It has been alleged as a defect in Frederic's character that he was destitute of feeling, and instances of his apparent ingratitude are on record. The persons who had greatly befriended him while suffering under the persecutions of his father, and exposed themselves in his behalf to the most serious hazards, were never sought for after his succession. In some instances their claims were rejected, and they were, on the whole, discountenanced. Whereas to the men who had aided and pointed the tyranny of the late king against him, he continued to behave with undeviating favour. The fact is, that this extraordinary man appears to have laid it down as a rule, (and rules were with him inviolable,) that all rewards should be distributed solely with the view of forwarding, in some view, the advantage of the state. It might be difficult to bring the services of his former friends into this category: they had, on the contrary, contravened the authority he was now bound to uphold, and the patronage of such benevolent treason might seem to him as likely to act directly to the encouragement of

disobedience to the royal will. This may be termed cold, unfeeling, and ungenerous; but it may be doubted whether warmth of feeling is a safe guide to the magistrate. Frederic certainly considered justice a much surer rule than generosity. It is not, however, by any means necessary to defend this trait, but it may be curious to reconcile it with the real character of Frederic, who was, as might easily be shown, a man of a tender and affectionate disposition.

His predominant passion certainly was the aggrandizement of Prussia, and the consolidation of its resources: with this view, war was only subsidiary; and even glory was altogether secondary to the satisfaction he experienced in accomplishing an object which reason and duty had set before him. His heart was in ruling: 'Believe me,' said he to the Bishop of Varmia, 'if I knew every thing, if I could read every thing myself, all my subjects should be happy. But alas! I am but a man!' His aim was to be as much of a king as it is possible for a mere man to be. With this object of ambition before him, he saw or felt that it was incumbent upon one placed in his situation, to cultivate sympathies with bodies of men, rather than with any individuals; to consult the interests of masses instead of his own private tastes. In all the anecdotes that are told of him, and there is a more charming collection of Fredericiana than remains to be told of any other single person, there may always be found a public virtue. He neither rewarded nor promoted nor punished for the satisfaction of an impulse of his own, but on a calculation of the advantages that must flow from such a course of proceeding to some body, the prosperity of which he considered necessary to the state. An illustration of this view of his character, may be found in his decided objection to the punishment of death generally among his people, and his remorseless application of that and all other rigorous inflictions in the army. Looking at this difference of principle, as regards the people he might be called humane, as regards the army cruel; but he was neither: humanity he would have plucked out of his bosom, had he found it militating there against the true interests of the people: and as to cruelty, his passions were far too well regulated, and his reason too paramount, to permit him to harbour so untranquil a guest: he was in both cases politic. Frederic considered that the existence and independence of his kingdom depended upon the discipline and moral condition of his army; it was moreover his opinion, that these were only to be maintained by a vigorous and never-yielding administration of certain military laws, and in this manner he caused them to be administered. With his people

it was different; in the more complicated and more natural relations of civil life, he saw the punishment of death and other severe punishments, to be attended with much mischief and little benefit, and he discountenanced them. No doubt his heart rejoiced that his feelings and his reason in this pronounced the same sentence. He remembered the execution of Katt, of which he had by violence been made the wretched witness.

In the administration of the tremendous laws of Prussian military discipline, there was no exercise of caprice; nothing which indicated love of power. The King had handed power over to the law; it took its course, as our judges say; not when he let it, as they do, but as if by its own nature, irresistible, inevitable, fatal. Thus in his army, Frederic does not seem to have been considered, either as the fountain of mercy, or the giver of misery and death, and consequently was as little dreaded as the meanest of his officers; and if he was loved, it was the general who led them to victory, who succoured their battalion when hard pressed, and who saw with his own eyes his soldiers earn their claims to promotion or distinction.

Frederic's intense love of justice was another of those general sympathies, which extract the venom from despotism. In proportion as he loved it, so he hated its delay: he was determined, as he said, to destroy the 'hydra of chicanery,' and as if to shew that law reforms are the most difficult of all to effect, and that an old lawyer is a person of more inveterate prejudices and more bigoted habits than even an old churchman, the reduction of the Prussian laws into a code gave Frederic more trouble, and caused fiercer disputing, than any of the other changes he brought about. But Frederic had a will of iron, and an eye that nothing could blind: the law was reformed. The inconsistent and barbarous confusion of old Prussian law was reduced into a compendium of juster and clearer regulations by the Chancellor Coccei: the Code Frederic was of course faulty in some respects, and it became the dying delight of Arminians to pick holes in it: but Frederic knew that the way to correct its faults was to watch it in action. The Code Frederic was accordingly made the law of the land: after considerable experience and trial of its provisions, it was subsequently revised and remodelled towards the end of the reign of Frederic, by Chancellor de Cramer, and the king had the satisfaction of leaving behind him a code brought to as near perfection as the justice, intelligence, and experience of the courts could devise, and which still remains the law of Prussia.

An appeal was left from the judges to the king, which was productive of much practical inconvenience. The decisions of

the judges were not respected, and the king was overwhelmed with memorials, which, in his anxiety lest injustice should be done, he always caused to be examined, and in some sort satisfied. The judges complained, and with reason. The king had inconsiderately reserved the right for the protection of his people; for he would not trust the judges—not without reason perhaps—and seems to have suspected a constant leaning against the poor. His object had probably been to raise the character of the judges, deteriorated and corrupted under the reign of chicanery, before he gave up his legal right to interpose. The story of the miller Arnold is too well known to quote here: but Frederic's pertinacity proved the interest he took in such subjects.

In his church reforms Frederic was equally solicitous that the wishes of the people should be attended to in preference to the decisions of the consistory. Such answers as the following were sent by him upon three separate occasions:—

'Good character is the principal thing that should be regarded in a village pastor. If he pleases the peasants, do not trouble them about it.'

'His majesty has no wish to prevent the congregations from choosing the pastor they like best, since it is to them he is to preach; provided always, they select a man of good morals and irreproachable conduct.'

'I will not have the peasants annoyed about their clergy and their schoolmasters: on the contrary, it is my intention, that you should give them those they wish to have, provided there is nothing to be said against their conduct.'—p. 434.

Great improvements were also made in the collection of the finances, and the regulation of the taxes, which, always light, were not materially increased by Frederic, although the revenue was nearly doubled in the course of his reign; and in spite of his numerous wars, Frederic left behind him an enormous treasure, which was put to no other use than being heaped in the cellars of his palace.

On the whole it may be said of Frederic, that although he considered himself bound to engage in, and carry on many afflicting contests, he, on the whole, greatly increased the prosperity of his country; and that if we did not know a much better plan for securing the happiness of a people than to trust to the accidental occurrence of a beneficent monarch, we should pray for despots cast in the mould of Frederic of Prussia.

ART. IX.—*The Alhambra*. By Geoffrey Crayon, Author of 'The Sketch Book,' 'Bracebridge Hall,' 'Tales of a Traveller,' &c.—London; Colburn and Bentley. 2 vols. 8vo. 1832.

WASHINGTON IRVING, when he came to this country, and gave the world, under the name of the Sketch-book, his first cis-atlantic production, did judiciously in selecting the pseudonyme of Geoffrey Crayon for his writings and paintings. They are works of art: he is to be classed with Wilkie, Leslie, and Turner. He does not teach; he does not narrate; he does not celebrate; he catches situations; he has an eye for effects, moral and picturesque; and he employs and works them into his pictures, as a painter does his memoranda,—and lends them all the advantages to be derived from nice drawing, accurate perspective, tasteful disposition, and, above all, a rich and mellow colouring which spreads a glow over his subjects, like the subdued splendour of sunset. There is scarcely a page of his works that the artist could not follow stroke by stroke, touch by touch, and imitate to the faintest tint. His books might be painted, framed, glazed, and hung up. Some pictures might possibly be tame, some common-place perhaps, but these exceptions would be rare; nearly all would be marked by a gentle grace, or a playful humour,—some would be even bold and picturesque,—many clothed in soft enchantment, like the finest efforts of Claude. All the works of the author published previously to the *Alhambra*, would excel it in variety, none in the richness of its subjects. The Sketch-book and its continuations *Bracebridge Hall* and the *Traveller's Tales*, enjoy a wider field; and good use is made of the more ample materials. In the *Alhambra*, on the contrary, he has confined himself to a particular spot, and is contented with roaming no farther than among the courts and up and down the lofty towers of his temporary residence. The *Alhambra* is a Sketch-book, not in Spain, but in Granada; and within Granada again, the author, like the 'legendary tailor' he speaks of, scarcely steps across the threshold of a palace or its precincts.

No subject could be better adapted to the author's peculiar manner of viewing objects, than the ruins of the *Alhambra*. The things of this world appear to Washington Irving only as food for art. They are regarded, with a view to pointing a moral or adorning a tale, as they are sentimental or picturesque. He is the antipodes of him who said, that *Paradise Lost* proved nothing: he would take the whole world upon trust, and believe with Berkeley in the non-existence of matter, provided a superficies were left on which the resources

of art might be employed. The shadowy past is preferred to the present, because it is more readily adapted to the purposes of the painter; a ruin is more respectable than good repair, because it can be connected with romantic associations. A painter would much prefer, as a study, the most ragged of beggars to the most finished of gentlemen: but then the rogue must not be mere meanness and poverty. There must be something about him that speaks of better days; he must take his crust of bread with a mingled air of dignity and gratefulness; his robe must have the motley composition indicative of thrift as well as poverty. Such a subject is poor in the ignorant present, but as he stands, he is a whole volume of the past: his wardrobe is a history, and every line in his countenance, every sign of decay, seems to tell of the days that have been. It is the same with a building: the gayest palace in Europe would be barren in the eyes of the sentimentalist, compared with the ruined courts and historical halls of the Alhambra. They are greatly mistaken who imagine that the luxuries of sentimentalism—when they can be afforded, as in advanced stages of civilization, and when they are not of a kind to enervate—may not be reconciled with an enlightened view of the doctrine of utility. Works of this description are not to be classed with others which directly tend to the progress of improvement of mankind: but nothing which in any condition of society contributes to increase the stock of innocent or elevating enjoyment, can be an object of indifference to the true utilitarian. Prout, who gives such characteristic sketches of the old continental towns, is not to be esteemed with a Rennie or a Smeaton; but he who despised such specimens of ingenuity and taste, would deserve to be laughed at with the mathematical vilipender of Milton's poem.

The Alhambra is, perhaps, the finest subject in Europe for one of these Old Mortality restorers of ancient monuments,—these searchers in the present for the signs of the past. The Moors may be, as they have been considered, the very fathers of romance; and certainly their wild invasion of Europe, their rapid conquests, and their subsequent discomfiture and dispersion, are among the most fruitful sources of poetical description. Their contests with the Gothic Spaniard have been celebrated in a wonderful variety of verse, and to this day form the main staple of the popular poetry of the Peninsula. The Alhambra is a monument of their most palmy state of prosperity; and it was their last strong-hold when driven from Europe by the victorious chivalry of Ferdinand and Isabella. The fashion of its architecture, and the character of the beauty of this far-famed fortress-palace, are strictly adapted to poetical description; and

now that its halls and courts and towers are crumbling to decay, and their harder outlines have been broken down and softened by the hand of time, while enough remains to indicate all and more than the magnificence and grace of their perfect state—the whole site may be said to be duly prepared for such an inmate as the author of the Sketch-book. We are not to be surprized therefore to find him taking up his abode in one of the suites of deserted apartments, remaining there several months, and in fact becoming domesticated among the ‘sons of the Alhambra,’ as the ragged race who have found shelter within its walls denominate themselves. The author, however, does not abruptly plant us in the COURT OF LIONS. Although he favours us with but a scanty portion of his ‘Travels’ in Spain—a too valuable material to be poured out with the profusion of the ordinary tourist—he is liberal enough to show the road, and describe his adventures between Seville and Granada.

It was in the spring of 1829, that the author, in company with a friend, set out on this rambling expedition; they were on horseback, the better to enjoy the romantic scenery of Andalusia, and were attended by but one follower who served as squire in all its various departments, and to boot, as a study for a modern Sancho. With that playful fancy characteristic of Washington Irving, by which the description of a milestone could be made charming, the youth charged with a roving commissariat duty is made to usher the way to such adventure as may be expected in so brief a trajet. He entertains the travellers with proverbs, and amuses them by the pride he takes in his inexhaustible wallet and ambulatory larder. The meals are made by the road side; a green bank is the table; and the never-failing Sancho, a faithful cheery kind of creature, supplies a rich repast from his *alforjas* or saddle-bags. Passengers are few in Spain, and such pic-nics may be celebrated without the collection of a mob. On one occasion they had a visitor—a mendicant—a plain beggar he would have been probably to the uninitiated eye; but he glows in the pages of the *Alhambra*, a beggar of decorum and even dignity: nay, he had the look of a pilgrim. How invaluable is a taste for the picturesque. ‘He was evidently very old, with a grey beard, and supported himself on a staff, yet age had not bowed him down; he was tall and erect, and had the wreck of a fine form.’ This is a Belisarius, without his blindness. ‘His dress, though old and patched, was decent, his demeanour manly, and he addressed us with that grave courtesy that is to be remarked in the lowest Spaniard.’ He was already set down ‘for some broken-down cavalier.’ It was, however, but the innate courtesy of a Spaniard. When food

was given to him, he ate, but how? — He took his seat at some little distance from us, and began to eat slowly and with a sobriety and decorum that would have become a hidalgo. Tasting the wine, he held it up to the light, with a slight beam of surprise in his eye, then quaffing it off at a draught; “It is many years,” said he, “since I have tasted such wine. It is a cordial to an old man’s heart.” Then, looking at the beautiful wheaten loaf, “*bendito sea tal pan!*” “blessed be such bread!” So saying, he put it into his wallet. No one could more gracefully adorn an incident of this kind. He marks the other characteristics of the journey with equal felicity. The single heidsman, armed with blunderbuss and stiletto, prowling over the plain; the lonely shepherd, with his long slender pipe tapering like a lance into the air, the long train of mules slowly moving along the waste like a train of camels in the desert, and the muletter chanting forth rude and simple airs with a loud voice and long drawling cadence, seated sideways on his mule, who seems to listen with infinite gravity, and to keep time with his paces to the tune. In a very few lines the pencil of Irving conveys the general effect of Spanish landscape with more force and vividness than whole volumes of preceding travellers. ‘Many’ says he, ‘are apt to picture Spain to their imaginations as a soft southern region, decked out with all the luxuriant charms of voluptuous Italy. On the contrary, though there are exceptions in some of the maritime provinces, yet, for the greater part, it is a stern, melancholy country, with rugged mountains, and long sweeping plains, destitute of trees, and indescribably silent and lonesome, partaking of the savage and solitary character of Africa.’ And the analogy between the severe and lofty character of the scenery, and that of the people, is at least fanciful. The scenery, he remarks, ‘partakes something of the attributes of its people, and I think that I better understand the proud, hardy, frugal, and abstemious Spaniard, his manly defiance of hardships, and contempt of effeminate indulgences, since I have seen the country he inhabits.’ In the following brief extract a mountainous landscape of the south of Spain, is given with somewhat more elaboration.

‘Vast sierras, or chains of mountains, destitute of shrub or tree, and mottled with variegated marbles and granites, elevate their sun-burnt summits against a deep-blue sky, yet in their rugged bosoms lie engulfed the most verdant and fertile valley, where the desert and the garden strain for mastery, and the very rock is, as it were, compelled to yield the fig, the orange, and the citron, and to blossom with the myrtle and the rose.’

' In the wild passes of these mountains the sight of walled towns and villages, built like eagles' nests among the cliffs, and surrounded by Moorish battlements, or of ruined watch-towers perched on lofty peaks, carries the mind back to the chivalric days of Christian and Moslem warfare, and to the romantic struggle for the conquest of Granada. In traversing these lofty sierras, the traveller is often obliged to alight and lead his horse up and down the steep and jagged ascents and descents, resembling the broken steps of a staircase. Sometimes the road winds along dizzy precipices, without parapet to guard him from the gulfs below, and then will plunge down steep, and dark, and dangerous declivities. Sometimes it straggles through rugged barrancos, or ravines, worn by winter torrents, the obscure path of the contrabandista; while, ever and anon, the ominous cross, the monument of robbery and murder, erected on a mound of stones at some lonely part of the road, admonishes the traveller that he is among the haunts of banditti, perhaps at that very moment under the eye of some lurking bandolero. Sometimes, in winding through the narrow valleys, he is startled by a hoarse bellowing, and beholds above him on some green fold of the mountain side a herd of fierce Andalusian bulls, destined for the combat of the arena. There is something awful in the contemplation of these terrific animals, clothed with tremendous strength, and ranging their native pastures in untamed wildness, strangers almost to the face of man: they know no one but the solitary herdsman who attends upon them, and even he at times dares not venture to approach them. The low bellowing of these bulls, and their menacing aspect as they look down from their rocky height, give additional wildness to the savage scenery around.'—vol. i. p. 11.

This only wanted some sign of humanity and civilization to give it a deeper relief. The taste of the writer felt the want, and was at no loss to supply it.

' It has a most picturesque effect also to meet a train of muleteers in some mountain-pass. First you hear the bells of the leading mules, breaking with their simple melody the stillness of the airy height; or, perhaps, the voice of the muleteer admonishing some tardy or wandering animal, or chaunting, at the full stretch of his lungs, some traditional ballad. At length you see the mules slowly winding along the cragged defile, sometimes descending precipitous cliffs, so as to present themselves in full relief against the sky, sometimes toiling up the deep arid chasms below you. As they approach, you descry their gay decorations of worsted tufts, tassels, and saddle-cloths, while, as they pass by, the ever-ready trabuco slung behind the packs and saddles, gives a hint of the insecurity of the road.'—vol. i. p. 10.

Travelling in Spain is no common-place, and would ill suit those who pull down inn bells, and curse inn waiters, if dinner be not on the table to a moment, or if it should have been at the fire an instant more than was becoming. 'In Spain,' says our

traveller, 'the most miserable inn is as full of adventure as an enchanted castle ; and every meal is in itself an achievement.' Disgusted with the accommodations of the country of post-chaises, he exclaims 'Let others repine at the lack of turnpike roads and sumptuous hotels, and all the elaborate comforts of a country cultivated into tameness and common-place : but give me the rude mountain scramble, the roving, hap-hazard way-faring, the frank, hospitable, though half-wild manners, that give such a true game flavour to romantic Spain.' To prove the pleasantness of this, he paints an evening at a little town among the hills, where a sort of ball was got up, on the occasion of his arrival, in the inn-yard ; and the commander of the patrol, 'a lively, talking, laughing Andaluz,' supped with them, and recounted his exploits in love and war, with much pomp of phrase 'and mysterious rolling of the eye.' In the mean time, the court-yard presented a picture of true Spanish festivity. 'The scene was a study for a painter : the picturesque group of dancers, the troopers in their half military dresses, the peasantry wrapped in their brown cloaks ; nor must I omit to mention the old meagre Alguazil, in a short black cloak, who took no notice of anything going on, but sat in a corner diligently writing by the dim light of a huge copper lamp, that might have figured in the days of Don Quixote.' At another time the author takes his 'hap-hazard' meal 'under a grove of olive-trees, on the borders of a rivulet, with the old Moorish capital in the distance, and animated by the ruddy towers of the Alhambra ; while, far above it, the snowy summits of the Sierra Nevada shone like silver. The day was without a cloud, and the heat of the sun tempered by cool breezes from the mountains ; after our repast, we spread our cloaks and took our last siesta, lulled by the humming of bees among the flowers, and the notes of ring-doves from the neighbouring olive-trees. When the sultry hours were passed, we resumed our journey ; and after passing between hedges of aloes and Indian figs, and through a wilderness of gardens, arrived about sun-set, at the Gates of Granada.'

In Granada the travellers have the good fortune to get the permission of the governor of the Alhambra to occupy his vacant apartments in the Moorish palace. Here the author remains several months 'spell-bound in the old enchanted pile,' and these volumes are the result of his reveries and researches during the period he terms a 'delicious thralldom.'

The fortress of the Alhambra, of which the palace occupies but a portion, stretches its walls, studded with towers, irregularly round the crest of a lofty hill, that overlooks the city, and

forms a spur of the Sierra Nevada or Snowy Ridge. In the time of the Moors, it was capable of containing an army of forty thousand men within its precincts. After the kingdom passed into the hands of the Christians, the Alhambra continued a royal demesne, and was occasionally inhabited by the Castilian monarch. The last royal residents were Philip V. and his beautiful queen Elizabetha of Parma, early in the eighteenth century. The sojourn of the sovereigns was transient; and, after their departure, the palace once more became desolate. Still the place was maintained with some military state. A considerable garrison was kept up, the governor had his apartments in the front of the Moorish palace, and never descended into Granada without some military parade. The fortress in fact was a little town of itself, having several streets of houses within its walls, together with a Franciscan convent and a parochial church.

The desertion of the court, however, was a fatal blow to the Alhambra. Its beautiful halls became desolate, and some of them fell to ruin, the gardens were destroyed, and the fountains ceased to play. By degrees the dwellings became filled up with a loose and lawless population, contrabandistas, who availed themselves of its independent jurisdiction to carry on a wide and daring course of smuggling, and thieves and rogues of all sorts, who made this their place of refuge from whence they might depredate upon Granada and its vicinity. The strong arm of government at length interfered, the whole community was thoroughly sifted, none were suffered to remain but such as were of honest character, and had legitimate right to a residence, the greater part of the houses were demolished, and a mere hamlet left, with the parochial church and the Franciscan convent. During the recent troubles in Spain, when Granada was in the hands of the French, the Alhambra was garrisoned by their troops, and the palace was occasionally inhabited by the French commander. With that enlightened taste which has ever distinguished the French nation in their conquests, this monument of Moorish elegance and grandeur was rescued from the absolute ruin and desolation that were overwhelming it. The roofs were repaired, the saloons and galleries protected from the weather, the gardens cultivated, the watercourses restored, the fountains once more made to throw up their sparkling showers, and Spain may thank her invaders for having preserved to her the most beautiful and interesting of her historical monuments.'—vol. i p. 43.

This is evidently American: we never talk of the French so, let them do what they may.

On the departure of the French troops, they blew up several towers of the outer wall and left the fortification scarcely tenable. A nominal garrison is however maintained, and some of the outer towers are occasionally used as prisons of state. The governor resides in Granada, abandoning his lofty apartments in the

Alhambra; and the custody of the palace is left to an old lady and her family, with whom Mr. Irving takes up his abode, and of course makes them sit for the fancy portraits. His first business is to take a view of the interior of the Alhambra. The Cicerone, Mateo Ximenes, who acts as his guide in his first visit, and who may be presumed to be the same person recommended to the attention of travellers at the conclusion of the *Chronicle of the Conquest of Granada*, becomes in the author's hands a classical personage.

'The common Spaniards have certainly a most poetical way of expressing themselves. "A son of the Alhambra!" the appellation caught me at once; the very tattered garb of my new acquaintance assumed a dignity in my eyes. It was emblematical of the fortunes of the place, and befitted the progeny of a ruin.'

'I put some further questions to him, and found that his title was legitimate. His family had lived in the fortress from generation to generation ever since the time of the conquest. His name was Mateo Ximenes. "Then, perhaps," said I, "you may be a descendent from the great Cardinal Ximenes?" "Dios Sabe! God knows, Señor! It may be so. We are the oldest family in the Alhambra,—*Christianos Viejos*, old Christians, without any taint of Moor or Jew. I know we belong to some great family or other, but I forget whom. My father knows all about it: he has the coat-of-arms hanging up in his cottage, up in the fortress."—There is not any Spaniard, however poor, but has some claim to high pedigree. The first title of this ragged worthy, however, had completely captivated me, so I gladly accepted the services of the "son of the Alhambra."—vol. i. p. 51.

Mateo Ximenes is made the familiar of the place: he is turned to all uses and services: he narrates traditions, retails gossip, supplies legends; and serves as an example in his own person of the sons of the Alhambra, and an illustration generally of the Spanish character.

It is impossible to follow the author through his ornate topography of the place, or trace with him the splendid scenery beheld from the tower of Comares. In the account of the old *Châtelaine* Aunt Antonia, and her niece Dolores, with whom Mr. Irving is domesticated, there is a great deal of fanciful writing, but in nothing is the art of serving up a trifle with elegance, and of converting a common incident into a charming narrative, so strikingly exemplified as in the chapter intitled the 'Truant.' The sum and substance of it is simply the escape of a dove, but how tastefully and entertaining the whole is amplified: from the description of the 'virtuous union crowned by two spotless and milk-white eggs,' to the 'council of war,' and the embassy to the *administrador* of the *Generalife*, on whose

towers the fugitive had been seen, and the subsequent recovery of the pet, whom the author the next morning found in the arms of his cherishing mistress Dolores. She 'upbraided him for his faithless conduct, calling him all manner of vagrant names (though, woman like, she fondled him at the same time to her bosom and covered him with kisses). I observed, however, that she had taken care to clip his wings to prevent all future soarings; a precaution, which I mention, for the benefit of all those who have truant lovers or wandering husbands.' The author falls in love with decaying apartments of great beauty, which had been fitted up by Italian artists some century before for Elizabeth of Parma, and determines to take up his abode in them, to the dismay of Donna Antonia and the little Dolores. This happy idea affords an occasion for some sketches of these remains of fallen grandeur, and his night vigils supply him with romantic trains of reflections.

'The sleeping-room I have mentioned, commanded from one window a prospect of the Generalife and its embowered terraces: under another window played the alabaster fountain of the garden of Lindaraxa. That garden carried my thoughts still further back to the period of another reign of beauty; to the days of the Moorish Sultanas.'

"How beautiful is this garden!" says an Arabic inscription, "where the flowers of the earth vie with the stars of heaven! What can compare with the vase of yon alabaster fountain, filled with crystal water? Nothing but the moon in her fullness, shining in the midst of an unclouded sky!"

'Centuries had elapsed, yet how much of this scene of apparently fragile beauty remained. The garden of Lindaraxa was still adorned with flowers; the fountain still presented its crystal mirror; it is true, the alabaster had lost its whiteness, and the basin beneath, overrun with weeds, had become the nestling-place of the lizard; but there was something in the very decay, that enhanced the interest of the scene, speaking as it did, of that mutability which is the irrevocable lot of man and all his works. The desolation too of these chambers, once the abode of the proud and elegant Elizabetha, had a more touching charm for me, than if I had beheld them in their pristine splendour, glittering with the pageantry of a court.'—vol. i. p. 117.

The 'Alhambra by moonlight' is the title of another Chapter. The chaste simplicity of its images, and the rich and harmonious flow of its language, are worthy of the subject. It would be difficult in any work to find a passage of more exquisitely chosen phrase than the paragraphs which open this Chapter.

'I have given a picture of my apartment on my first taking possession of it; a few evenings have produced a thorough change in the

scene and in my feelings. The moon, which then was invisible, has gradually gained upon the night, and now rolls in full splendour above the towers, pouring a flood of tempered light into every court and hall. The garden beneath my window is gently lighted up; the orange and citron trees are tipped with silver; the fountain sparkles in the moon-beams; and even the blush of the rose is faintly visible.

'I have sat for hours at my window, inhaling the sweetness of the garden, and musing on the chequered fortunes of those whose history is dimly shadowed out in the elegant memorials around. Sometimes I have issued forth at midnight, when every thing was quiet, and have wandered over the whole building. Who can do justice to a moonlight night in such a climate and in such a place! The temperature of an Andalusian midnight in summer is perfectly ethereal. We seem lifted up into a purer atmosphere; there is a serenity of soul, a buoyancy of spirits, an elasticity of frame, that render mere existence enjoyment. The effect of moonlight too, on the Alhambra, has something like enchantment. Every rent and chasm of time, every mouldering tint and weather-stain disappears; the marble resumes its original whiteness; the long colonnades brighten in the moonbeams; the halls are illuminated with a softened radiance until the whole edifice reminds one of the enchanted palace of an Arabian tale.'

'At such a time I have ascended to the little pavilion called the Queen's Toilette, to enjoy its varied and extensive prospect. To the right, the snowy summits of the Sierra Nevada would gleam like silver clouds against the darker firmament, and all the outlines of the mountain would be softened, yet delicately defined. My delight, however, would be to lean over the parapet of the tocador, and gaze down upon Granada, spread out like a map below me; all buried in deep repose, and its white palaces and convents sleeping, as it were, in the moonshine.'

'Sometimes I would hear the faint sounds of castañets from some party of dancers lingering in the Alameda, at other times I have heard the dubious tones of a guitar, and the notes of a single voice rising from some solitary street, and have pictured to myself some youthful cavalier serenading his lady's window; a gallant custom of former days, but now sadly on the decline, except in the remote towns and villages of Spain. Such were the scenes that have detained me for many an hour loitering about the courts and balconies of the castle, enjoying that mixture of reverie and sensation which steal away existence in a southern climate, and it has been almost morning before I have retired to my bed, and been lulled to sleep by the falling waters of the fountain of Lindaraxa.'—vol. i. p. 127.

The 'Inhabitants of the Alhambra' is in a very different tone. In the description of the tatterdemalion families who have become joint tenants with the bats and owls of its gilded halls, and hang their rags, those standards of poverty, out of its windows and loopholes, Mr. Irving exhibits that playful humour, which has justly caused him to be compared in this faculty, to

Goldsmith. The Spaniard, poor or rich, more particularly in either extreme, is a fine subject for dry grave humour. One of these classes at least is plentiful. How the sows of the Alhambra manage to exist, says Mr. Irving, he only who sees into all mysteries can tell. The subsistence of a poor Spanish family is a riddle; yet they do subsist, and what is more, appear to enjoy their existence.

'Here are two classes of people to whom life seems one long holiday, the very rich, and the very poor; one because they need do nothing, the other because they have nothing to do; but there are none who understand the art of doing nothing and living upon nothing, better than the poor classes of Spain. Climate does one half, and temperament the rest. Give a Spaniard the shade in summer, and the sun in winter; a little bread, garlick, oil, and garbances, an old brown cloak and a guitar, and let the world roll on as it pleases. Talk of poverty! with him it has no disgrace. It sits upon him with a grandiose style, like his ragged cloak. He is a hidalgo, even when in rags.'—vol. i. p. 138.

Of a superior class of the inhabitants of the Alhambra is the 'Veteran.' The brave old battered colonel of invalids, who strongly reminds the reader of some of the discontented and petitioning knights of St. Jago so happily described in the pages of *Le Sage*,—this 'Veteran' has taken a part in all the wars of his country: he can speak experimentally of most of the prisons and dungeons of the Peninsula—is lame of one leg, crippled in his hands, and so cut up and carbonadoed that he is a kind of walking monument of the troubles of Spain, on which there is a scar for every battle and bioil, as every year was notched upon the tree of Robinson Crusoe. Of course the Veteran is an ill-used man—his country has been ungrateful: he is neglected, and in revenge mixes up a good deal of wholesome bitterness with his opinions of the world. A pet grievance is, however, no bad thing for a man who has no occupation, more particularly in Spain, where, as is observed by the author, a man 'who has a law-suit or a claim upon government, may be considered as furnished with employment for the remainder of his life.'

The stories are partly legendary and partly historical: of the latter class, those relating to the unhappy Boabdil are the most interesting. Of the legendary and fabulous portion, all are Moorish, and several deserve to be Arabian. 'The Three Beautiful Princesses,' Zayda, Zorayda, and Zorahayda, is a charming narrative. Prince Ahmed al Kamel, or the Pilgrim of Love, is a very agreeable story. The language of birds, as in the eastern fables, is perfectly well understood, and with great ease inter-

preted. The chief agents are a parrot, a sort of lord chamberlain,—and an owl, who represents a philosopher, and is consulted on an affair of love by the Prince Ahmed, who has been brought up in perfect solitude that he may escape the dangers of the passion.

“Go to!” said the owl with a look of displeasure, “am I a bird to engage in a love affair? I, whose whole time is devoted to meditation and the moon?”

“Be not offended, most solemn owl,” replied the prince; “abstract thyself for a time from meditation and the moon, and aid me in my flight, and thou shalt have whatever heart can wish.”

“I have that already,” said the owl; “a few mice are sufficient for my frugal table, and this hole in the wall is spacious enough for my studies; and what more does a philosopher like myself desire?”

“Bethink thee, most wise owl, that while moping in thy cell and gazing at the moon, all thy talents are lost to the world. I shall one day be a sovereign prince, and may advance thee to some post of honour and dignity.”

‘The owl, though a philosopher and above the ordinary wants of life, was not above ambition; so he was finally prevailed on to clope with the prince, and be his guide and mentor in his pilgrimage.’—vol. ii. p. 43.

Perhaps, however, the richest legend of the whole is a tradition attached to ‘The House of the Weathercock.’ It is called the Arabian Astrologer. In the reign of some ancient king of Granada, there arrives at his court a venerable philosopher, skilled in all the mysterious knowledge of the east. The king has been a great warrior in his day, but wishes to enjoy the remainder of his life without molestation. He is become a profound lover of peace: that is to say, he wishes to destroy his enemies without trouble. The philosopher fabricates for him a curious talisman, which effectually answers the purpose. The manner in which it does so, may be ascertained on reference to the story. The old monarch is solicitous to reward the ingenious astrologer, at the least expense however, and he is delighted to learn the moderation of his desires. “O, wise son of Abu Ajeeb,” exclaims the king Aben Habuz, “what can I bestow on thee in reward for such a blessing?” “The wants of an old man, and a philosopher, O King,” answered the son of Abu Ajeeb, “are few and simple; grant me but the means of fitting up my cave as a suitable hermitage, and I am content.” “How noble is the moderation of the truly wise!” exclaimed Aben Habuz, secretly pleased at the cheapness of the recompense.

But the recompense proved in no wise moderate. The philosopher enlarged his cave by cutting chambers out of the solid rock, and in every respect fitted it up like a subterranean

temple of fancy. His demands on the royal treasury were tremendous; the king consoled himself with the idea that in the end the hermitage must be finished, and so it was.

"The King was in the right, the hermitage was at length complete, and formed a sumptuous subterranean palace. "I am now content," said Ibrahim Ebn Abu Ajeeb to the treasurer, "I will shut myself up in my cell, and devote my time to study. I desire nothing more, nothing, except a trifling solace, to amuse me at the intervals of mental labour."

"O wise Ibrahim, ask what thou wilt, I am bound to furnish all that is necessary for thy solitude."

"I would fain have then, a few dancing women," said the philosopher.

"Dancing women!" echoed the treasurer with surprise.

"Dancing women," replied the sage gravely; "a few will suffice, for I am an old man, and a philosopher, of simple habits, and easily satisfied. Let them, however, be young, and fair to look upon; for the sight of youth and beauty is refreshing to old age."—vol. i. p. 252.

Of dancing women, the sage son of Abu Ajeeb has enough; but alas! the wants of a philosopher are more numerous than occur to him at first: he has no singing women. A captive lady of consummate beauty and accomplishments is brought to court, and old Aben Habuz, the king, is already desperately in love with her. The lady is a fruitful source of quarrel, and ultimately causes their mutual ruin.

"Hearken, O King!" replied the astrologer. "I have given thee many victories by means of my talisman, but have never shared any of the spoil. Give me then this stray captive, to solace me in my solitude with her silver lyre. If she be indeed a sorceress, I have counter spells that set her charms at defiance."

"What! more women!" cried Aben Habuz. "Hast thou not already dancing women enough to solace thee?"

"Dancing women have I, it is true, but no singing women. I would fain have a little minstrelsy to refresh my mind when weary with the toils of study."—vol. i. p. 256.

The whole book is a luxury, but of an extremely refined order. As a work of art, it has few rivals among modern publications. Were a lecture to be given on the structure of the true poetical prose, no where would it be possible to find more luculent examples. Many paragraphs, and even chapters, want but the voice, to make them 'discourse most eloquent music.'

Mr. Irving appears to have employed his time in Spain in a manner that became both a true American, and a distinguished member of the republic of letters. His sojourn in that country has already produced his great work on the life of Columbus,—

his compilation from the various chronicles and histories of the conquest of Granada, a fine chivalrous book,—and now the present publication—a lighter but not less interesting work—less substantial, but of a higher flavour—in short the pineapple after the feast.

ART. X.—*C. Crispi Sallustii de Catilinæ Conjuratone Belloque Jugurthuno Historiæ. Animadversionibus illustravit Carolus Anthon, Lit. Græc. & Lat. in Coll. Col. N. E. Prof. Jains.*—New York; G. C. and H. Carvil. 1831.

NOTWITHSTANDING the extreme Latinity of the preface, which is more classical than ever Cicero wrote, being a thorny fence of idioms and characteristic phrases, this is a good edition of Sallust. In looking over it there appear some few errors, and perhaps more connected views might have been given of the reasoning, in Cæsar's and Memmius's speeches for instance; but allowing for these, Professor Anthon's is the best school edition of Sallust we have seen. The notes are brief, clear, and judicious. Viewed therefore as that which it professes to be, a school-book, it is very creditable to the state of classical knowledge in New York.

It is not necessary at present to inflict on the reader any discussion upon the style of Sallust, the appropriateness of his prefaces, or the soundness of his philosophy. His descriptions are lively, sometimes powerful, his style vigorous though in parts affected, and his narrations clear and pithy, presenting only the necessary facts to the reader; but it is not in these qualities his merit consists. The chapters 10, 11, 12, 13, 37, 38, 39 of the *Catilinarian*, 41, 42 of the *Jugurthine war*, with the speech of Memmius, are the foundation of his fame. In a few words he conveys the spirit of Roman history. More is understood from these eight or ten pages of the condition and objects of the two great parties, than can be pointed out in twenty times the same space of any other Roman historian. Perhaps they are the more valuable that they lean to the side of the senate, if they lean either way. As it is intended to offer some observations on the nature of Catiline's conspiracy, and probably to refer to the authority of Sallust, it seems proper to notice the two principal charges against his historical fidelity. One is that the conspiracy was written on the eve of the civil wars to bring odium on the senate, and exalt Cæsar; the other that he merely sought the gratification of his private spleen.

The objectors labour under this insuperable difficulty, that

they suppose a motive which is not exerted into act. They can show no fact forged, or distorted, or suppressed. With one exception which will be afterwards noticed, they charge the omission of no one circumstance which can tell for the senate or Cicero. So much for facts. As to tone there is no attempt to gild the conspiracy, or even bring into strong light the causes of the popular discontent. All parties are blamed, and as seems to us, not with perfect justice, as regards the popular side.

With regard to the date assumed, it is impossible to help suspecting it a mistake. The history has not the air of one written for a particular purpose, nor is there the slightest swell on its surface that hints at its being written under the approach of such tremendous events. The character of Cato is drawn in very favourable lines; there is no glance at Pompey; and who would ever think of publishing, by way of encouragement, the history of an unsuccessful conspiracy, in which the scheme of burning Rome flamed in the foreground? The tone is that of a calm observer speculating on events far removed from his passions, with occasional indications of disgust, as if the turbulence of parties and its unfortunate issue, were disposing him to acquiesce in a despotism. The evidence derived from the general tone of the work, is strongly in favour of the conclusion that the conspiracy was written after the civil wars. If it were necessary to descend to particulars, it might be asked at what period could the idea of comparing Cæsar and Cato occur, except after the death of the latter? How could Sallust at any previous time say in his preface, 'Ubi animus ex multis miseriis atque *periculis* requievit?' How could a man branded with recent expulsion from the senate, profess 'his freedom from fear, hope, and the parties of the state?' How could any man in such times, attached to the popular party, sit down contentedly and betake himself to history? Would Cicero, the most sensitive man on earth, never have noticed a work expressly on the subject of his consulship? Let any one read both prefaces, and come if he can to the conclusion that they do not refer to the same period, and exhibit the same state of mind. But the Jugurthine undoubtedly was written after Sallust's Numidian government.

The second charge rests on this, that Sallust has not mentioned the honours decreed to Cicero, and generally that he has not done justice to his sagacity and courage in detecting and suppressing the conspiracy. Were it not that it is proposed to consider in some detail the general character of the Consul, it would be enough to leave the accusation to the obscurity of

its authors, without endeavouring to refute what every one acquainted with the history of the times or the individuals, knows scarcely to deserve exposure. The sagacity and courage of Cicero!—of the man whose vanity, indiscretion, and total want of *head*, were so notorious that Brutus, who knew him well, refused to admit him into the conspiracy against Cæsar,—whose timidity had made him for years the sport and butt of every mischievous, bold, or waggish tribune,—of Cicero, who had crammed his praise down the throats of every man, woman, and child in Rome, until the most patient stomachs at length rose against it! His consulship in season and out of season, in his orations, his letters, and his writings, is the subject of fulsome panegyric. After boring the unhappy Luceius with his importunities, and begging of him to *lay it on thick**, he celebrated himself in Greek and Latin. The ocean of prose was not sufficient for his vanity to roll and tumble about in,—he laid the world of fiction under contribution, and celebrated himself in verse of ‘damnable iteration.’

It has seldom happened that vanity of this unnatural growth has not oppressed some healthy function of the mind. In Cicero it certainly took a morbid form, and though much of his splendid literary eminence is attributable to it, yet to the same source in a great degree is to be referred that inconstant levity of opinion, that rapid inconsistency of conduct, which rendered him the dupe of personal attentions, which suspended his estimate of the man upon the compliment of the morning, and which requires the achievements of his various mind, his honourable abstinence in Cilicia, and the clouded glory of his setting hour, to redeem him from something like contempt.

Cicero was the first of the second order of great minds. An extraordinary variety of talent, rather than any pre-eminence of original genius, is his characteristic. It is attested by a wonderful extent and diversity of information, acquired amidst the daily occupations of a very laborious life, and almost enabling him to accomplish the great object of his ambition, which was in his single person to maintain the cause of Roman against the whole of Grecian literature. His written contributions to the information and delight of mankind, are almost as extensive as

* ‘— deinde etiam, ut ornes me, postulem.

— ut et ornes ea vehementius etiam, quàm fortasse sentis, et in eo leges historiarum negligas;—

— amoremque nostro plusculum etiam, quàm concedat veritas, laudare.’ —*Epist. ad Luceium.*

Aristotle's. Every page is the efflorescence* of a capacious mind which embraced the whole circle of arts and sciences, which surveyed life with the comprehension of a philosopher, and the shrewdness of a man of the world. But Cicero's mind was not of primitive formation. He was the inventor of no great style, he was the bold and original investigator of no one department, nor is there any one in which supremacy could be claimed for him. He resembled the athlete in Longinus, who was inferior to his competitors respectively in their peculiar provinces, but was on the whole, and with regard to the universality of his accomplishments, superior to any. In severity of thought and abstract reasoning he must yield to Aristotle; he has scarcely approached the sailing flight of Plato's splendid speculations—indeed, in a remarkable passage of the *De Oratore* he declares them to be beyond his sphere; in oratory, in resistless oratory, Demosthenes vindicates his decided pre-eminence, above him and the whole world; in those qualities that form a great statesman, in solid judgment, in immovable purpose, in enlargement of views and rapidity of decision, he is not to be compared with Demosthenes or Pericles among the Greeks, with Cæsar among the Romans, with Chatham, Burke, or Napoleon among the moderns.

As a politician his defects are most striking, for his turn lay best for speculation; and nothing so clearly and decisively detects lurking flaws in a man's judgment as the conduct of public affairs during 'the joints and flexures' of troubled times, when the operation of new principles is convulsing society, or the decay of old ones is resolving all into their original elements. For such a charge he possessed neither the requisite moral or physical courage, the solidity of principle and purpose, nor the promptitude of judgment which is necessary to its execution. Sprung from the ranks of the people, immediately connected with the equestrian order, undisputed chief of eloquence in a state where it always exerted great authority, a noble theatre was open to him, had he possessed the qualities to tread it with dignity and effect; the fate of Rome was in his hands, if in the hands of any man. Had he taken counsel from justice or prudence, and conciliated the mass of the population to the government by removing the causes of that discontent which existed like a chronic earthquake under the foundations of the city, authority would have been established on a broad, low, sure foundation, which would have defied alike violence and intrigue, or rather rendered their em-

* '—etenim ex rerum cognitione efflorescat et redundet oportet oratio.'—*De Oratore*. I. 6.

ployment perfectly hopeless. Had he placed the authority of the senate on the 'strong base and building' of the people's love, all would have revolved round it in sweetness and harmony, and the very forces which, wanting the attraction of that great centre, hurried the respective bodies into empty space, would have merely impressed on them the energy and direction necessary for a magnificent system. He had seen the Gracchi, Marius, Cinna, even Glaucia and Saturninus, raised to importance by the popular wrongs. He had seen that each of them was gifted with the most exciting eloquence by the oppression of the aristocracy, that he was adopted by the people at first through hopes of redress, and then, as increasing want, persecutions, and massacres exasperated them, through the single hope of immense vengeance; yet neither history nor his own experience could teach him. These successive phenomena he treated as so many superficial eruptions; he entered into a war of symptoms, instead of exploring the vast bed of disease that ran through the constitution, and stimulated nature to such efforts in order to get rid of it. No suspicion seems to have been excited in him by the detestable characters of Opimius, Nasica, and Sylla, whom the principles of the party he adopted compelled him to praise; the dreadful nature of the remedies which the senate were so prompt to use, never awakened him to reflection on the injustice of a cause supported by such cruel and infamous means; the notorious misery of the people fell without effect on that mass of vanity, fear, and prejudice, into which his heart was transmuted the moment he entered the senate. He triumphed over Rullus, and of course covered himself with a full-length robe of flattery from his own beautiful loom, spangled with all the figures of his fine imagination. He slew Catiline and called himself the father of his country, but he did not see that these very successes merely served to give caution and concentration to the hostility which dashed the government, not twenty years after, into ruins. It is ridiculous to believe that Cæsar created his own power. It existed centuries before him. He was born to it. Skill, indeed, was requisite to reach the lever, and he might have been cut off before he could reach the point where the popular power was to be applied; but having once gained that, his success was necessary. As he did not create, so neither did he destroy that power; it survived him, and for a time made Antony, that wretch of polluted body and mind, the master of the Roman empire. The consequences of impoverishing and oppressing the bulk of the people, are in general of so large a nature as with difficulty to be exhibited in so circumscribed a form as may bring

them within the range of confined understandings. But the peculiar situation of Rome contracts them into a space which renders a smaller field of view hardly desirable. On the memorable day when the passage of the Rubicon spread dismay through the senate, then indeed was felt with agony the want of a loyal affectionate people; then were the proscriptions of Sylla avenged by the unspeakable terror of that hour, when the aristocracy looked for support, and saw hatred, contempt, and vengeance in the eyes of every man around them. Well might Pompey bow his head in shame and grief, when he dared not trust with a sword one of those hundreds of thousands of Roman citizens, whose enthusiastic patriotism, far more than discipline or ordinary bravery, had subdued the world. Had there been either decency or measure in the public or private conduct of the senate, had not all the bonds of affection and respect been ruptured by continued oppression, armed men would have 'started from the ground at the stamp of his foot,' and that celebrated boast would not have sunk in ridicule. Rome could have poured out in an instant a powerful army; there was abundant treasure to equip, and veteran generals to command it under a leader who had grown old amidst triumphs;—in short, there was nothing wanting but that without which money and generals are useless, a soldiery which they could trust, a sense of common interest and common honour to bind all ranks of the community together, and no wrongs and insults to wash out in the blood of the very men who were calling on the people to sacrifice their lives for them. Cicero himself expressly says that Pompey was obliged to fly from Rome because he dared not give arms to the people.

The natural weakness of Cicero's mind, the want of great and solid principles of conduct as well as his timidity, was not only ruinous to the state, but embittered the whole of his life. It is painful to see one who fills so great a space in literature, tossed like a shuttlecock between the various parties, reduced by his fears to practise dissimulation quite unworthy of him, and, what he would think perhaps still more humiliating, perfectly gratuitous. In the conflict of public affairs, the real outlines of a man's character are inevitably discovered; design or accident betrays his weak and strong points. The hustling of a mob immediately proves both his mind and body. Cicero was perfectly known to every man in Rome. Some, when they had any object to gain, practised on his vanity, some on his timidity; and amongst the latter was Clodius. The ascendant which this man gained over Cicero was extraordinary, for it long survived his life, and dictated the meanest submission to his brother

Appius. From the day of his banishment his spirit was broken, and never recovered its elasticity until, in his old age, he was called on to oppose the profligate Antony. Then something better even than his former self 'flashed forth a stream of heroic rays.' The cause, the occasion, and the person, roused all his faculties. He spoke for liberty—the magnitude of the individual danger in which he stood cut off all irresolution, the eyes of the world were on him, the example of Brutus, glorious at least in its principle, was before him, and accordingly with a courage, a dignity, and an eloquence, to which there is no parallel in his other efforts, he stood over his fallen country and defended her.

'Mecum ut voles ; cum republicâ redi in gratiam. Sed de te tu ipse videris ; ego de me ipso profitebor. Defendi rempublicam adolescens ; non deseram senex : contempsi Catilinæ gladios ; non pertimescam tuos. Quin etiam corpus libenter obtulerim, si representari morte mea libertas civitatis potest ; ut aliquando dolor populi Romani pariat, quod jamdiu parturit. Etenim si, abhinc annos prope viginti, hoc ipso in templo, negavi posse mortem immaturam esse consulari ; quanto veriùs nunc negabo, seni ? Mihi vero, patres conscripti, jam etiam optanda mors est, perfuncto rebus iis quas adeptus sum, quasque gessi. Duo modo hæc opto : unum, ut moriens populum Romanum liberum relinquam ; hoc mihi majus à Diis immortalibus dari nihil potest : alterum, ut ita cuique eveniat, ut de republicâ quisque mereatur.'—*Conclusion of the Second Philippic.*

It has, indeed, been said that the second Philippic was never pronounced in the senate ; but does not every one know that whether spoken or published, he was murdered for it ? Has not that conclusion all the solemnity of death ?

There are, however, some words to be said upon the extraordinary sagacity and decision asserted to have been displayed by Cicero in Catiline's conspiracy, and in the contest between Pompey and Cæsar. As to the latter, he certainly seems to have seen much farther than Pompey, but that is the utmost he can claim ; skill in party tactics is not sufficient praise, nor can it counterbalance the fatal neglect of those great constitutional evils which in their necessary progress must soon have overturned the government, either by the instrumentality of Cæsar or of some other person. With regard to the conspiracy, no credit can be claimed for the detection of it, because it was notorious, nay, its existence was the very ground of his elevation to the consulship. Upon his own showing, nothing can be conceived more daring or absurd than the conduct of the conspirators. Their proceedings were not only

open and above-board, but actually courted publicity—they conspired by sound of trumpet, and plotted by public proclamation. So gross was their conduct, that many persons have doubted the existence of the conspiracy,—at least in its present historical aspect,—upon the almost total impossibility of any men behaving in a manner so outrageously indiscreet. As to the suppression of it,—or to speak more correctly, the execution of Lentulus &c., for that is the only part in which Cicero's conduct exhibited unusual decision—it is plain from his whole character, that he was governed there by some bolder head and hand than his own.

Such being his character as a statesman, it was not to be expected that on the struggles of the two great parties there should be found in his works any enlarged or noble views, any clear expositions of their true motives, or impartial balance of their respective merits. But it is certainly singular, that in the whole of his voluminous works, there is nothing which would seem to intimate they were anything more than the low squabbles of private individuals. There is nothing but Opimius and Gracchus, Marius and Sylla, Pompey and Cæsar. Men are everything; circumstances and principles nothing. Roman history, unintelligible enough in the ancient style, is 'confusion worse confounded' in *him*. The Roman people seem but one den of wild beasts, discontented in the midst of happiness, turbulent and seditious without cause or object. It is unnecessary to expose this. There are few political axioms more certain, than that the mass of a nation is always inclined to peace and submission. 'General rebellions have been always provoked.' A people whose labour is not in vain, who are able to earn the comforts or even the necessaries of life, and whose great concerns of religion and private feeling are untouched, have never yet been seditious. They err,—and that not very often,—in assigning the *causes* of their distress; but in the *fact*, never. They have abused power to the purposes of revenge; but there is no authenticated instance where they have been the aggressors. Their excesses have had always, such as it is, the excuse of retaliation. Power certainly resides in the people, but the very nature of that power is to require delegation, and government is its necessary consequence. The immensity of their strength requires concentration, and therefore it is only in the transition from one mode of constraint to another,—which in ancient times was generally from aristocratic oppression to a single despotism, in modern from tyranny to regulated liberty,—that the power of the people is exerted. The very condition of things renders them in a ratio infinitely

great, the objects of oppression; and accordingly habit, instinct, necessity, render them disposed to submit to considerable hardships, even no light suffering, without serious resistance. But if they are thus slow to hatred, so when once thoroughly outraged, they are exceedingly difficult of reconciliation. Suspicion, fear, and detestation of the most intractable nature enter them. Country is the natural passion of the people, government consequently the object of their respect; but in proportion to the magnitude of their affection, is the fury of their hatred. Detestation borrows a peculiar intensity from the very motives to regard; the most inflamed brand of vengeance is kindled at the ashes of love.

It is a principle in mechanics that the ultimate velocity and direction of a body is the resultant of all the forces applied to it;—in government, as in common life, this holds. No good or bad act ever fell to the ground. Sooner or later its effects are produced, either in direct consequence, or in the call for the application of some power to neutralize it. Oppression must always be followed by an equal quantity of concession,—like action and reaction they are equal;—and the great happiness is to make it judiciously, and in time. But kindness and reparation are not alone sufficient. There must be an intention,—a plain, obvious, honest, healing intention,—or concession will merely add contempt to hatred. It makes a great difference whether the medicine be offered the people by a hand they love, and with a face of affection, or be presented under the constraint of fear, by a person who they know does not wish it should do them good. There is in the one case a confidence that falls like dew upon the soul, and re-acts upon the body; in the other there is a restlessness, an irritation, a suspicion, that aggravates the internal disease, and renders the remedy at best but neutral. In a free State, all reparation ought to proceed through those who have opposed the injury, and are therefore the objects of confidence. The same hand cannot be well applied to oppress and remedy. Gratitude is widely separate in its nature from abhorrence, and sudden changes in the disposition of the oppressor are suspicious things. They may proceed from fear, from artifice, from caprice; but it is not agreeable to experience, that they should be the result of a useful remorse. No affection is due to that which proceeds from no motive of affection; and thankfulness is not bought by cowardice or cunning. In the reparation, also, made by friends, there is a disposition to be satisfied with the amount given,—there is oblivion for the past, and no expectation for the future. But when concessions are made by enemies, the parties are instantly

changed in character. The whole is an affair of litigation, it is a contest of skill, of ability, without respect before, or reconciliation after. Cicero's position, then, at his entrance into public life, gave him singular advantages for establishing the government on a foundation of justice and concord, while the moderation and integrity of his views rendered him the safest depository of the popular confidence. But he found the people on the ground, and the aristocracy triumphant, with the uncontrolled disposal of honours and emoluments. He attached himself to the latter, he chose their party, he supported their insolence, prodigality, and cruelty, and threw the people into the hands of Cæsar. When they saw him, one of themselves, throw his weight into the scale against them, and employ his eloquence to insult and traduce the men who had lost their lives in their cause, it was natural they should concur in any measure which the phrenzy of Clodius could suggest. There was not, indeed, much in the fate of the Gracchi or Drusus to encourage a tribune; but Cicero's conduct seems to have been produced by his want of any sound views of the condition of Rome. In all his works there can be quoted no one passage which betokens a commanding eminence of mind. From the continual convulsions of Rome he deduces no result; he sees nothing but a personal scuffle for vulgar power. The principles that created those men, and raised them to eminence, are totally neglected. Was this the consequence of the unbounded vanity of the individual, or of a real want of comprehensive view, a radical ignorance of human nature, and an inability to distinguish amidst eccentricities and perturbations the working of one general law? Yet even in the depression of the popular party, there was much to warn him. Their efforts had been increasing in vigour and frequency, they had even gained a decided triumph in the time of Marius, and every defeat was sure to swell their numbers. The tide was plainly rising, and it might have been perceived that whoever could place himself on the top of the coming flood would be carried on to fortune. The dissolution of manners, the profligacy of the higher classes, amongst whom every shame ranged uncontrolled; the poverty, discontent, and ferocity of the lower, had rotted all the holdings of the State. It was inevitable that Rome must fall, when all the supports of her independence were gone. The very attempts to cut out the evils, accelerated her hour. Her tortured writhings struck the dart deeper into her vitals—every conspiracy suppressed, dragged her closer to the brink of the precipice; for what in a State can supply the want of justice, honour, and moderation? What reform could there be, when the aristocracy would surrender

nothing to be reformed—either their power, their wealth, their luxury, or their corruption? They were incorrigible; their hour was come.

As an orator, though inferior on the one hand to Demosthenes

‘In the great swing and rudeness of his poise,’

and though on the other he has not

‘the still and mental parts’

of Burke, yet it is in that character that Cicero ranks highest. It is there his inferiority is less clearly marked. There is a compensation for the qualities he wants; for if he neither rends the cause with the fury of the *τοῦ θηπίου αὐτοῦ*, nor makes the occasion a gate of general light like the Irish orator, he charms us by his inexhaustible stores of various learning, and a thousand rainbows of imagination, while there is a practical air about his speeches, which leads to the persuasion that he would have more influence over a popular assembly than Burke. There are not, indeed, any authenticated instances of the power of his eloquence like those we have of Burke's,—none like the fainting of Mrs. Siddons at the unutterable inhumanities in India, or the astonished exclamation of Lord John Townshend during the speech on American taxation, or the declaration from the gallery, in the hearing of the whole House, by a stranger, ‘You have got a most wonderful man here. He knows more about America than your whole House put together.’ It is said, indeed, that at the energy of one passage in the speech for Ligarius, Cæsar himself turned pale and shook. There could not be conceived a higher testimony—in fact it would be conclusive; but the anecdote is of doubtful authority, and considerable uncertainty is thrown on it, by the fact that the passage itself exists, and seems to contain nothing singularly terrible. Yet in the face of this there is in Cicero a popular air, an appeal to common feelings, a pushing energy, and a tact more likely to engage the passions of a meeting. He belonged to the class of Sheridan.

There are few readers but feel that the very fullness of Burke's mind, and the determination to present the whole subject in its rotundity, to imagine nothing known of it to his hearers, must have produced an impatience and irritation unfavourable to that blind surrender of the feelings which is the object of oratory. The formal approaches which regularly preface his great speeches, must also have sometimes been a sore trial to the temper of honourable members. Cicero's exordiums are often not the most natural or happy, but on the whole they are better suited to the scene, and the habits of men, than

Burke's. In the body of his speeches also, there is a concentration of proof, unembarrassed by general considerations, a narrowing of the subject matter, fitted for the rapid comprehension of persons who cannot take much time to reflect, who must understand at sight. But his superiority, if it be such, stops there. In depth and comprehension of intellect, in knowledge of man and the nature of society, in dignity of sentiment, in poetical imagination, and in versatility of style

‘Strong without rage, without o’erflowing full,’

he is much inferior. The extent of their reading was probably equal; the difference lay in the quality of understanding. Great natural talents, an unwearied industry, a singular capacity for information, accumulated the stores that fed the splendid conflagration of Cicero's eloquence; but a great wise mind belongs to a higher order. In all his works, there is no passage that for wisdom approaches the concluding pages of the speech on American conciliation, or the massive common-sense of that on American taxation, or for sublimity the celebrated passage of the Angel. That last speech determines more than the question between Cicero and Burke. Let any man, for instance, who wishes to measure the strength of the latter with Johnson's, read it and ‘Taxation no Tyranny;’ he must come to a conclusion.

As Cicero compensates for his inferiority to Burke in depth and range by a more practical air, a greater familiarity of style and concentration of the subject, so does he set off against the fire and strength of Demosthenes, the greater variety of his mind. The attention is agreeably occupied by the frequent changes of style, and there is also something dignified in the air which philosophy and learning communicate to his speeches. Our respect is excited by the great stores of his intellectual wealth. We feel we are addressed by a man of a superior order, who has corrected and enlarged the conclusions of experience by calm reflection, and purified them by a noble morality. Philosophy, sense, and observation, are presented at once, under a style of captivating liveliness and beauty. Happy metaphors, swelling with the occasion to bold images, an inexhaustible fluency of appropriate diction and harmonious rhythm, insensibly engage our affections. What has Demosthenes to beat down all this? He quotes no poet or philosopher, has no play of fancy, no splendid similes, no brilliant metaphors, but he has a mind of irresistible strength, an energy of reasoning which nothing can withstand. Cicero's eloquence, from the universality of his attainments, resembles a great triumphal procession, swoln with the riches of the world; that of Demosthenes, is the charge of

a vast body of cavalry. No man loves liberty who does not love Demosthenes. The man is to be pitied who reads the *De Coronâ*, and doubts his patriotism. This is in simple truth; for if Demosthenes was the mercenary statesman some would represent him, there is no security against falsehood, internal evidence is nothing.

The arguments, the sentiments, and the art of Demosthenes, are different from those of all others. His very art is nothing but immense confidence in himself, and contempt for his adversary. Cicero, were his life prolonged to the age of Methuselah, could never have attained it. We may fancy a thousand beautiful modes of exordium he would have invented, but he would never have decided the whole cause by the first sentence he uttered. He would have paid some fulsome compliment to the judges, or Antipater, or Alexander; perhaps he would have apostrophized the memory of Philip, or gibbeted that of Pausanias; or he would have mounted on his archonship, and commenced his flight from that;—but what does Demosthenes? The whole question was, his integrity. It is decided by the first sentence*.

As far as his own acquittal or condemnation was concerned, he might have stopped there; but he had a greater cause to plead—the cause of liberty against fate. It is not the defence of Demosthenes, or Athens, or any other town or person, but that of virtue and honour, which inhere in freedom alone, against triumphant oppression. Undaunted by defeat, and borne up by the native strength of his soul, he vindicates the dignity of human nature against presumptuous power and short-sighted ignorance. There cannot be detected the remotest trace of depression in the *De Coronâ*. No one would suspect that his life that instant depended on the wink of Antipater. Any other man would have been broken down by the consciousness of constraint. The sense that a foreign power governed Athens, that the minds of the judges and the whole multitude present were awed, that their emotions were not free, would have crippled his energies, even without the fear of actual violence to life. A load would have hung on every limb. His defence would have been feeble, uncertain, wandering, heartless; and the adversary would have rushed in and dispatched him. But the man and the cause were worthy of each other. The empire of the world could not have imparted additional boldness or grandeur to his mind. His energies seem to be roused by defeat. The lightning only strikes him into a more ‘unwedgeable and gnarled strength.’

* See the noble exordium to the *De Coronâ*.

There was in the Roman mind a stubborn vulgarity of conception, from which some of their greatest men were not free. A people whose religion was, theoretically and practically, a fraud; whose justice was but a cautious rapacity, bridling itself in until the moment should come when it might gorge in security; whose ruling passion was conquest, without regard to humanity or faith; whose heart was hardened by the continual inroads of debasing motives and habits, could never understand the Greeks. A bad heart is no slight security for a bad head. In pure intellect the Romans were clearly of an inferior caste. There was a region in philosophy, in science and art, in poetry and oratory, which they not only could not reach, but of whose existence there seemed to cross their minds only confused notions, and at long intervals. Sallust thinks that the actions of the Athenians are overpraised, and his countrymen unjustly treated: 'I could tell' he says, 'when the Roman people with a handful of men routed immense armies, and what cities of almost impregnable strength they stormed.' This is not much better than the view a butcher would take of the subject. The *why*, the *wherefore*, is nothing in his eyes; the number of men is all, the cause that sits on their swords nothing. He only asks how the victory cuts up, 'how it tallows on the cawl and kidneys.' Man does not feel a fullness of the heart on the plain of Marathon because so many Athenians beat so many Persians there, but because a Greek standing there might say—

'The mountains look on Marathon,
And Marathon looks on the sea,
And musing there an hour alone,
I dream'd that Greece might still be free;
For standing on the Persian's grave,
I could not deem myself a slave.'

The excuse Sallust gives *, though the most decent, is worth little; for why, when they applied themselves, could they not give lustre to their history? The cause is plain; no man is eloquent in a bad cause. All the gold of Mexico could not gild the aristocracy of Rome. Oppressors at home and oppressors abroad, bloody and base, covered with the ulcers of public and private vice, no sympathy can ever be with them. The hand is despicable that holds the cup of praise to their corrupted lips. Independently of this, the elevated sentiments in Cicero seem rather cold deductions, propositions to which his reason yielded assent, or which were brought there to give elegance to his

* That the Greek writers had more genius than the Roman, and that they exaggerated Grecian actions.

style, than real feelings. In Burke they have a religious air, and are generally of the highest order of sublimity; in Demosthenes, they are active principles, and have much of the warmth of passions, from which they are sometimes not clearly to be distinguished. While reading Cicero, we are sometimes induced to stop and consider what he would have been had not Greece existed; but we feel that the elements of Demosthenes's greatness were personal, that they lay deep in the man's structure. The union of passion and argument in his speeches, has been universally dilated on; but it may not be useless to trace the principal cause. It grew out of his peculiar mind. Freedom, honour, virtue, were substantial realities to him. They are commodities of price, that may be seen, felt, and handled. We are affected by his matter of fact mode of treating them, as when we read that noble passage of the Cyclops taking with the tongs, and hammering into the thunderbolt, 'lightnings, roar, terror, and angers with pursuing flames;'

' Tres imbris torturadios, tres nubis aquosæ
Addiderant, rutili tres ignis et alitis Austri :
Fulgores nunc terrificos, sonitumque, metumque,
Miscabant operi, flammiisque sequacibus iras.'

There is no attempt made to prove that the Athenians acted *justly*, when they perilled their existence for liberty and lost it. He would as soon have thought of demonstrating the most acknowledged physical fact; his one object is to show that they *did* peril it; having established that, their glory would ride at anchor for ever.

But what was Catiline's conspiracy? It is clear that he was a bold bad man, who took advantage of the existing discontent, in the hope of raising himself to power, which he would have used like Nero or Caligula. And the object left, is to examine the causes which had so nearly rendered him successful.

It is creditable to the state of morals in this country, that we cannot readily conceive the versatile profligacy of the Roman aristocracy, including the senate. Not only did all the crimes observable at present exist, but other species which, at least for any but rare perpetration, and by those who have obtained great eminence in infamy, are unknown to us, flourished there in a most genial soil. No persons having a regard to justice or scientific accuracy of classification, would ever have thought of comparing the British peerage, as it does itself by its organs, with that contaminated mass. The faults and vices of our nobility are not attributable to any incorrigible badness of

nature, but to their unjust position in society, and their usurpations of popular rights. Law has a mighty influence on manners. Men cannot have lived in contempt of law, and held their power against express statute as well as natural justice, without having had their minds in some degree warped and tainted from the pure relish of morality. The transition is very ready, from public pillage to private plunder, from tyranny to injustice, from extortion of the general purse to oppression of the individual. Public and private morality differ only in the greater magnitude of the former. They are disproportioned parts of the same whole, and it would be as wise to expect the left hand to be honest while the right hand is a sharper's, as that the infection will not spread, and dissolution of law produce dissolution of manners. Liberty is the mother of virtue, and how can liberty subsist without law? Who ever multiplied new restraints on himself in proportion as he violated former ones? Free states have always been the most virtuous. For the highest and most frequent examples of scandalous vice and indecency, we must look at despotism as exemplified in one man or in many.

As to the Roman nobility, the imaginations of our countrymen, except on the highway of history, would be outstripped by their baseness in public and private. How could it be otherwise? Could honesty be expected from public robbers? Could morality, from persons living in a habitual contempt of the most solemn obligations, under no control abroad or at home, with boundless command of money, and tempted to profuseness by the powerful charm of unjust acquisition? Could mercy be expected from men, who held their unbounded power only by the tenure of shedding the blood of the people? It is true the people at last began to imitate those above them. But who are answerable for their guilt, except those who furnished the principal cause by their merciless oppressions, and the strong exhortation by their infamous example? A poor, insulted, trampled people necessarily become savage and reckless. A violator of law is not a fit preacher of its sanctity. A senate, which certainly avoided all reproach of petty-mindedness by the magnificent scale of its massacres, could not with decency complain of a liberal retaliation when the people found some man to be their instrument. It would strike a disinterested observer, that in the case of Tiberius Gracchus, for instance, when the senators exclaimed against the deposition of Octavius as illegal, which it certainly was not, it behoved them to come into court with clean hands, and not quote law to secure the violation of an express, undeniable, solemn statute, the fun-

damental law, in short, of the constitution,—the law of property, in defiance of which, as well as of justice and ultimate policy, they had reduced the people to severe distress. It did not become them to belch out in fumes of insolence, prodigality, and private vice, loud appeals to law and honour, nor could such be expected to produce anything but disgust. They could not but expect, that notoriously corrupt in mind and body as they were, any reasonings from them would be heard with suspicion, and that there would be a reluctance to submit to the authority of a class which before the eyes of the world was covered with iniquity, collectively and individually. In the time of Cicero may be collected a clear notion of the state of society in the higher ranks, when it is known that the very judges themselves, the first men of the state, were bribed at noon-day, and in a mode the statement of which cannot pollute this page. The common way of accounting for the escape of some great criminal, is the bribing of the judges. This is Cicero's own ready, unquestioned, notorious solution of it to Atticus, not during the power of the Triumvirs, but immediately after his consulship. Some of his best jokes too, were cracked on this subject. A universal avarice raged through the state. The Roman nobles of that day, widely degenerating from the austere villains of former ages, were common pitiful mercenaries. They were the vilest of all wretches, wretches for money. For money they sold their honour, their chastity, and Rome itself. Even the women, whom corruption of manners reaches last but who perpetuate it longest, and whose disposition has a natural bias even in great violations of duty to follow the impulses of the heart without the debasing taint of mercenary considerations, were bought and sold in the same manner. Gallantry in the modern sense, was rare. They were knowing dames, who drove as hard a bargain as any *danseuse* for her person.

It may be objected that this corruption of the aristocracy in the time of Cicero was the result of the civil wars, and not influenced by their political position. We readily acknowledge the influence of the former cause, but it cannot be admitted as a solution. The civil wars were the result—the consequence and not the cause, of the cruelty and profligacy of the nobility. In the 'grave wrinkled senate' itself, the Roman who stood on the steps of the consul's seat and looked down the house, saw on each side of him robbers of the public,—men whose hands were red with the blood of their fellow-citizens,—men who for money, hard coined money, defended any cause, no matter how infamous, with zeal. And this before the civil

wars, before the conquest of Asia, and the corruption of Sylla. We will give one instance from Sallust. Let us recall briefly the circumstances of the Jugurthine war.

Jugurtha, the illegitimate nephew of Micipsa, was adopted by him, and succeeded to the throne of Numidia, jointly with Adherbal and Hiempsal, Micipsa's sons. Shortly after his accession, he procured Hiempsal to be assassinated. He then invaded Adherbal's kingdom and compelled him to fly. Adherbal appealed to Rome. Jugurtha sent ambassadors there with orders to buy a majority of the senate. They executed his orders punctually. The case came on: the Peers in a manner the most honourable and disinterested, 'with their influence, their speeches, and in short by every means, struggled for the crime and infamy of another, ~~as~~ for their own glory;' Jugurtha instead of punishment, was rewarded with one-half the kingdom; and ten commissioners, — the first men in the state, — were named to divide it. At the head of these was Opimius, the murderer of Gracchus, and, therefore, all powerful in the senate. Jugurtha bought Opimius and a majority of the commissioners, by which he obtained the best half of the kingdom. Being now convinced that the assurances of his Roman friends, 'that everything at Rome was bought and sold,' were perfectly true, he invaded Adherbal's kingdom a gain, and besieged him in Cirta. The senate on hearing of it, sent three ambassadors to forbid the prosecution of the siege, and summon both parties before them. Jugurtha who perfectly understood the meaning of this, disregarded the order and continued the siege. Upon a new supplication from Adherbal, the senate finding the former remonstrances disregarded, resolved to remonstrate again. At the head of the embassy was Scaurus, of the very first dignity, a consular man, and what in modern phrase would be termed the 'father' of the senate. This Scaurus, though of known easy virtue on such points, had resisted all Jugurtha's former attempts. 'Seeing the infamous and impudent bribery of the king, and fearing, as is usual in such circumstances, that the outrageous licentiousness would raise a flame of indignation, he restrained his mind from its habitual longing;' he knew well that the market must rise, so having reserved himself, he was now sent to Africa. The threats of the ambassadors were, however, in vain, and they quitted the province. Cirta surrendered on terms, but Jugurtha tortured Adherbal and put him to death. He also made a general massacre of the Numidians and Romans in the town, of and above the age of puberty.

Certainly this was trying his friends, but they were worthy of his confidence. They never flinched. Every art was used

in his defence, and he would have reaped the reward of his crimes, had not the people become indignant and frightened the guilty senate. War was declared. Jugurtha, amazed at this intelligence, 'for he had a rooted conviction that everything at Rome was for sale,' sent his son and two of his friends to Rome with orders 'to attack every man with money.' But his friends were downcast, and Bestia the consul was directed to prosecute the war forthwith. 'The consul chose as his lieutenants, nobles of powerful party [some of the high Tories of the day], by whose authority he intended to screen the crimes he was resolved to commit; amongst these was Scaurus; for in our consul were many excellent qualities of mind and body, all of which were neutralized by avarice.' Jugurtha, shortly after their landing, bought the consul and his lieutenants, including Scaurus, and obtained a peace on nominal conditions. The people, however, interfered, and in a manner so energetic, that Jugurtha was ordered to Rome that he might be questioned before a general assembly. Great disclosures were expected; but the nobility bought Bæbius, one of the tribunes of the people, who by his veto forbade him to speak. Jugurtha, on quitting Rome, turned round, and gazing in silence on it for some time, exclaimed, 'Venal city, you will perish as soon as you can find a purchaser.'

Let the reader, when by reflection on this statement he is fully possessed with the profligacy of the Roman peerage, add to it the consequences of the civil wars, and he will cease to feel any wonder at the insurrection of which he reads. Let him suppose,—it may assist his conceptions,—the House of Lords bought with money,—the judges in Westminster Hall similarly bought,—the men on whom his life and fortune depend, each with his price, to decide for or against him as he happened to be rich or poor,—in no wise differing but in the magnitude of the bribe, from the affidavit-men who thrust their cards into your hand on the first day of term, ready to commit perjuries at the rate of half-a-crown apiece—and if he thinks then that an aristocracy ought to possess irresponsible power, or that uncontrolled by the body of the nation it is a safe guardian of liberty, property, or morals—experience is lost on him, he is not only mean in theory but practically and substantially a fool.

There was, however, one view in which the Roman oligarchy was superior to ours, and it arose from this avarice of which we speak. They were impartial, perfectly so. It is the nature of avarice to pursue its gratification without regard to person or principle. They had no peculiar leaning towards despotism; a free state, if it bled freely, had as much chance

as a tyrant. A severe spirit of justice held the scales of bribery. The market was regulated on enlightened principles of political economy. But our Tories are oppressors 'by instinct.' Such impartial bribery cannot be charged to them. There is an intermediate principle which renders them much more formidable than if they had put up their support to a fair sale.

It is not easy to find in history a phenomenon of larger political depravity than our own Tory party. Their genius for oppression can only be measured by parallels of latitude; and the baseness of its nature is in some degree dignified by the principle that directs it. Tyranny wherever it exists, no matter of what climate or country, of what religion or colour, ancient or modern, is taken to their bosom. Miguel, Ferdinand, William, Nicholas,—Portugal, Spain, Belgium, Poland, Greece, Negro Slavery, South America, all show an universality of love which might turn Messalina herself pale with envy. There has been nothing like it under the sun. Solomon, had he been deferred to our times, would have acknowledged the existence of one new thing, and all his wisdom have been puzzled with the prospect.

The Lacedæmonians and Athenians, were the respective patrons of aristocracy and democracy. On this ground they interfered in the domestic concerns of ancient cities, and modelled the government according to one or other of the two forms. But our Tory party recoils from extending the British constitution. Their passion is to abolish whatever attempts to imitate it. Pure, unmixed despotism, is the object of their admiration. The cruelty, extortion, and poverty, which it occasions,—the foul and fetid cancer of vice that makes its body a mass of deformed disease—cannot destroy their appetite. At this moment, not only their own country, but every state in the world which seeks to recover its freedom, or to maintain it, dreads their return to power. Their enmity to the happiness of man is as universal as man himself.

In Rome, law and religion were but instruments to that unbounded gratification of every bad and shameful appetite, which was the great object of the aristocracy. Let the reader always bear in view, that the tribunitian agitations of the Gracchi were not directed to the subversion of any law, however unjust or insolent, but to the *restoration* of the great law of property, and that all the clamours of the senate about law were to uphold its glaring violation. It certainly matters not much, after men are fully awakened to it, whether the oppression be after some authentic formula, or a mere innovation in injustice; but it adds considerably to the irritation, to find

what was designed as a shield, turned into a deadly sword. It is hypocrisy added to wrong, or rather we feel as if our own flesh and blood were turned against us,—that our very children had united with our enemies.

There is another fact to be impressed,—that religion was in Rome a mere engine of state. It was not only employed, as in our times, to propagate bad doctrines, which would loosen the principles of the nation, and dispose it to base submission, but it took an active part, and was the means of inflicting direct wrong. Several highly valuable laws to the people were overturned in that manner. It is not to be imagined that this was any other than substantial falsehood. There was no superstition or prejudice in the case. Such a feeling might by possibility have operated when the sacred offices were thrown open to plebeians; but in the instances intended, the Noble-Priests knew they were uttering actual lies. They asserted as facts what they knew were falsehoods, and they called Heaven to witness their truth. It is not easy to conceive a greater complication of baseness and sacrilege.

Having thus briefly exhibited the condition of the aristocracy, we will sketch, with still greater conciseness, that of the people. It may be comprised in a few words, and is, indeed, to be collected from what has been written in the preceding pages. Oppression, immorality, and excessive wealth, are relative terms. They imply objects of suffering. The Licinian law could not be violated without injury to the middling and lower orders,—the wealth of the community could not be thrown into the gulph of patrician luxury without impoverishing the remaining classes, nor could the bulk of the people fail to experience in their persons and feelings the uncontrolled power of the aristocracy, with the tyrannical disposition and the blasted manners it engenders. The tyrant of a free state is cruel by necessity. Whatever excuse there may be in that plea, the Roman nobility are entitled to it.

The condition of the Roman commons may be stated in two terms—poverty and tyranny,—want of bread and want of liberty. All their great seditions, with one or two exceptions, arose from sheer distress. Their continual cry is for food and a roof to shelter them. Ireland, where all but two classes, the extreme rich and the extreme poor, are disappearing, gives a correct notion of their state; or perhaps Russia, with its nobles and serfs, furnishes a closer parallel, in the wealth, profligacy, and instinctive oppression of the one—the poverty, slavishness, patriotism, and bravery of the other. In the North, indeed, there are no tribunes, but all will be in good time. If Clarke is

to be relied on, Napoleon, with common prudence, might have accelerated the period, and avoided dashing his head against a pillar of ice. But to return. The history of Rome is one great action for debt. The people are not for a moment out of court. For debt they withdraw themselves to the Aventine, for debt they withdraw to the Janiculum, and for debt they join Catiline. Every tribune begins by offering them bread. Their condition was one of severe physical want, aggravated by all that can embitter a cup unpalatable enough in itself. The means of subsistence were taken from them, and if they struggled their blood was shed without hesitation. Persons are found who blame the distribution of corn, introduced by Gracchus. According to these, it was for the sole purpose of corrupting the people, and forming a party. In this there are two capital mistakes. The distribution of corn was not the tribune's scheme of policy. On the contrary, his great object was the fair distribution of the conquered lands. He wished to make the people farmers—owners of a fixed though small property; for this was the best security for their comforts and rights. Why should a man be unjustly accused, and denied the praise of good intentions, when the facts warrant no imputation?—when his course was such as any judicious, and certainly any humane statesman, would have adopted? Besides, he must have seen that the senate could play the game of corruption far better than himself, and take it at any critical moment out of his hands. No independence or steadiness will remain in a people fed like cattle. They run to the manger that offers the most tempting food. A general, returning with the wealth of a kingdom, would be their master for the time, and could overturn all the laws of Gracchus. For if there be any truth in politics it is this, that an industrious, enterprising, educated people, relying on themselves alone, are the only bulwark of liberty. Commercial states are generally free. But though it is evident, from the perseverance with which Gracchus adhered to the restoration of the lands, that he never contemplated the distribution of corn among the citizens at large as a standing policy, yet there is also sufficient reason to believe that, as a temporary measure to meet the general distress, it was not unjust. It was a kind of Roman poor-law,—an inevitable compensation to the people in one way, for being plundered in another. The people were evidently very wretched, and how could it be otherwise? What mode of employment was there? Waiving their right to the part of the wealth which they had won, how were they to earn a subsistence. Manufactures there were none,—trade to any available extent did not exist. The rapacity

of the nobles had ejected them from the land, and clouds of slaves covered their large domains? Let us detail this conduct. Upon the enactment of the Licinian law the body of Roman citizens obtained in fee,—not by mere lease, but in fee, or sometimes on payment of a mere quit rent,—each a little farm. Rome then plunged into continual wars. The farmer, for every Roman was a soldier, was carried off to the field. Upon his return years afterwards, he found that his family, by a voracious usury,—by the fictions of a law rich in chicanery, and pronounced by the patrician,—or by violence,—had been expelled from his farm to extend the territories of the nobility. These were covered with slaves. Of *their* numbers some notion may be formed, when we reflect that they maintained under Spartacus, not long after, a regular war against the whole power of Rome, that they defeated several consular armies in succession, and even marched on Rome itself. In the ancient mode of writing history it is generally only from scattered notices, from violent changes in the constitution, or fierce seditions, that we infer the condition of the people; but when the cloud is blown aside, we are at once struck with the desperate struggle they maintain against a misery without relaxation, and a tyranny without remorse. Few things can be conceived more wretched than their condition in the interval from the time of the Gracchi to Caesar. The nobles seized the property and power of the state; ‘a few men, says Sallust [Cat. 39.] enjoyed magistracies, provinces, and everything else. Secure and flourishing, they spent their lives without fear, all others they terrified by trials, that they might in office more tamely manage the people.’ This might have been borne; but after the successive massacres, what civil feeling could exist? What hope of accommodation after the slaughter of thousands of citizens upon the death of Caius Gracchus, and the illegal prosecutions that kept up the fire in the bowels of the city. From that period no real attempt at a reconciliation was made by the government; on the contrary much had occurred to deter any individual from setting himself in the most temperate opposition to it. Accordingly, at the period of the conspiracy, the parties confronted each other,—a people ferocious by the cruelties they endured and inflicted, poor in the midst of luxury, and eager for revenge on a body they hated and despised,—an aristocracy blind with pride and vice, without any law but their passions or any conscience but their avarice, full of crimes and meanness. The first possessed all the real strength, but it was dispersed and required skill to render it available. Catiline's conspiracy was one of the results of this desperate state of things.

Its suppression, by renewing the memory of old scenes, and rupturing the few remaining ties, accelerated the ruin of the senate; and when Cæsar, grown older, supplied the head required, the senate fell, to reap under a military despotism the rich harvest of tyranny, which its bloodshed, rapine, venality, and pollution, had matured into such noxious luxuriance. If the question lay between Cæsar and the senate, and not between Cæsar and liberty, there could be little difficulty in deciding on his character; for who would not reject with contempt the indignation of spurious virtue, directed against the overthrower of a domination so base in motive, so cruel in conduct, and so multiplied in extent by the number of those who inflicted it? That the body of the people stood aloof from Catiline, only shows what Colonel Napier has forcibly remarked, the innate love of country and morality which abides in the mass of the population, and which in the Roman instance was strong enough to subdue the hope of revenge and relief when tendered by the infamous agent of Sylla. Perhaps too, no consideration can set in so strong a light the oppressions and vices of the aristocracy, as the fact that such a man, the very incarnation of guilt, in a time of profound peace, formed the design of overturning the government,—except this, that he so narrowly missed success.

ART. XI.—1. *Remarks on the Statistics and Political Institutions of the United States.* By William Gore Ouseley, Esq. Attaché to His Majesty's Legation at Washington. London; J. Rodwell. 8vo. 1832.

2. *The History and Topography of the United States of North America.* Edited by John Hinton, A. M. With Maps and Plates. 2 Vols. 4to. London. Simpkin and Marshall. 1832.

3. *Sketches of America, in Carpenter's Political Magazine.* 21, Paternoster Row. 1831—2.

4. *Account of the Visit of General Lafayette to the United States in 1825.* By Mr. Levasseur. 2 Vols. 8vo. Paris, 1827. Philadelphia, 1829.

IN the expression of the Quarterly Review upon a book on the United States which has obtained some notoriety, the publications whose titles are at the head of this article, are exactly such works as 'we have long wished to see*.' The

* 'This is exactly the title-page we have long wished to see.'—*Quarterly Review for March, 1832.* On the 'Domestic Manners of the Americans' by Mrs. Trollope.

first is the production of a travelled diplomatist, habituated to a calm survey of various countries, who gives the testimony of an English gentleman sufficiently furnished for the task, upon the social character of our countrymen, once removed, in the United States. His work is calculated to do much service. The kindly disposition of the writer towards the Americans is the same with that which Mr. Stanley * exhibited after his visit to them two years ago, which has not failed to be greeted with pleasure across the Atlantic. These marks of mutual consideration cannot be made known too extensively: England and America stand foremost in the glorious cause of liberty all over the world, and must turn their 'common origin' to a better end than their common enemies desire. On this occasion, the observation of the Marquis of Lansdowne in Parliament may be received as more than equivalent for a thousand sneers. To illustrate the necessity of timely reform, his Lordship urged that 'there is no other means of preserving any constitution perfect. If you look to other countries, as well as this, you will find those countries acquiring fresh strength by making those wise changes which the circumstances that exist demand. I ask your Lordships to look to a much more recent constitution than our's—one of a different character, and far more democratic than our's,—I mean the constitution of the United States of America. (*Hear, hear, hear*, from one of the lords.) My lords, the noble lord need not be afraid. I am not going to recommend your Lordships to adopt that constitution. But I am about to explain to those who will understand me, that if the great men—for great men they undoubtedly were—who framed that constitution, had been guilty of the folly of excluding from it the means of accessions of new states, which the nature of that country admitted constantly to arise, without any change of the law, there would have been an end of that constitution. If Washington and Hamilton had not foreseen the extending nature of power in that country, and provided for the accession of new states as they arose, and which, as we have beheld, have been added to that country in a greater number than even the most sanguine imagination could have conceived; there would

* 'Mr. Stanley, soon after his return from the United States, used the following language in the House of Commons:—"So strong were the ties of a common origin, that an English gentleman travelling in that great Republic is sure to meet with the most hospitable reception, as he well knew by personal experience, that great country was proud to acknowledge its relationship to England, and to recognize the love and attachment it yet felt to the mother country, and would feel for ages."—*Ouseley's Remarks*, p. 18. The passage is cited with satisfaction by the American Reviewer of Captain Basil Hall's Travels in North America.

have indeed remained the same constitution in appearance, but a real revolution would have been effected; and the government would have lost its harmony, consistency, and force.'—11th April, 1832.

Bishop Phillpotts has not many claims to public gratitude; but, in weighing his demerits, it should not be forgotten, that his intemperate diatribe called up the noble Marquis to make the speech which contained this declaration. Every hour it becomes of more and more importance, that sound views be entertained by all countries of the conduct of their neighbours; and while our discomfited Tories and corruptionists think they can find, in misrepresentations of the truth respecting the United States, some support to their sinking cause, true Englishmen will rejoice at the steady progress of American prosperity, and trace its source to the wisdom of its political institutions.

Mr. Gore Ouseley has done much to correct error on this subject. He is the more entitled to credit, as,—so far from having written a book in the spirit of partisanship, and with a determination to prefer, as others are determined to abuse, everything that belongs to the western republic,—he has added to his remarks a strong testimony upon the superior advantages of the Canadas for English emigration.

On the subject of the United States, Mr. Ouseley has enlarged upon two topics of peculiar interest, namely the way in which numerous constituencies of voters discharge their trust to the public, and the general state of public manners.

‘With respect to the assumption, that large constituencies, formed upon the principles that are in force in America, will return unworthy representatives, it is not found to be confirmed by the experience of several years, even in the larger states, and where the greatest extension is given to the democratic principle. We are also apt to suppose in England, that where multitudes of voters have to decide the elections, a necessary consequence will be extreme disorder, riot, and confusion; I can only say, that from whatever cause, no such effects generally arise from the mode* of elections in the United States. Let us take New York for an example. And here I shall quote the statements of a correspondent of one of the leading journals of this country, which, as far as my opportunities of observation allow me to judge, are perfectly correct on this head. The letter is written in support of the clause, giving additional representatives to the metropolis; and after anticipating the objections, on the score of riot, expense, &c., proceeds to state—

* Upon the important subject of popular elections, the *Life of Governor Morris* just published, is well worth consulting. Vol. I. p. 31. Boston, 1832.

“But what in reality is the case? In a late warmly contested election to the Senate for the State of New York, there were about 250,000 voters polled; there were no brickbats, no dead cats, or any similar arguments resorted to on either side; in short, such modes of election are unknown among our unpolished brethren, and the expense to the successful candidate was about 40*l*.”

“But then ‘the man who was elected was surely some greasy mechanic,—some pot-companion and worthy prototype of the illiterate and ignorant men who elected him?’”

“The successful candidate was a man who has from early youth distinguished himself by his talents, his eloquence, and his enlarged and benevolent views. He occupied the post of secretary of state for the foreign and home departments, and relinquished that office from a high and delicate feeling of the peculiar position of his party, and that of the present President of the United States, to accept the appointment of minister to this country; in a word, it was Mr. Van Buren.”

“Nor is this a solitary instance, nor confined to one party: Mr. Clay, Mr. Webster, Mr. M’Lane (the late envoy to this country), and indeed with scarcely an exception, all the men elected by the larger bodies of constituents, are men distinguished for their talents, their services, or their standing in the estimation of the country. Nor are we authorised to say, that this is peculiar to the inhabitants of the United States: human nature is much the same, whether on this side of the Atlantic or the other. Neither are men in the lower walks of life prone to elect as their representatives those in nowise their superiors. The thought, ‘I am as good as he is,’ will prevent it. On the contrary, the greater the multitude, the more elevated must be the position which it is necessary to take, in order to be advantageously in their view.”

“Then, on the score of expense, the opponents of popular representation will say, ‘You must advocate vote by ballot, or the influence of wealth will be paramount in this country, whatever it may be there.’ But let them recollect, that it is not easy to buy the majority of 250,000 votes, at even 5*l*. each. And what is rather a remarkable fact, the ballot is, in a thousand instances, not resorted to in the United States; on the contrary, a display of the sentiments of the voters is made as much as in this country; and the order that prevails is less surprising, when we recollect who are the individuals here, whose arguments in support of their favourite candidate consist in the missiles thrown at the head of his opponent. Are they not very generally those who have no vote? A man feels that he can much more effectually support his representative by giving him his vote than by stopping the mouth of the other party with a cabbage or a dead cat; and he prefers the easier and more useful method*.”

* ‘Times, March 3d, 1832.’—An example of the condition and influence of the daily press. A quotation is made from the book of a diplomatist, and that quotation is a quotation from a daily paper.

‘Mr. Vigne confirms this account of the difficulty of perpetrating any acts of corruption in the United States, and his conviction of the non-existence of bribery at elections generally, he says, “that although, supposing the rich sometimes to influence the poor voters, he believes votes are rarely bought in the United States:”—this is quite true, “voters are too numerous, and therefore corruptions costly and difficult of concealment;” and elsewhere, “it is to the credit of America that individual wealth *has never yet been employed for any unconstitutional purpose.*” I cannot join in giving this credit entirely to the self-denial or patriotic principle of the people of the United States. I look upon it as rather the result of their institutions, human nature being much the same, and subject to the same temptations, in America as elsewhere; but their whole political system has been devised with a view to depriving wealth of all but its *legitimate* advantages: and admirably have its framers succeeded. A *millionaire*, in America, may have a mansion in every capital of the Union, establishments in town or country, on any scale he pleases of expense or luxury, and were he distinguished for talents or merit, his riches would of course, *ceteris paribus*, give him certain advantages, but he would in vain attempt to procure admittance to either House of Legislature, by *dint of wealth alone*; and I do not think that it would be possible to adduce a single instance to disprove this assertion.’

‘It has been remarked that an aristocracy is growing up in every city in the Union; but it should be remembered that it is not a *political* but a *social* aristocracy.’

‘The representatives in Congress have been repeatedly described as mere delegates, and not free to exercise their opinions or abilities according to the dictates of their own judgment or conscientious intentions. But this, although, perhaps, considered theoretically true of the House of Representatives, by a great proportion of the Americans, is disallowed by many others; and with regard to the Senate certainly does not hold good as a rule. It may be said that, *de facto*, the state of the question is very much the same as in England. On any great national question arising, or about to be decided, the electors naturally ascertain the sentiments of a candidate upon that particular subject, leaving him free to exercise his unpledged opinion upon all other topics that are not supposed so vitally to concern their immediate interests.’

‘To say that every member of Congress is, therefore, a mere delegate upon any debate that might arise would be an error, and, indeed, would in most cases be mistaking cause for effect. The representative is elected *because his opinion on certain subjects is known and approved*, not in order that he may be compelled to register pre-judged decisions opposed to his own judgment.’

‘I have before me at this moment a speech of Mr. Clay’s, upon a highly important subject, and find the following words:—“I stand

* ‘Vide Vigne’s *Six Months in America*, vol. I. p. 152, and 191; vol. II. p. 242.’

here as the humble but zealous advocate, *not of the interests of one state, or several states only, but of the whole Union*; and never before have I felt more intensely the overpowering weight of that share of responsibility which belongs to me in these deliberations," &c. : surely this is not the principle of a hard-curbed and hood-winked delegate.'

'In conversation with more than one of the most distinguished men in Congress, I have frequently heard opinions expressed that quite corroborated the view here taken of the state of feeling on this head in the United States.'—*Ouseley*, p. 29.

In regard to manners he says :—

'It was not my intention to have touched upon the social system of the United States, or the effects produced upon it by the nature of its government, it is but incidentally connected with the object of these remarks. A late work, however, upon the "Domestic Manners of the Americans," has presented such a very unfaithful picture of society in the United States, that a few observations on the subject may be necessary. It is true that the authoress describes but the manners and habits of a portion of the community, and of a section of the country but lately emerged from the state of an almost uninhabited wilderness; while her candid declaration of dislike and ill-will towards the Americans and their institutions, political or social, sufficiently accounts for the satirical, clever, but highly coloured caricatures in which the writer indulges. But the general reader, amused by the spirited tone of acerbity and sarcastic talent with which the pictures are drawn, and totally unacquainted with the country described, does not examine the justice of the representation, as applied to the upper classes, particularly in the larger and older capitals, and mistakes it for a general outline of American society. This impression is fostered by the notice in the Quarterly Review, which carefully keeps out of view Mrs. Trollope's raptures at New York, and even at Washington, in which places, however, it does not appear that she, from whatever cause, ever was received in the higher circles.'—*Id.* p. 11.

'As to the more classical refinements produced by the cultivation of a taste for the fine arts, and the elaborate luxuries which naturally arise in a community where hereditary wealth and rank give leisure and encouragement to the lighter and more seductive studies, they cannot be expected to attain rapidly to any perfection, when the very culture of the soil is in its infancy. But it is surprising that where pursuits and occupations, little connected with literary and scientific pursuits, are of necessity so universally followed, there should, in the older Atlantic capitals at least, be such progress already made towards these ornamental superstructures of civilization. *Le superflu, chose si necessaire*, may be found either at Boston, New York, Philadelphia, &c., and in much greater perfection than might reasonably be expected by Europeans; those who are disappointed at not finding the "stately homes of England" rising among primeval forests, or on the banks of rivers that but a few years back watered the undisturbed domain of the painted Indian, have in truth built castles in the air when they

proceeded to visit America. And if we find little artificial and conventional refinement among persons enjoying many of those comforts of affluence that among us are generally the portion of the few and educated alone, should we not rather consider the complete independence and comparative happiness of a large class of men, who in the mother country might be starving on the miserable stipend of a poor-house, or on the daily wages of fifteen hours' work in a manufactory, than be surprised at their rusticity of manner?—It is quite true, that many of the habitual elegancies of life (which a very few years ago were exotic superfluities in our own country) are not to be met with in the recently settled countries, and there are “men of education and of refinement *”, in every state of the Union,” who know by the experience acquired in other countries, the full value of the advantages that they cannot expect as yet to realize in their own. But let us pause awhile, and reflect, that if we listen to the predictions of those who argue the speedy downfall of the political institutions of America, we should also await the lapse of a few years of successful improvements, to pronounce on the possibility of refinement following in the steps of wealth and education, especially in that country, where a comparatively very short period suffices to produce a wonderful advancement. Nor should we attribute all the defects incident to the infancy of every society entirely to the effects of the popular nature of the government of the United States. The inhabitants of the contemporaneous colonies of British America †, under similar physical circumstances, evince the same aversion for menial service, from like causes, and have not been more distinguished in the career of literature, arts and sciences, than their immediate neighbours, although under a very different form of government; nor can it for some time be expected that it should be otherwise.’

‘If there are not, however, in America, generally, whether colonial or independent, many of the advantages which hereditary rank and privileged wealth indisputably bring in their train, neither are there their countervailing evils; political corruption, for instance, is nearly impracticable; if the conventional forms and increasing artificial wants of the highly artificial system of England are wanting, neither is there to be discovered that much more disgusting and contemptible real vulgarity resulting from the abject worship of rank and wealth that debases the lower orders, and some members of almost every class of society in our country. If the roughness of manner and extreme independence of the lower classes in the remote parts of the Union be occasionally disagreeable to Europeans, accustomed to, and perhaps exacting, the interested homage paid to opulence in other countries, the *bassesses* with which exclusive divinities are propitiated in England, (and verily often by those who have little excuse for not knowing better,) are unknown. There may be much want of external polish found combined with much practical good sense; although there are few of the miserable coxcombs of dandyism,—there will be found

* ‘Vide Vigne, vol. II. p. 242.’

† ‘Vide B. Hall’s Travels in North America, vol. I. p. 209, &c.’

successful individuals of humble origin (not forming exceptions to a rule, but) in numbers sufficient to prove amply that talent and well-directed industry and energy are certain, as human institutions can make them, of being rewarded by the highest stations in society: yet it will not be easy to find among the numerous and efficient *employés* of the American government a single specimen of the genus, vulgarly, but expressively, classified as the "Jack-in-office," whose absurd or stupid impertinence often clogs the operations of the European bureaux that they infest.—There are to be found men of large hereditary or acquired possessions, whose feelings, education, and manners would ornament any society, divested of the puerile varieties of an exclusive circle, or the putid popyisms of the silver-fork school.'

' Americans may well be excused if their patience is somewhat taxed by the short-sighted and captious criticisms that are sometimes uttered by foreigners upon their country, their government, or their manners. I look at that immense tract of country west of the Alleghanies, that a very few years ago was comparatively a wild forest, where many millions of acres were thinly occupied by a few thousand inhabitants, and see a population already greater than that of several independent kingdoms, daily increasing in numbers and adding to their comforts; where cities and towns spring up as if by magic from among the woods; its plains traversed by rail-roads and its gigantic rivers covered with steam-boats. I see all this going on without tumult, bloodshed, or disorder; and when I exclaim, "This is a noble, an extraordinary country!" I am answered in Abigail phrase—"But, shocking, the people eat with their knives!"—*Id.* p. 48.

Mr. Ouseley enters, at considerable length, into an interesting controversy which has lately taken place in Paris and in London, upon the subject of the comparative expense of the French, the English, and the American systems of government. The writers in this controversy are Mr. Cooper the American novelist, Mr. Saulnier and other French writers, and a writer in the Quarterly Review. Mr. Ouseley comes into this controversy as a sort of moderator, and gives strong reasons in support of his decision for the American system. Upon one head not enough examined by the other writers, namely the ecclesiastical establishments, he states, that their cost in Great Britain and Ireland is twelve millions sterling per annum at a very low valuation, while it is rather overrated in the United States at 1,100,000/. The comparative fruits of these respective expenditures are set forth by Mr. Ouseley in the following terms:—

' Much has been said lately about a "free trade in religion." If this phrase have any meaning as applied to the United States, I am at

* "Witness the result of free and protecting institutions. Fifty years ago the population westward of the Alleghanies did not exceed 15,000, now it amounts to five millions. The population of priest-ridden Mexico has not increased for centuries."—*See Vigne, vol. II. p. 85.*

a loss to discover it. There are few countries where there is less of trade or pecuniary considerations in connexion with the ministers of religion than America. Livings can neither be bought nor sold, nor money received on account of the church, but by individuals performing certain duties, for which, in the opinion of those who benefit by their ministry, they are supposed most eligible. It would be a great mistake to suppose that even the mere external demonstrations of deep respect for religious ordinances are not observable in most parts of the United States. In a great many States there is annually a fast day proclaimed by the governor of the State, and its observance neither meets with the animadversion, nor the opposition that similar proclamations have been met with in this country. The general respect for the ordinances of the sabbath is also at least as great, (except, I am informed, in the southern extremity of the Union,) as in any country with which I am acquainted.—*Id.* p. 132.

The details which Mr. Ouseley has produced in the sixteenth Chapter of his book, respecting the public lands of the United States, suggest the propriety of the revision of our systems of disposing of the crown lands in the colonies. Few heads of inquiry would afford more examples of blundering and of abuse, or upon which the doings of our colonial office in Downing Street might be compelled to take lessons from America with more advantage.

The gold mines in the United States have, within little more than a dozen years, become a very important source of wealth. The gold coinage in 1830 appears to have been of the value of 643,105 dollars, of which 466,000 were the produce of Virginia, the Carolinas, and Georgia. Upon this head Mr. Ouseley mentions the curious and interesting fact,—

‘There are indubitable evidences that these mines were known and worked by the aboriginal inhabitants, or some other people, at a remote period. Many pieces of machinery which were used for this purpose have been found. Among them are several *crucibles* of earthenware, and far better than those now in use. Messrs. Bissels had tried three of them, and found that they lasted twice or three times as long as even the Hessian crucibles, which are the best now made.’—*Id.* p. 152.

As the remarks on Mr. Ouseley’s book were in preparation, the gazette announced his promotion to be Secretary of Legation at Rio de Janeiro. Was this from routine necessity; or is the ministry really beginning to do the people’s business by men who are not the people’s enemies?

Mr. Howard Hinton’s history is another important addition to our standard literature. If, as is known to have been the case, Chief Justice Marshall’s *Life of Washington*, republished in London some years ago, has greatly assisted to form the political mind of many a young Englishman, as well as of hundreds of

thousands of Americans ; it is not rash to anticipate, that the picture presented in these volumes will do more in producing effects of the same kind. Its well executed design is stated by the author to be, 'to bring into appropriate juxtaposition the accounts which have been given of various districts, so as to exhibit the entire aspect of this extensive and diversified region ; to present a general view of the state of society, in its principal aspect, and in its widely-varying features ; to combine the social state with the political institutions of the people, and these again with their trading activity and commercial resources, and all the preceding with the physical structure and natural history of the territory ; and finally, to connect these topics with an historical narrative, tracing the origin and progress of the inhabitants, exhibiting the principal events which have occurred to them, and developing the causes which have either facilitated or retarded their advancement.' [*Preface.*] The first volume contains the history of the old colonies and of the new republic, from their foundation in the years 1584 and 1776, to the present day, with a sketch of the first discovery of America.

The second volume treats of the physical geography, or natural features, of the territory of the Union ; which are of great magnificence and beauty. Rivers of a thousand leagues ; forests untouched by man from the creation ; fertile, unmeasured plains stretching from the tropics to the confines of the frozen north ; inland seas ; and all the varieties of mountain and valley, which nature has spread over the earth so bountifully ; are well depicted in the first book. Book the second treats of the natural history, in the different departments of geology, mineralogy, zoology, and botany, in all of which the western continent presents objects of high curiosity. The third book is entitled Statistics, and enters into various authentic details respecting agriculture, manufactures, commerce and navigation, finances and population. In the fourth book, under the head of 'state of society,' are noticed political institutions and jurisprudence, religion, literature, arts, and manners ; with the state of the Indians and negroes. The concluding book contains a sketch of what is most prominent and interesting in the several divisions of the Union, and in its principal cities and towns. To all this are added, accurate maps upon a convenient scale ; and a great variety of plates of public and private buildings, prisons, canals, and views, which 'will tend much to familiarise the mind of a foreigner with American objects and scenery.'

The earnest and pleasing style of the work, modestly called by the author a compilation requiring 'only the moderate qualifications of industry, candour, and carefulness,' may be seen

in the following extract. A view of the character and objects of the early colonists is thus introduced.—

‘The world presents no parallel to the history on which we now enter. The love of glory or of gold has been the impelling cause of the commencement of other colonies, and the foundation of other empires; but in this instance religion, and that of no ordinary kind, either as to its purity or its intensity was the grand principle of colonization. It was a church rather than a kingdom that these master-spirits of the age sought to establish on the transatlantic shores; and the selection of their location seems to have well accorded with their object. “Arrived at this outside of the world, as they termed it, they seemed to themselves to have found a place where the Governor of all things yet reigned alone. The solitude of their adopted land, so remote from the communities of kindred men that it appeared like another world,—a wide ocean before them, and an unexplored wilderness behind,—nourished the solemn deep-toned feeling. Man was of little account in a place where the rude grandeur of nature bore as yet no trophies of his power. God, in the midst of its stern magnificence, seemed all in all; and with a warmer and devouter fancy than that which of old peopled the groves, the mountains, and the streams, each with its tutelary tribe, they mused in the awful loneliness of their forests on the present Deity, saw him directing the bolt of the lightning, and pouring out refreshment in the flood, throned on the cloud-girt hill, and smiling in the pomp of harvest. If ever the character of men has been seen more than any where else in powerful action or developement and operated on by the force of peculiar and strongly-moving causes, it was here. Nor, wrought on as all were by similar influences of place, fortune, and opinion, was ever any thing produced like a life’s unpoetical monotony of character. Nothing could be more opposed to this than was the spirit of puritanism. Wrong or right, every thing about these men was at least prominent and high-toned. Excitement was their daily bread, as it is other men’s occasional luxury; and the diversities of character in this community, where, for the most part, people thought so much alike, were more strongly marked than they have often been in other places in the most violent conflicts of opinion. To a religious model, by force or accord, every thing, even relating to the most private and secular concerns, was made as far as might be to conform, for ‘noe man,’ saith Mr. Cotton, ‘fashioneth his house to his hangings, but his hangings to his house.’ Religion, politics, fashion, and war, never came elsewhere into so close companionship. The meeting-house and the armory were built side by side, as yet, by the force of old habit, they stand the country through. A desperate courage and dexterity in arms were enjoined as religious duties. The old considered questions of polity at the meeting. The dour youth went from testifying with his mouth in the assembly, to testify with his firelock in the field; and the muffled maiden lisped in biblical phrase her soft words of encouragement or welcome.” This is a powerful description, but the reality will be found much to exceed it.—*Hutton*, vol. i. p. 49.

The revolution of 1776 is thus opened :—

‘ No period of the world’s history exhibits events more deeply fraught with interest, or more full of moral and political instruction, than the era of American independence. Duly to appreciate the character of the struggle, it is necessary to take a brief review of the circumstances in which the colonies originated, their progress for nearly a century and a half, and the nature of the connexion which existed between the colonies and the parent state.’

‘ A considerable variety of circumstances attended the establishment of the different colonies. In some cases large sums were advanced, either by associated or by individual proprietors who remained in England, expecting, though in vain, to derive a profitable return for the advance of their capital; while in others, and those the most eminent, the colonies were founded solely at the expense and by the talent and laborious exertion of the individuals who expatriated themselves, to obtain the uninterrupted enjoyment of rights which they sought in vain in their native land. In no instance can it be truly stated that any American colony was established at the expense of the government or nation of Great Britain. The individuals who had thus voluntarily separated themselves from their native land by a distance of three thousand miles, still maintained some connexion with the parent state, both because the new soil was claimed as an appendage of the crown, and in order to place themselves under adequate protection against the hostile attempts of any of the other European states. By royal charter, however, each colony was allowed its legislative assembly, and with such slight restrictions, that the colonists might well be excused for entertaining the idea that they possessed their own parliament; and their history evinces that this sentiment was widely extended and deeply impressed on the minds of the Americans. In no case were the civil institutions of the colonies less free than those of the British constitution—in many instances they were far more so; while the simplicity and popular character of their ecclesiastical bodies tended most powerfully to keep alive the spirit of civil freedom. The liberties they enjoyed were rendered still more valuable, in their esteem, from the recollection of the sacrifices they had made to obtain them. What labour—what fatigue—what peril had they not encountered in an unknown and savage land!—Exposed to the excessive rigour of the winter, and the overpowering heat of the summer, of an American climate, unmitigated by the protecting and consoling influences of civilization, an early death had been the fate of most of the first emigrants; while those who survived the miseries of their situation had to defend their new habitations against the assaults of a ferocious foe, who disputed their title to the possession of lands they had so long regarded as exclusively their own. Did the aristocracy or the legislature of Great Britain share in these toils? Did they dispense with any of their luxurious habits to relieve the wants, or sympathise in the difficulties or distresses of these brave and indefatigable men? Or did they not leave them unnoticed till they became sufficiently wealthy to afford a lucrative banishment to some of the

basest scions of nobility, and a prospect of yielding a revenue which might facilitate the enlargement of the pension list ?'—*Id.* p. 259.

The first volume containing a history of the civil and military transactions of the Union, including much of the presidency of General Jackson, there is left for the second volume a great variety of subjects which are treated with a minuteness scarcely to have been expected in a general work. The geography of the country, the mountains, rivers, climate, and soil, are accurately described: its geology, mineralogy, botany, and zoology, with its agriculture, manufactures, commerce, finance, and amount of population, occupy a large portion of the book. The political institutions and jurisprudence, the peculiar state of religion, the literature, education, arts, and manners, have each a special consideration; and after this exact survey of subjects common to all parts of the Union, there is introduced a description of the peculiarities and present condition of each of the twenty-five States, and of the five vast dependencies, called Territories, not yet formed into States, which constitute the Union.

A particular Chapter is devoted to one of the most interesting of subjects, namely, the condition and property of the coloured people, Indians and negroes, who amount to not less than 300,000 of the former, 300,000 free people of colour, of partially negro origin, and 2,000,000 slaves, who are either pure negroes, or the children of negro and coloured mothers and white fathers. The prejudices of the people at large towards all these unfortunate beings, are strongly stigmatized by Mr. Hinton. For there is no equality, even by the law of the United States, between the white and the coloured citizen of this great republic; and the present aim of the large mass of the most benevolent is, to separate the latter from the former. The treatment of slaves is described to be good in the United States; but the author has omitted to mention in the prominent way the fact requires, that while the slave population in the West Indies sinks under the treatment of British planters, it increases rapidly in the United States. This important distinction, and the great changes which have already been wrought in public opinion respecting the claims of the coloured people, afford good grounds for the belief, which many prudent individuals entertain, that America will not be last in doing them justice. We have only space to notice a recent change in one particular. In the southern states, within these ten years, to educate this class was an indictable offence; and not far from the spot where a presentment was actually preferred for it, one of the most influential slave-owners has established infant schools on all his estates, and others are fast following his example.

Both Mr. Ouseley and Mr. Hinton do justice to that noble institution the Colonization society, and its important first-fruit, Liberia, the free infant state in Western Africa. The disposition to educate the negroes and otherwise to improve their condition, amongst their white fellow-citizens at home, is another of the fruits of the exertions of that society; one of the most prominent of which is the recent abolition of the internal slave-trade from State to State, in Virginia, South Carolina, Georgia, and Kentucky.

It is a remarkable feature of independent America, that what is right is pursued by the people with a steadiness and a sagacity calculated to overcome all difficulties, and to recover from the ill effects of every error. Mr. Hinton's volumes contain proof of this on several heads. The adverse and unnatural interest which the existence of negro slavery, originally forced upon the colonists by the mother country, had raised up in a powerful body to the prejudice of the whole people of colour, has long delayed the due settlement of this great question; but it will be a strange exception to all American experience, if a few years do not dispose of it in the way most earnestly desired by the large majority of their greatest men.

The two productions whose titles are the last upon the list at the head of this paper, have also their peculiar merits. The letters in Mr. Carpenter's Magazine contain acute remarks in which Americans may find instruction; while the English reader will only regret that the nature of the publication in which they have appeared has allowed the writer such narrow limits. They are likely to be the more useful, by being brought in that vehicle to the readers amongst the masses of our countrymen. It is the millions, chiefly, whom America will ever interest; as it is the interest of the millions that is directly to be promoted, by realizing at home the many good old English usages which flourish without suppression, and with advantageous development, in the United States.

The production of M. Levasseur is distinguished by merit of another kind. It is a description of one of the most remarkable events that have occurred to an individual in our time. Many remember the enthusiastic homage paid in London to the remains of Nelson after the battle of Trafalgar, and how the whole people of the metropolis thronged as one man to do his memory honour. The homage paid to the living Lafayette was far more extensive; and this narrative of his visit to the United States, at the exhortation of the Congress, describes in a simple but sufficiently lively manner, the presentation of the noblest civic crown ever won by a stranger from the grateful millions

he had benefited. M. Levasseu's account of the reception of such a man by such a people, from Boston to New Orleans, is necessarily replete with interesting details; and it may be recommended as affording an excellent survey of the present condition of the United States, independently of the authentic particulars which it contains respecting the immediate subject of the narrative.

It is impossible to close these various volumes without feeling the conviction, that the United States have reached a measure of prosperity both individual and national, never before witnessed on so extensive a scale. It cannot be denied that there exist in them a real and substantial equality of civil and political rights,—a general division, not only of the necessaries, but of the comforts of life,—a high degree of mental activity animating the mass of society,—not only the facility of acquiring, but the actual attainment, of practical knowledge,—enterprises of internal improvement which surpass in extent and importance those of the richest nations on the globe,—thirteen millions of inhabitants governed, or rather governing themselves, and preserving a state of order and subordination to legal authority, almost without military aid, and almost without taxes, while empires ruled on despotic principles, whose peculiar boast is the adaptation of their system to promote internal peace and tranquillity, are as much exposed to domestic convulsions as they are to foreign war,—and finally, a rapidity in the advance of population, and of improvement in all the arts of life and society, alike unprecedented in the past, and baffling conjecture for the future.

ART. XII.—*The Radical: An Autobiography*. By the Author of 'The Member,' 'The Ayrshire Legatees,' &c. &c.—London. Fraser. 1832. 12mo.

IN the last number an account was given of the way in which Mr. Galt had been run away with by one of his own subjects. It was told how he had mounted a political Pegasus with a strong determination to go in the wind's eye; and how, after all, a gale of genius sprung up, which carried him, Pegasus and politics and all, right before it. It was but a small venture, and yet it was contrived that a large cargo of borough-mongering should be wrecked. The owners, it seems, were not a bit disheartened, for he is again stranded in another craft, named the *Radical*; a tight little vessel enough, if the commander had been able to steer her through the perfidious sands of his sub-

ject he has tried in vain, the Radical is run aground, a prize on the enemy's shore,—the wickers are even now upon her,—and we are about to stove a water-cask or two, in search of contraband treasure. The 'Radical' is an endeavour to caricature radicals: but such is the author's sense of the nobility of the cause, and so thoroughly does his spirit give the go-by to his corruption, that what was designed for a ridiculous burlesque, may be held to be a likeness painted out of the man's own heart.

No man shall tell us, that a writer of Galt's genius, experience, and trials, has not in his heart a thorough feeling of the oppression under which the mass of British talent, activity, usefulness, and in short, happiness, has been borne down by an oligarchy. He has encountered this dead weight a thousand times, and struggled against it as often, has felt what was due to himself and to whole classes like him, and has, we will undertake for it, many a time cursed the hour when such shackles were forged. True it may be said, he has borne the outward guise of a Tory,—perhaps so. Who knows the slave till the day of freedom? he does not even know himself. The eyes of many will soon be opened—they who considered that all but their lives,—the fortunes of their family, their own success in life, and all that makes the world worth staying in—were in the hands of a governing few,—will soon see that the sun rises in another quarter, and diffuses his rays impartially. Shakspeare was in habit a Tory—but for an instant suppose him placed at the epoch of Reform, contemporary with the moment when a nation rises up in her sovereignty, would he have preferred to be the intellectual lacquey of any lord, however refined or chivalric, to standing the brother of a regenerate race of freemen? But as Galt might have made a few parting salutes to his patrons, so he might have made a ply or two, ridiculing opinion and the people, and exalting the lords of Parliament—the beneficent *octroyeurs* of the liberty of breathing and walking—but, after all, if our theory be correct, sure we are that the nature in him would have undermined his patrons—genius would have had her own, the man would have asserted his charter, and the arrows, like the enchanted bullets of Frieschutz, would have found their true mark. How something of this kind took place in the 'Member' has been shown—it is still more apparent in the 'Radical.' They who are hired to curse, like Balaam, cannot but bless,—the scoffer comes to scoff, and stops to pray. The Radical is intended as a misrepresentation, and indeed a vilification of radicalism—but so intertwined are all the ramifications of the cause with the heart of man, and more particularly a man of genius who is not an oligarch, that the Radical is—barring

only a few assumed doctrinal phrases—neither more nor less than an acute and able statement of the hopes and expectations of the friends of the people, and the designs of those who would accelerate their progress in what Mr. Galt calls, with a sneer, perfectibility; but which we prefer to term, the greatest happiness. The phrases adopted by Mr. Galt with a view of depreciating the cause he attacks, it must be said, betray a considerable degree of ignorance of the progress of opinion among us. While he was laying down the plans of Guelph town, he must not suppose that the population of Britain had no plans of their own; and it is unworthy even of those who patronize him, to confound, even for a moment, the wild speculations of Godwin and the Spencean anti-property notions he dwells upon, with the firm and resolved design of the radicals to have the country governed for itself, and not for a class. Those grovelling far deeper in the mine of corruption than he is, will be ashamed of this mistake: while not one of them could pretend to be the author of numerous passages in the work, in which he writes as if in the character of a radical reformer, but in truth out of his own sense of a large justice, and in his heartfelt sympathy with the cause of his countrymen. He has indeed consented to wear livery and obey orders, but he may rely upon it, that had his masters continued in power, they would not long have retained in their service so unlucky a partisan.

We give no credit to Mr. Galt's intentions; his outward man has been blinded by notions of interest: he fancied he was working out a weight of worldly treasure—but alas! he was mistaken; the conjuncture was unfavourable, and his hopes, when at the brightest, have suffered a dark eclipse. It seemed a happy coincidence that the book was finished during the brief occultation of the reforming ministry. There was doubtless loud chuckling when the dedication to Lord Brougham, 'late Lord High Chancellor,' was concocted: pleasant was the jest and happy the hour that seemed to witness the culmination of the 'Radical,' and the descent of the alleged incarnation of radicalism, the head and front of the party, as he calls him, to the lowest depths of Nadir. Grievously, however, has the horoscope deceived the sanguine author; the unlucky stumble in the very threshold was ominous, and betokened utter failure.

Mr. Galt's *Radical*, he would have us believe, is a very sad fellow, and in giving an account of himself, it is lamentable to think he has nothing but sins to record. One of the earliest is robbing an orchard: this is intended to be typical of his future disregard of the *meum* and *tuum* on a large scale. Next he beards

the school-master on his throne, and is a ringleader of rebellion among the scholars: this is clearly indicative of agitation. Of course none of the conservatives ever robbed orchards or defied a pedagogue. Next we have a case of bastardy; the Radical walks once too often in My Lord's park with one Alice Handy: the Radical himself speaks of the poor girl tenderly, but the exemplary Tory father countenances no unequal matches, so it becomes an affair of the parish. Now every one must see that this unfortunate occurrence has a very close connexion with reform; and that it is manifest from the young gentleman's aptitude at seduction, that he would turn out a strenuous advocate of the liberties of the people. Seduction is a charge that has never been substantiated against the aristocracy. The Tories disdain low connexions, and bastardy is a bar to preferment whether in relation to parent or child: it is only the radical, anxious for the amelioration of the condition of the great mass of his fellow-citizens, who goes about bringing poor girls upon the parish. It was a happy idea of Mr. Galt's to bring the Radical into a decided contact with the parish beadle, by way of showing how reformers spurn the powers that are. The Radical (whose name by the bye is Nathan Butt; it is chosen for the sound, it does not ring so well as Wharncliffe or Wellington) is now sent from home, his father being disgusted by his irreverence for the venerable institutions of the country as shown in his brief affair with the parish. Nathan is transferred to the town of Slates, where an uncle resides who takes him into business. It is to be presumed that the *faux pas* of Nathan have an end; for his uncle proposes marriage and suggests a suitable party. Whereupon the Radical takes the institution of matrimony into consideration, and ends by showing a manifest abhorrence of it, both in the beginning and in the end. Hence it is to be concluded that radicals are not married and given in marriage. It might be better for many of them if there were some truth in the allegation. It is not this class, however, that lives in luxurious bachelorship, or that habitually despises and derides the bonds of the institution after it has once been entered into. Nathan, at length gives in, and is married to the lady recommended by his uncle. A child is born, and hence arises a multitude of woes. Mrs. Butt is a strictly religious person: Nathan being a radical is necessarily an irreligious one. The lady objects to her husband, as not in a fit state of mind for being his child's godfather; and not only lets loose upon him his aged mother, and his miserable old father, an attorney who thinks religion nearly connected with costs, but a presbyterian minister and a clergyman of the established church,

and further, improves every hour, night and day, by lectures on the state of Nathan's soul. Poor Mr. Butt very naturally concludes that he is a persecuted man, and in the most delicate manner possible proposes a separation. But he has reckoned without his hostess! Mrs. Butt is far too good a wife to separate from her husband; it is her duty to torment him into a proper idea of his miserable condition: so poor Nathan resigns himself to his fate, and may be held out as a warning for all radicals not to take religious wives to their rebellious bosoms. Nathan at length retires from business, on philosophical and radical principles. It is pleasant to learn that the unhappy man has saved an ample competency. In his retirement from business, his radicalism naturally festers, and he feels a call to parliament. He is returned for the rotten borough of Mothy. Corrupt places only, return radicals; and in a short time, on a petition, he is ousted from his seat on the score of perjury. Bribery, corruption, and rotten representation, are characteristic of radicalism; and Nathan Butt only appears in the House to be present at the discussion of the Reform Bill in the Commons, and then to be sent back to Mrs. Butt, and lectures on domestic bliss and baptism.

The skeleton of the history of the Radical, is only the imbecility of the would-be partisans of the broken-down conservatives. The reasoning and reflection—the muscle and nerve of the book—are the author's own. In his private thoughts John Galt is a shrewd, nay, a profound reflector upon the progress of events; he is not aware of his own sagacity, and perhaps is ignorant that he has been long masking his free thoughts in deference to place or person. In attempting to put ridiculous notions into the mouth of his Radical, he has with that strange autobiographical instinct he possesses, often seen into the very depths of the Radical question. He sets forth much in jest, that he would in vain attempt to answer seriously; of course we throw overboard at once all the stuff about 'the natural source of right'—'the absolute rights which man has inherited from nature, anterior to the gregarious sympathies,' the 'artificial maxims of society,' and similar nonsense palmed upon us from the enemy.

Mr. Galt's obstinate genius has played him as false in his descriptions of the parties he would praise, as of those he would hold up to ridicule. The objects of veneration he has set before us, are most unfortunate specimens. Down to the very school-master Dr. Gnaul, if not intolerable for their bad qualities, they are for their dull ones. The father is so great a nuisance, that he would, if any thing could, bring filial obedience into con-

tempt. This is an account of the last interview between the incurable father and the incorrigible son, previous to his being sent forth.

"Nathan Butt," said he, on the evening previous to my departure, "you go from your father's house—what he says with sorrow and apprehension—an incorrigible young man you have, from your youth upward, been contumacious to reproof, and in your nature opposed, as with an instinctive antipathy, to every thing that has been endeared by experience."

"This address a little disconcerted me, but in the end my independence gave me fortitude to say,—“Sir, that I have not been submissive to the opinions of the world and to yours is certain, but it is not in my character to be other than I am. Fate has ordained me to discern the manifold forms which oppression takes in the present organisation of society——”"

"Oppression!" cried the old gentleman, with vehemence, "do you call it oppression, to have been, from your childhood, the cause of no common grief to your parents, to have been kicked out of one school, and the rebel ringleader in another?—Nathan Butt! Nathan Butt! unless you change your conduct, society will soon let you know, with a pin in your nose, what it is to set her laws and establishments at defiance."

"Alas! sir, pardon me for the observation—but you have lived too long, the world now is far ahead of the age which respected your prejudices. I am but one of the present time, all its influences act strongly on me, and, like my contemporaries, I feel the shackles and resent the thralldom to which we have been born."

"You stiff-necked boy!" exclaimed my father, starting up in a passion, "but I ought not to be surprised at such pestiferous jargon. And so you are one of those, I suppose, destined to be a regenerator of the world! Come, come, Mahomet Butt, as I should call you, no doubt this expulsion to your uncle's will be renowned hereafter as your Hegira. I have seen young men, it is true, in my time—that which you say is now past—who, with a due reverence for antiquity, and a hallowed respect for whatever age and use had proved beneficial—but the lesson is lost on you. However, let me tell you, my young Mahomet, that we had in those days mettlesome lads, who did no worse than your pranks, but——"

"Well then, sir, what was the difference between them and me?"

"Just this, you graceless vagabond!—what they did, was in fun and frolic, and careless juvenility, but you, ye reprobate! do your mischief from instinct, and evil, the devil's motive, is, to your eyes and feelings, good! You—ye ingrained heretic to law, gospel, and morality, as I may justly say you are—have the same satisfaction in committing mischief, that those to whom I allude had, in after-life, in acts of virtue and benevolence!"—p. 52.

The personal appearance of the absurd old gentleman would not lend any grace to his doctrines.

'My father, who had been more than five-and-thirty years the legal adviser of Lord Woodbury, one of the greatest beaux of his time, was, in his appearance, the opposite of all ever deemed fashionable and favour-bespeaking. His clothes were of a strange and odd cut: he wore half-boots, light-blue stockings, and brown kerseymere inexpressibles, with large silver knee-buckles; commonly a black satin waistcoat with spacious pockets, a bluish-grey coat with broad brass buttons, a tye-wig well powdered; and his face was red as with the setting glow of a departed passion.'—p. 57.

The mother and the wife, we trust, are not fair examples of the lots radicals draw in their feminine relations. With the old lady there is not much fault to find; she is weak and ignorant, like many other old ladies. But the wife is the perfection of quiet provokingness; one of those torments that can carbonado a poor man without moving a muscle, or disturbing her marble-like tranquillity; the unquiet spirit working beneath a surface of ice. Such women are always deemed models for the imitation of their sex, and to all but the poor man whom they work with their unseen pins and needles of vexation, appear in the guise of angels of decorum and benevolence. This is hard measure for the poor Radical, and it is lucky for him that he can occupy himself with setting the business of the country to rights. He is not, however, without touches of natural affection, in spite of his horrible political principles. Mr. Galt cannot be so cruel as to deny him a heart, and has even painted the scene of his mother's death-bed in a manner to do the grieving son credit. Her last words are however a cutting attack; in the agony of her disappointment that her son is not the safe and loyal person his father was, a personification of popular prejudices or undoubting common-place, and under the last suffusion of maternal tenderness and apprehension she exclaims—

"Oh! Nathan Butt, are you that blithe and innocent boy that gladdened my heart so long ago?"

This was the last question she ever asked, and it did not require answering. Some of her son's reflections on the occasion deserve quotation. It will be seen they are meant to imply perverted feelings.

'I then left the room, and went to my own chamber, where, after a season, I grew impatient at my softness, and cried out, with a grudge, "Why is it that man alone should be molested with such scenes?" But, do what I would, and resolutely as I nerved myself, I could not check the current of my thoughts and tears. This was undoubtedly an unbecoming inbecility; and for a time, in spite of myself, I was obliged to give way to the mood that fell upon me. In the sequel, however, I recovered my self-possession; and it is salutary to reflect how soon, after the grave has closed on the truest of friends

—a parent—a man regains his accustomed wont. No doubt, the shrinking sense of grief is afterwards felt occasionally in the lone and the sad hour, and I have not been without the experience of its icy touch; but sorrow is not a habitude of nature, and to confess the fact, I really felt that the demise of my worthy mother left me freer to pursue the course of my endeavours to improve the condition of man; for while she lived, my dread of giving any cause of uneasiness to her made me shy to undertake many enterprises of pith and moment that the heritage of the world so wofully requires.—p. 162.

Of the political views, the shrewdest, and at the same time the least caricatured, are Mr. Nathan Butt's notions respecting the course of political history since the French revolution, and the account he gives of the Radical tactics during the same period. His ideas respecting Napoleon, that 'great bad man, who so singularly threw the world away,' probably do not vary much from those entertained by many radicals of flesh and blood.

'When Napoleon came upon the scene as a monarch, it was an epoch of the drama wherein he bore the principal part. From the moment in which he assumed the imperial attributes, I had my doubts of his integrity; for I beheld then that the star of ancient things was again in the ascendant. I trembled at his restorations—I grieved at his institutions; and I saw only a revival of thralldom for mankind, especially when he blended his fortunes, by marriage, with the fated progeny of the doomed. But when, after that lapse, he again stepped forth in his glory, conquering and to conquer, a new hope dawned upon me. Alas! it proved but the glare of that false light, which streams up in the northern sky, and is succeeded by no day. The Russian campaign disappointed my dreams; and the havoc and storm which pursued him to the Isle of Elba, smote me with consternation. All around seemed blasted; and my sad ears heard no sound but the riveting again of shackles and fetters on the wrists and ankles of man.'

'In this dismal crisis, when the cry arose that the captive Eagle was again on the wing, and the wrens and sparrows cowering and flying before him, inadequate is the utterance of my pen to express what I then felt. The primeval energy of my spirit blazed up, and I anticipated the renewal of all those fond illusions which I had cherished with enthusiasm in former years. But the fortune of the world is like the destiny of individuals—a very shuttlecock. Brief indeed was the flattering hope that the return of Napoleon to the Tuileries, and the flight of Louis to Ghent, inspired.'

'The battle of Waterloo blighted my expectations; and with a sick and humbled heart, I acknowledged that the cause of philanthropy was, in consequence, suspended. But I had yet the embers of secret consolation unquenched at the bottom of my heart.'

"The cause of man," said I to myself, "is a sacred cause—a cause to which the heavens themselves are propitious; and this very eclipse that has darkened its splendour, is a proof that it is in progress, and will hereafter shine forth with more refulgent lustre."—p. 91.

Did Mr. Butt say, true; or not?

After speaking of the measures used by the government of the time in repressing the 'radical uproar,' Mr. Nathan Butt describes the changes of commotion on the part of mobs, into agitation and discussion, as the settled plan of a defeated party.

'Measures, therefore, more consonant to our condition, were forced upon our consideration by the ineffectuality of the Scottish Radical campaign. To strive with those who in the field commanded the sinews of war, required a peculiar, and new as peculiar, system of tactics. But the same untired genius that ever delighted to re-illumine our darkening hopes, was still amongst us. Taught by it, we retired from the battle of blows, and with a unanimity that will be remarked by posterity as among the wonders of the time, we had recourse to the weapons of reason, and the intellectual contests of argument. Yet in this retreat we did not escape contumely. On the contrary, we were treated as if we had been subjugated; and in the endurance of that exultation, we acquired the patience which is now giving us a foretaste of at last becoming in our turn the conquerors.'—p. 95.

This is more ingenious than true: the spread of information as to the nature and uses of government and the corrupt state of our own, has rapidly worked a change in popular opinion. The working classes were perhaps the first to show their discontent; for the mischief pinched them most sorely. But it was not because they were victimized at Peterloo and Paisley, that the necessity of a parliamentary reform was made apparent by means of discussion; but because the question of the evils the country was suffering under, had been taken up by very different classes of men, who have at length succeeded in proving to the nation the soundness of their views and in opening its eyes to its true interests.

The dissertation on the effect of the cry for 'retrenchment' is ingenious, and has the merit of coming very near the truth. The whole Chapter is worth quoting, both for itself and as a good specimen of the manner in which Mr. Galt carries on the war against the radicals.

"Experience teaches fools;" and her lessons were not lost upon me, nor upon those who, like me, were stimulated by an innate antipathy to that oppression which it is the effect of the social state, in its existing structure, to entail on man.'

'It was evident that Nature, ever wise and beneficent, rejected the design of advocating her cause by force. Nothing but this palpable truth can explain the disasters which befell our arms. But, though late, instruction came at last; we saw that our weapons were arguments, and our artillery reasons; and accordingly we suited our belligerency to our means.'

'After the fatal turbulence displayed in the manufacturing districts,

and the apparently subdued bravery with which we retired from the hostile demonstration of mobs with clubs, we instinctively turned our valour to intellectual controversy.'

'No man could deny the burdens of the nation—all felt them, and augmented the general cry. Nothing could be more galling to the latent indignation of the country, than that so many should enjoy the fruit of the taxes—should revel in elegance, or wallow in opulence, on the hard-won earnings of the industrious poor; and we took up this obvious truth as our theme.'

"What did it avail," we said, "that these persons, supported by the taxes, had either served the state by themselves or relations? More honourable it had been for them, had they employed themselves in the arts or honest trades, and provided for their friends from their individual gains, rather than have deemed themselves, from the accident of their being servants of the public, entitled to pasture their kindred near them on the same common."

'This argument took: Whigs and Tories, subdued by its plausibility, joined in the cry; and retrenchment became the universal shout. It never once occurred to these wittlings, that retrenchment could not be made to touch the public establishments without affecting individuals; and they both, regardless of consequences, urged and clamoured for it as an unmingled blessing.'

'This was serving our purpose, and recruiting our ranks. Every one who was cast upon his own resources by retrenchment, became added to the phalanx of Reform. The more the cry for it prevailed, the stronger we waxed in numbers; while the two poor, short-sighted, rival factions were devouring each other—the Tories, by yielding to the representations of the Whigs, and the Whigs, by goading on the Tories into measures that were one day to leave them both without that influence in society, which it is the nature of patronage to ensure, and of property to beget. The more that the one was provoked by the taunts of the other to sanction retrenchment, their respective powers were diminished. But the infatuated saw not this. The Whigs cried out for reduction; the Tories, in their ineffectual endeavours to appease them, discharged and reduced the adherents of Government, or, in other words, lessened the number of the mercenaries in the system of oppression, and made it in some sort defenceless.'

'A rational war like this was the only war we ever should have waged. But at first,—as the child, who grows conscious of strength, instinctively employs it in mischief,—we unfortunately were not aware that physical coercion never could accomplish moral purposes; and yet to attain them we had recourse to physical means. When our reason, however, grew to maturity, we saw our error; and the indefatigable use of the mere word "retrenchment," did more for the restoration of natural privileges than all the crimson struggles of the early French revolution—the insubordination of the manufacturing districts—and the abortive endeavours of embodied multitudes to intimidate the law. It enchanted the Tories to part with their guard,

—it left the Whigs without a pretext to take them into their service ; and the victims of what was considered national policy, in their destitution and bereavement, flocked to our standard. It was this, thank Heaven, that made us what we now are—that put us in a condition to render the Whigs subservient to our will, and the Tories, in their astonishment, the objects of our derision. Too late have the latter discovered, that in yielding to retrenchment, they but multiplied discontent. But in vain is all their bravery ; we have wrested from them the sceptre—one struggle more, and it is broken for ever.

‘When the effect of the cry for retrenchment became visible, I remember a discussion that I had at the time with my old friend Mr. Grudger—a true man he was, with all his feelings palpitating and obvious : Spagnoletti never painted one of his skinless subjects with muscles more strikingly articulated than Mr. Grudger, with his throbbing sensibilities, always appeared to me.’

“No doubt, Mr. Butt,” said he, “from the manner in which retrenchment is administered, as you observe, the general interests of the human race may derive great advantage ; but think how very nearly it has endangered the Radical cause. Had the aristocracy of the Tories seen the thing in its true light, they would have made a stout stand against retrenchment in the very beginning, or would have begun their reductions with plucking, what one of the most strenuous advocates of retrenchment calls “the birds of prey.” Instead, however, of doing so, they have always regarded the desire in man for the re-establishment of equality as a temporary cholera ; and, partly from folly mixed with sordidness, they began their reductions with their dependants. Had they set about lopping their own salaries and sinecures, and given up to their inferiors something, instead of taking from them every thing, the feeling towards them would have been very different. The age required that men who had large private properties should have resigned what they drew from the public purse. But the Tories have acted otherwise ; and as they have sown, so shall they reap. As for the Whigs, their conduct has, in principle, been still more efficacious, though unintended. They have never lost an occasion on which they could decry the cupidity of their adversaries, and thus have fought our battles ; little aware, that, when the time should come that office was to be at their acceptance, the very words which they employed against the grasping of the Tories, would be used as javelins and barbed arrows against themselves. By their arguments they have advocated our cause ; and the Tories by their conduct were also, unconsciously, our auxiliaries.”

“What you remark, Mr. Grudger, is very true ; had the Tories done, as you say they might have done, the very course of proceeding that makes for us, might have been otherwise ; for then retrenchment, in that case, would have taken the sacred character of sacrifice, and the hearts of men might have rallied to uphold a system productive of such beautiful results. But, my dear sir, you forget that corruption, which it is the aim of every philanthropist to remove, prevented the Tories from doing what you say ; and the Whigs in employing the

means they have done to drive their rivals from place, happily forgot that the schoolmaster was abroad, and in oblivion of that circumstance, they spoke to his unwashed pupils, the populace, as their predecessors, the Whigs of other days, cajoled the country gentlemen. The commonalty now are at least equal in understanding to the De Coverleys and Westerns of other years."

'My friend seemed a little thoughtful as I said this, and, disinclined to continue the conversation, subjoined, "It would take a wiser head than mine to say what course would now be most salutary for the world; but let us hope that it cannot be an evil thing which so many are pursuing with such ardour."—p. 97.

We have now devoted more than a sufficiency of time and place to this work: it has been done chiefly in compliment to the genius of the author, from whose other works, more especially his *Lawrie Todd*, we have derived great pleasure.

ART. XIII.—1. *Elementary Propositions on the Currency. With Additions, showing their Application to the present Times.* By Henry Drummond.—Fourth Edition. London; Ridgway. 1826. pp. 69.

2. *Facts relative to the Bank of England, explaining the Nature and Influence of the Bank Charter; with a View of the Causes and Consequences of the Suspension and Restoration of the use of Standard Coin.*—London; Westley, Effingham Wilson. pp. 84.

3. *A Legal Statement of the Real Position of the Government, with relation to the Bank of England.* By Samuel Wells, Esq. Barrister at Law, and Register to the Honourable the Corporation of the Bedford Level.—London; Effingham Wilson. 1832. pp. 52.

4. *Historical Sketch of the Bank of England: with an Examination of the Question as to the Prolongation of the Exclusive Privileges of that Establishment.*—London; Longman and Co. 1831. pp. 77.

IN most cases of dispute it happens that there is a right and a wrong; and that an individual who feels moved to endeavour to oppose the wrong, may have the advantage of seeing the standard of the right erected in some quarter, whither he may transport his adherence and his contributions. But in the present case it is to be feared, that there is as yet scarcely anything ostensibly and visibly in the field, except the clashing of two clamorous wrongs. When a portion of the public property is doomed to be sacrificed to what is technically termed a job, no plan can be better conceived for securing success, than the setting up *two* rival jobs to fight each other, and so puzzle and distract the attention of the public which is to 'suffer.' In the actual instance, there is the Bank of England job, and

there is the Country Bankers job. *Both are wrongs*; but it is too much to expect from the past circumstances of the country, that it should be able to see through the mystification of a combat between the two, or discern that it is in reality only a struggle between interests equally hostile to the community. And as there are certain probabilities on the face of things, which lead to the expectation that the community may be better able to understand and to direct its own interests at some coming time than now, a proportionate ardour is displayed to get a lease of mischief settled in some way at the present, and 'conserve' at least some ten years profits of the evil. There is perhaps but little chance of hindering this; the wrong has us at a disadvantage; the community is too young in the habit of attending to its own affairs, and the wrong too old, to leave much hope of prevention for the present. But it is pleasant in such a case, to get hold of any number of men however small, and teach them to say, 'Now, see, the hand goes down into our pockets; and now the fingers twine and grapple with our purse-strings; and now the purse comes slowly forth, like some reluctant eel extracted from his cave, and glads the spoiler with its glittering folds.'

The groundwork of all knowledge of this nature, is for a man to convince himself thoroughly and entirely of the fact, that any nation in a tolerably advanced state of civilisation has the power of dispensing with the expense of a metallic currency, by the substitution of one of leather or paper or some equally cheap material, in the same manner as an individual can dispense with gold and silver drinking-vessels by the substitution of glass. Waive all questions of the ultimate policy of this; enter for the present into no inquiries touching the magnitude of the adventitious obstacles that may arise; but leave all these to be duly estimated to the last scruple in the proper place. Let it be admitted as for future establishment, that there may be danger of the glass inflicting wounds upon the mouths of the drinkers, that maid-servants may let it fall and footmen scratch it by the roughness of their purgation, that it may crack under the influence of heat and leave us disappointed of the expected tumbler of warm invigoration; let all these pains and perils be put by in a parenthesis, and attach yourself to the simple fact, that there is an initial possibility for a man to furnish his table with glass, *and put the price of the silver tankards of his ancestors into his own peculiar pocket.* So in the case of money, look round upon the evidence there is,—an evidence not made for the occasion, but furnished by the enemy in the course of his past operations upon the public property,—that a leather or

a paper money, openly declared to be irrecoverable from the government that issues it except as it may be proffered in discharge of taxes, will nevertheless maintain a certain value in exchange, and that the magnitude of the value possessed by each particular scrap and portion, will be determined by that which is required to make the whole money in circulation possess the value of the quantity of gold or silver or convenient goods of any kind, which would be wanted in the existing state and condition of the society, to form an instrument or medium of exchange,—and consequently *any* numerical quantity of this money (excepting quantities so small as to be incompetent to the general object through the want of subdivision, or in other words the absence of small change) will always be of the same total value (surrounding circumstances of all kinds supposed unaltered), any addition to the mass being absorbed by a proportionate depreciation in the value of each of the component parts in the pockets of the holders of the total currency, and any diminution counteracted by a proportionate rise. That this is true, has been exemplified by public experience; and for those who are desirous to see the *how*, the *when*, and the *where* of all these effects, painfully dissected and laid out as on the table of a demonstrator of anatomy, the thing has been done, and without pretence of refutation or denial, in the earliest Number of the present periodical work, and disseminated in the cheapest form, with curious steering through the shoals and quicksands with which the robber-made laws of this country have surrounded the attempt to communicate anything useful at small expense, and specially and above all to bring knowledge to the level of the pockets of the poor*.

This step being conceded, it is plain that an honest government has one of two things to do. Either it may determine, if it thinks it sees cause, to keep to the silver tankards, and use none but the most expensive medium; or it may substitute the cheaper instrument, applying the price of the old one to the use of the people who paid for it, and whose property it strictly is. But the government of this robber-ridden country has done neither; nor is there as yet any outward visible sign, that the existing administration is in a way of making any material alteration. The government neither kept to the expensive material, nor substituted the cheaper one and accounted for the difference to the owners; but it substituted the cheaper one, and set up the difference to be scrambled for, by anybody who would proffer the

* The Article on the *Instrument of Exchange* in No. I of the Westminster Review. Republished as a Pamphlet; Price Threepence.

government corrupt assistance in return. It took the millions which were the value of the plate the people had paid for, and instead of accounting for them to the people, it went with them into the corruption-bazaar, and sold them for the means of inflicting further mischief on the community. The customers it found, were precisely the two sets of persons who are at this moment disputing as if the truth lay between them;—the thing called the Bank of England, and the country bankers. Each of these bought the privilege of supplying a portion of the glasses for the people's use, and pocketing the value of so many silver tankards in return. And what they paid in, was the coin that all public injuries are paid in,—corrupt support. Does anybody imagine that a grasping and money-taking government,—a government harassed and worried with a litter of aristocracy, to which the swinish multitude that besets an overburthened sow is but a type of barrenness,—does anybody surmise that such a government gave millions away for love!

Supposing an honest government to have determined on issuing paper money, what it would have done would clearly have been, to have appointed an office, a *Bank* (for that would have been a natural name enough), which should have issued the paper to the extent the same honest government should have directed, by applying it to the discharge of the current expenses of the state, and at the same time appropriating corresponding sums out of the produce of the taxes to the relief and credit of the community;—for which the palpable and ready method, in the existing condition of this country and most other countries, would have been the buying up a portion of the public debt, and taking off taxes to the amount of the interest. Everybody can see that this would have been a fair operation, an honest operation, a creditable operation, and one that would bear the light; and by its approximation to this, must every other act be measured.

The extent to which such a Bank should be directed to issue paper, would clearly be, to the greatest extent at which a given particle of paper would buy in the market an assigned quantity of some commodity which experience has proved to be not liable to sudden fluctuations, and consequently to be a convenient standard of value. The experience of all ages has pointed to gold, as being the most convenient commodity for this purpose; the paper, therefore, should be issued to the extent at which a given particle (suppose the pound-note) would purchase in the market an assigned quantity (suppose, for brevity, a quarter of an ounce) of pure gold, or of gold in some assignable state of fineness. If it should be found at any time that a

pound-note would buy *more* than a quarter of an ounce of gold (or the market price of gold fell below 4*l.* an ounce), it would be a sign that the paper might be increased; and if it should be found that the pound-note would buy *less* (or the market price of gold had risen above 4*l.* an ounce), it would be a proof that the paper was too much. In the first case, there would be manifestly no difficulty in issuing more, and applying the proceeds as before. In the second case (supposing it likely to occur where there should have been an honest intention not to bring it on by known over-issues), it would be just as easy to restore the proper price by buying up a portion of the paper in circulation. The readiest way to provide for such an operation, would be by applying the amount received for the paper currency, or some portion of it, to something of the nature of a sinking-fund; and then, if in spite of precautions the paper in circulation should be ever found too much, carrying a portion of the stock of this sinking-fund into the market again, and burning or destroying the paper received for it unless reserved for the chance of being wanted for future issue, would reduce the quantity in circulation. But throughout the whole of this, reservation may be made of the question, whether it is necessary to make provision for any such phenomenon at all, *provided always security can be had against wilful over-issues.*

And here is made a principal point of resistance, with the friends of the present state of things. *Who can provide security against over-issues?* Answer, *Anybody, if he chuses.* Nobody can provide against over-issues, if the thing is to be wrapt up in mystery and concealment. Nobody can provide against over-issues, if the process is to be made a darkling job in the hands of men who are to be interested in doing wrong. Who can prevent his apprentice from robbing his till? Who can keep thieves out of his strong-box, or pigs out of his potatoe-garden? Who can hinder flies from flying down his throat? *Anybody; if he chuses to shut his mouth.* If he does not, he must be assumed to belong by nature and by instinct, to the genus fly-catcher. It is manifest he does it because he intends to do it. But it is absurd, because he does not stop it, to state that there is a physical difficulty in preventing the consummation. Direct by Act of Parliament that a statement of the notes in circulation shall be laid on the table of the House of Commons at the commencement of every session, and at any other time when the same shall be called for in the House in the ordinary manner; direct further that the money price of gold shall be published weekly by authority, as perhaps is already done in the *Gazette* or the *Price Current*; decree that there shall be no in-

crease to the paper in circulation but by an Order in Council, upon evidence produced of the price of gold having been at least [six-pence] per ounce below the standard price, on the average of the weekly prices of at least twelve months previous*,—that the increase shall be only such as shall be collected from taking the proportion, of the difference from the standard price, to that average price†, and that the proceeds shall be applied to the reduction of the public debt; inflict the penalties of forgery on all concerned, in the event of any issue not authenticated by Act of Parliament as directed; and leave all this open in all its parts to the perpetual visitation and examination of a House of Commons consisting of real delegates of the people. Do this, and see what chance there will be for the flies going down anybody's throat afterwards. If it is not done,—if the mouth is wilfully left open,—there will be no doubt of the flies going down in any quantity; but let no man say, it was for want of a way to hinder it.

If it is urged that all this is trouble;—everything is trouble. And in this case there are the people's millions at stake. Trouble enough can be taken for a gray hen; it would be thought no trouble to transport the man who should take one in certain ways displeasing to the squirearchy, nor to sting up any number of the lieges who should in other ways offend to the amount of some five shillings each. Divide, therefore, the people's millions by five shillings or a gray hen, and it will give some measure of the occasion there is for calling out trouble here.

What such a Bank would have to do, would be to keep the accounts always ready to be furnished to parliament; to supply new paper in the place of such as should be returned in a state not fit for re-issuing; and to do in fact what every man who ever kept a clerk or was one, can perfectly conceive. For this it is clear the agents must be paid; and only for this. The annual interest of the value of the metallic currency (suppose two millions a year) would be what must be set to the credit of the public on one side, and the annual expense of this

* Precise numbers in a case of this kind are always supposed to be for revision and after-examination. But the term of twelve months was fixed upon, because it seems exceedingly probable that there might be a natural fluctuation in the value of paper arising from the different demand for it at different seasons of the year. This it will perhaps be urged, would make it cheaper to pay debts at one season of the year than at another. And is this anything but what exists now? Has not every man his convenient season for paying money and the contrary?

† For example, if the average price had fallen from 4*l.* to 3*l.* 19*s.* 6*d.*, the proportion would be that of 6*d.* to 3*l.* 19*s.* 6*d.* or 1 to 159; or the paper actually in circulation should be increased by a 159th part. The same rule would hold good too, in the event of occasion to withdraw paper.

banking department on the other; and the difference would be the annual gain of the community. Can anybody suppose that such a department could not be conducted for 200,000*l.* a year? Nine-tenths therefore of the net interest, or a million and four-fifths of a million, might have been the annual saving to the community. What a rout is made about a million and four-fifths annually, if the question is of applying it to an honest purpose. What a trivial thing it passes for, when the question is of allowing it to slip down the gulph of public wrong.

The government *did* make a Bank, but it was nothing like such a Bank as this. Ascertain what the one does, and what the other; settle what the one costs, and what the other; and the difference is job. Fancy that the Victualling Office, instead of being an office for the mere buying of pork and beef for the public service, and keeping the accounts of the receipts and issues, was a collection of pork-jobbers—a society existing for the express purpose among others, of furnishing the government with the means of supporting and directing armies without being checked by the power of the Commons over the issue of supplies, and to which, in consequence, the government had actually got in debt to the amount of seventeen millions sterling. Such a Victualling Office would clearly be a nuisance, a thing to be attacked with all the means that God and nature may have placed in the people's power,—a thing the contrivers and inventors of which, if they had not already gone to what the scripture would term 'their place,' ought to be high up hung for a memorial for ever;—and the other is like unto it. It is an open, crying evil; an invention fitted and strung for the purpose of doing injury to the community, and of removing those checks on the rapine and tyranny of rulers, in which the people have been foolishly induced to put their trust. And this nuisance it is, which it is in plot and progress to continue upon us for a term of years, by means of the rump of an unreformed parliament, which has declared and avowed itself to be no representation of the people, but of the illegal influence of the Peers. The only resource is, that if the attempt should be made with a probability of carrying it through the forms, it should be attended by a protest on the part of the minority, that the question of reversal shall be among the first moved in a reformed parliament, and that the people will instruct their delegates to make such resistance upon other points, as shall overcome the advantage the enemy may possess in having got the mischief past the snap-lock of the Lords. The object is a very fair one,—that of hindering the community from being saddled with a ten years nuisance by the trick of bringing the question before

an unreformed parliament ; and those who will ~~the~~ trick, will all the consequences.

The burden of the Bank. And next comes the burden of the country bankers. On which the first observation is, that the trade of a banker as at present practised, is divisible into two parts; one, the lending, discounting, and performing various other operations, *with his own money*; the other, the doing all this with paper of his own coining, which is doing it *with money he takes from other people*. Every note a private banker is allowed to issue, is so much of the price of the silver tankards the people have paid for, run off with by the private banker, instead of being applied to the reduction of the people's debt or the diminution of the people's taxes. Where does anybody suppose the metallic currency came from, and who paid for it? Who paid for the metal that composed it; or was it by some art got for nothing? Who but those who pay for all, the toiling, sweating, people? It is true that when paper money is issued, the metal returns silently to the uses of bullion, and *this individual act* produces no new loss to the holder or to the people; the man who sells a coin as bullion, gets what serves his purpose in return. In the same way when a man's silver tankards are exchanged for glass, *this individual act* produces no new loss to the man. But does this form any reason why the value of the tankards he originally paid for, should be taken by somebody else? The original price, is what he has a right to call for. Few people are so stupid as not to see through this; and there is not one man in a thousand that sees through the other. Just wait and see, whether the country bankers are not allowed by parliament to take the people's millions, as quietly as if it were an act of virtue. The plea put forward will be, that there must be a free trade in money. Why should there be a free trade *in the people's money*? Why is there not a free trade in the tar and pitch out of the people's dock-yards, or the pork and beef out of their Victualling Office? The term would be just as applicable. The issuing of private paper is not *a trade*, nor *industry*, in any sense but as those terms might be applied to a trade and industry which should consist in employing carts to wheel the public stores out of the dock-yards for private use. Free trade may be a good thing; but this is free-booting. It labours under the original vice, that the whole subject-matter of the trade that is to be, is in the first instance to be taken causeless from the owners. It is true that the owners are everybody; and therefore confidence is felt in the universally acknowledged difficulty of preventing public injury. The intended takers too are

wide and influential classes ; and what is worse is, they have the means of inducing numerous other classes to join with them, from the expectations of personal profit they hold out. They say to the insolvent manufacturers and rack-rented farmers, ' Would it not be a snug thing, if I could take forty thousand pounds from the public by making paper money, and lend you half of it ? ' And the manufacturers and farmers of course jump at the bait, as they would jump at the proposal of having the same number of casks of pitch out of the dock-yards, or of pork out of the Victualling Office, if they could be as perfectly sure that neither hanging nor transportation was to be at the end of it. And nobody doubts either, that when the manufacturers and farmers get possession of this twenty thousand pounds, they will make some show with it. It would be very odd if they did not ; and the show thus made, is to be called *national prosperity*. The theory in fact is this ; ' Take money from the public, and you will be astonished to see what wealth and greatness will grow out of it ; you have no idea what nice things men will make, if you will only let them take money out of the public purse to pay for them.' It is the secret of modern times, that taking money from one man to give to another, is the procreation of wealth. The whole explanation of the prosperity arising from the permission of private bank-notes, lies in this one artifice,—pointing to the expenditure of the money taken from somebody else, and calling it prosperity. It is as if certain individuals should be allowed to set up a toll on the highway and spend the proceeds on their private enterprises ; and then somebody should point to the results and say, ' See what prodigious wealth, arising out of that wonderful national discovery of raising it by tolls on the highway.' All the benefits, for instance, asserted to have arisen from the permission of small notes in Scotland, were nothing but allowing certain Scotchmen to take a part of the public millions and divide them with their customers, and then puffing off the results as public gain. If a Scotch farmer or manufacturer has flourished by it, as why should he not,—some English one has been taxed into the poor-house to answer it.

This has all gone on the supposition, that the private banker merely substitutes his paper for what ought to be the people's paper, and that depreciation is prevented by his being obliged to pay in gold upon demand. But if, by any of the artifices of which specimens are not far to seek, he can issue without being directly or indirectly obliged to pay in gold,—then a new source is open to him, and he carries on what he calls *his trade*, with money levied out of the pockets of all the holders of the circu-

lating medium in the country. Every note he issues under such circumstances, produces a depreciation which sinks the value of the whole increased medium in circulation, to the value of what there was before; and consequently all the pretended benefits to the borrowers or to trade, are specimens of the fallacy described, only with the change of the amount being taken from the public by the intervention of a fall in the value of the money in their pockets.

This is all reducible to the axiom, that what is taken from a crowd, is taken from nobody. That any set of men may get rich, by stripping one another. That many small quantities, are not equal to the large one which is their sum. That twelve pennies do not make a shilling; and that by depriving men of the pennies and collecting them into shillings, the public gains the difference.

To the influence of the manufacturers and agriculturists who are anxious to borrow other people's money, may be added the influence of all the dishonest debtors in the country who are anxious to pay their debts in a depreciated currency. Suppose a man to have a bond debt for 100*l.*, and that by some contrivance he can compass a depreciation of the currency which shall make the same portion of his goods which will now sell for four pound-notes sell for five; and it becomes plain that he will discharge his debt with the goods that would have previously sold for 80*l.*, instead of what would have sold for 100*l.* There is no wonder that multitudes of men desire to do this. Their usual plea is, that the value of money was raised on the return to cash payments. But they take care to forget, that if it was raised, it was because it had first been fraudulently lowered; and that the correction of a fraud, is not fraud but justice. Their artifice is the same commemorated in rural annals, as practised by the man who pretended to divide his guineas with his wife. 'There is one for me, and one for you; *and one for me*, hitched in always the rustic plunderer, affecting to mistake the sound of *you* for the inchoation instead of the conclusion of a parallelism. This is precisely the argument of our bad debtors; that because there have been a pair of changes already, there ought to be a third. As far as concerns the question of paying the interest of the public debt, it has been established in black and white, and without anybody's attempting to dispute the items of the statement, that if the losses of the fund-holders by Pitt's fraudulent depreciation had been from time to time put into a bag, and then put out to interest and the interest made principal as an honest man would do with the property of a ward,—and if this had been carried

on till the year 1821 (which was when the currency was restored to its original value), and the fair interest or annual value of this amount is calculated, and compared with what the fund-holders have gained and are gaining annually now on such portions of the debt as were contracted when money was of a less value than at present;—in other words, if what the fund-holders have lost by being paid in money of a less value than the debts were contracted in, be compared with what they have gained by being paid in money of a greater value than the debts were contracted in;—*the first will be the greatest**. This is matter of arithmetic, and nobody has ever attempted to destroy it by anything like arithmetic in turn. The outcry therefore that is raised on the ground of paying the fund-holders in a dear currency for debts contracted in a cheap, is altogether baseless in fact. It is like the attempt to charge a man with the whole debtor side of an account, to the exclusion of the circumstance that there is another and a heavier sum upon the credit. It is a simple, downright, *bonâ fide* misstatement and omission of one half the truth; a blunder, or error, or fallacy, which if it begins in innocence, terminates in all the effects of wilful wrong.

The fraudulent debtors, and the men who want to borrow money taken from other people, will manifestly always compose a large cry; and they make themselves heard accordingly. The statement here opposed to them, and which all who do not feel a common interest are invited to examine and insist upon their answering, is that all and every portion and fragment, of the asserted benefits arising to the public from that part of the operations of private bankers which is to consist of coining paper money, is a fallacy and a delusion, founded upon taking the advantages which undeniably may arise to any man from being allowed to take the money of other people, and representing them as public gain, by keeping back the fact that the phenomenon is founded on the creation of loss in some other quarter. Delusion of this kind is in truth the great secret of modern politics; nine-tenths of what politicians live by, consist in it. And the statement must not be weakened, by mixing up with it what is never stated. It is not at all denied, that the operations of private bankers, as separated from their coining paper money, may do good. But these operations must be carried on with their own money; not with other people's.

To allow the public money to be run away with, is a great evil; but this is not all. There is no person at man's estate, who has not witnessed intense and irremediable sufferings,—flagrant and intolerable injuries, such as if they had happened

* See Mullet's Tables for every Year. Baldwin and Co.

to himself would have utterly broken down his philosophy and thrown him hopeless on the shoals of an interminable despondency,—the savings of a life of industry dashed from the hands of age, and infancy turned out to meet the storm like young birds driven from their nest at the fancy of some lubbard school-boy,—and all this because legislators had the ignorance or the malevolence, to allow the grand right of the people to an honest currency to be broken in upon. If a wretch under the impression of want is led to coin a shilling, the world is up in arms to hang him, because he has broken, forsooth, the king's prerogative. If a rich man, desiring to be richer, coins 50,000*l.* in paper, the whole of which is taken out of the community's pockets to begin with,—he shall be held a benefactor to his country, and the parks and palaces he rears out of the possession of the money, be counted as so much gain to the dull community that fosters him. And if in addition to the use, he is found on inquiry to have lost or made away with the principal,—he shall be sighed over as a man unfortunate in trade,—lamentation shall be made over the loss to the country-side, of such a great stirrer-up of industry and promoter of the wealth of all his neighbours,—and men with solemn faces shall lament, that they have only three banks left or as the case may be, from which they can now draw the breath of life and natural sustenance of commercial prosperity, consisting in the faculty of borrowing other men's money without their consent, through the intervention of the paper-monger.

Another point on which it is necessary to guard against being charged with what is not asserted, is that it never has been stated, that private bankers can produce *depreciation*; as long at least as directly or indirectly they can be made to pay in gold upon demand. This is not the charge. A man accused of adultery, might as well go about to prove that he had done no murder. The charge is not that they produce depreciation, but that they take the use of the money that ought to be the public's. The accusation is not that the man who has taken my money has produced depreciation with it, but that he has taken my money; that it was mine and not his, and without any question of whether he produced depreciation or not, was what he had no right to take at all. The fault was with the government that allowed it. It is to be hoped therefore, a reformed government will prove a better keeper of the country bankers consciences.

It has been intimated as a serious question,—though subordinate in comparison of some of the others,—whether there would be any absolute necessity or use, in making provision for

calling-in superfluous paper at all, provided that positive security could be obtained for paper never being issued except in subordination to the proposed check. Nations on the whole do not go backwards, but forwards; a retrograde movement of the value of a currency of given volume, could therefore only be temporary. It may be urged that a bad harvest (for example) would cause gold to be in demand for the purpose of procuring corn from abroad, and that this would cause the paper price of gold to rise. To which the reply seems to be, *Why should it not?* Where is the harm; and how is anything to be mended, by calling-in the paper till it rises to the temporarily increased value of gold? If gold bullion rises in value because from accidental and temporary circumstances it happens to be in demand, why should the currency be meddled with, any more than if the thing that had risen in price had happened to be broad cloth? A man who chanced to be wanting to gild a theatre, might suffer loss from such a rise; but nobody else would suffer. On comparing this with what would have happened if the currency had been gold, the advantage would all be on the side of the paper; for in the case of a gold currency, the demand for bullion would cause coins to be melted, and the value in exchange of what were left would rise, whence there would be a derangement of debts and credits, all debtors being obliged to pay too much. The result therefore of the proposed difficulty, is to establish a decided advantage on the side of paper.

Of the pamphlets on the subject, the most important from the details into which it enters, as well as from the reputation of the individual understood to be the author, is the last. It will be useful therefore to go into the objections urged against the establishment of a National Bank, by which is meant a 'Bank established by Government, and responsible only to it,' in the same manner, it is presumed, as a Victualling Office is an establishment for carrying on a public purpose of another kind.

'Those who argue in favour of the establishment of a National Bank, rely principally on the saving which they think it might be made to produce to the public. The interest of the capital of 14,686,000*l.* lent by the Bank of England to Government at 3 per cent., amounts to 440,000*l.* a year, there being besides, as already seen, a sum of about 260,000*l.* a year paid to the Bank for managing the public debt; and it is contended that were a National Bank established, both these sums, amounting together to 700,000*l.* a year, might be saved to the public. It is clear, however, that the stamp duty of about 80,000*l.* a year payable by the Bank of England, and the expense of managing a National Bank, which might probably be estimated at 300,000*l.*, making together 380,000*l.*, must be deducted from the above sum of 780,000*l.*; and we believe we may safely add to the deductions to be made from

the supposed gains, a further sum of 100,000*l.* a year for the expense to which the National Bank would be put in procuring supplies of bullion and coin, and in regulating her issues; so that the entire gain resulting from the supposed change could not amount, on the most exaggerated estimate, to above 220,000*l.*—*Historical Sketch of the Bank of England.* p. 57.

There appear some odd items in this. Why is the interest of the 14,686,000*l.* lent by the Bank of England to Government, to be added to the sums saved to the public? Was it ever contemplated, that this interest was to cease to be paid upon a change of system? Why, on the other hand, is the 80,000*l.* of stamp duty payable by the Bank of England, to be placed to the side of sums to be lost upon a change? Does anybody suppose the Bank gave this for love, or without being in some way paid for it? The 'further sum of 100,000*l.* a year for procuring supplies of bullion and coin,' would also be non-existent, in a Bank which was to keep no store of either bullion or coin. On examining these items, all the boys turn out girls, and the girls boys. But there is more than this; which is, that the account omits and puts behind the door altogether, the great source of gain for the sake of which a national bank should be constructed, namely the saving of an amount equal to the annual interest of the cost of a gold currency. It is the interest of some forty millions sterling, (bating such parts of it as may be saved and gained by the imperfect and half-witted ways already in practice), which is the thing at stake. The rest are comparatively 'betel between friends.' If we are to have a gold currency, then no National Bank is wanted at all; and any pretence of one will be a job. If we are not to have a gold currency, then the interest of the cost of one, is what the government is bound to save.

'But the more we consider this subject, the more are we satisfied that the establishment of a National Bank would be a most unwise measure, and that instead of being productive of any advantage, it could not fail to occasion very great loss and inconvenience.'

'In the *first* place it may be observed, that it would be idle to expect from the agents of Government, however conscientious, the same watchful attention to the affairs of a National Bank, that is paid by the Directors of the Bank of England to that establishment. The heavy losses which the Bank has not unfrequently sustained, notwithstanding the vigilance of its officers, through the forgery and frauds committed upon it in its capacity of public banker, would, there is every reason to think, be still greater in the case of a National Bank. And were such really the case, the insecurity thence arising might be productive of much mischief.'—*Id.* p. 58.

The argument of this part of the objections, resembles one

which should say, 'It is the most difficult thing in the world to get a Victualling Office to be distinct and clear in its accounts. All sorts of frauds and forgeries are attempted upon it. The agents too can never be made to pay that "watchful attention" to it that they ought. *Therefore mend the matter by making them pork-jobbers in addition.* Complicate the business in all sorts of ways, and you will be astonished to see what simplicity of action will be the result. Give your agents all kinds of interests in addition to those of merely keeping you a common, vulgar Victualling Office. Make them butchers, salters, feeders, farmers, and landlords;—give them the means of having a huge control over the pig-market, and of getting up and down the price of pork as it may suit them;—do all this, and it will be reviving to behold what "watchful attention" the sense of their own interests will make them give to your establishment.' This is neither more nor less than the substance, of the argument *à complicando*.

'In the *second* place, the circumstance of the Directors of the Bank of England being principally merchants, largely engaged in commercial transactions, and intimately acquainted with the state of credit in London and the country, has enabled them to carry on the business of discounting to a considerable extent, and to make those immense advances in periods of discredit, which have sustained the commercial and financial interests of the country. But a National Bank could not be conducted in this way. It would be indispensable, in order to prevent, not the actual occurrence merely, but even the suspicion of partiality and abuse in the management of its affairs, that its functionaries should be interdicted from engaging, either directly or indirectly, in mercantile affairs. The business of discounting would have to be left entirely to private individuals; and the employment of the Directors of the National Bank would have to be strictly confined to the receipt and payment of all monies due to and by Government; and to the payment of their notes when presented. It is plain, however, that if the Directors of the National Bank were deprived of the power of discounting, they would have no means of contracting or enlarging their issues except by the purchase or sale of bullion, exchequer bills, and other Government securities. But occasions might, and indeed it is perfectly certain would arise, when either from political or commercial causes, the exchange might be so much affected as to render it impossible to bring it to *par*, by selling or buying bullion and stock, without producing ruinous fluctuations in the price of the latter. We look upon the power of modifying the issue of paper, by enlarging or decreasing the sums advanced upon discount, as quite essential to those having to control the quantity of paper afloat in London; and as such a power could not be conceded to managers appointed by Government, without giving birth to every species of jobbing and abuse, we consider this very circumstance as conclusive against the scheme of erecting a National Bank.—*Id.* p. 59.

That the Directors of the Bank should be 'principally merchants, largely engaged in commercial transactions,' is precisely the thing wanted to get rid of. Suppose the heads of the Victualling Office were 'principally pork-merchants, largely engaged in commercial transactions.' What is wanted is rather, that they should be men who did not know a spare-rib from a brisket. That the Directors may have made 'immense advances in periods of discredit' out of other people's money, may be true or not; but that they have thereby 'sustained the commercial and financial interests of the country,' is intended to be entirely denied. Every farthing they contrived to give to the favoured jobbers, was taken from somebody else. It was all a pure jugglery, dependent on robbing Peter to pay Paul. Paul might be kept out of one end of the List of Bankrupts; but Peter was pushed in at the other. The whole of the thing called credit, so far as it is founded on taking the money of one man to give it to another, is a crime and a nuisance. The artifice is, to confound it with the credit which one honest man may voluntarily give another. The things are as distinct, as stolen bread and paid for; but names are everything, and as bread is bread, a nation must be allowed half a century to find out the difference. Why are there to be 'ruinous fluctuations in the price of stock'? If the proposed sinking-fund should have to sell, one tendency would be for the price to fall; but as the interest is to be paid in a currency whose value is to be increased, another tendency will be for the price to rise. And if in consequence of the issue of new paper the sinking-fund should have to buy, there would be two converse tendencies, which would act against each other still. Nature appears to have curiously contrived, that the fluctuations shall be null. That a National Bank should be 'strictly confined to the receipt and payment of all monies due to and by Government,' instead of being matter of grief, is just as it ought to be; as may be exemplified in a Victualling Office. 'The business of discounting' is what *ought* 'to be left entirely to private individuals;' and for a national bank to have any concern with it, is the old blunder of governments setting up shop-keeping like the king of Holland. 'The power of modifying the issue of paper, by enlarging or decreasing the sums advanced upon discount,' may be 'quite essential to those having to control the quantity of paper afloat in London;' but what the public wants, is that there should be nobody to 'control the quantity of paper afloat in London,' other than through the operation of a reference to the price of gold, authenticated by Act of Parliament.

'In the *third* place, were a National Bank established, Government would be converted into a species of money scrivener, and would be

directly implicated in the pecuniary affairs of individuals. Besides unfolding

—“ the drift of hollow states hard to be spelled,”

it would have to fathom the mysteries of the Jews and jobbers of Capel Court. If the price of funded property were depressed in consequence of sales made by the National Bank, those who suffered by such fall would ascribe the injury done them to the improper agency of Government, who would, in this way, be exposed to perpetual obloquy. Neither is it to be denied that the institution of a National Bank would afford great facilities for improper dealings in the funds, on the part of those connected with the Treasury and with its managers. Such persons being aware of the measures to be adopted by the Bank, might be tempted to purchase or sell stock in anticipation of purchases or sales by it; even though they did neither, they would stand an extreme chance of having such conduct imputed to them; and every one knows that such imputation would be highly injurious.—*Id.* p. 60.

The object of a National Bank, is that Government should be prevented from being ‘ a species of money scrivener,’ and that above all existing things, it should be neither directly nor indirectly ‘ implicated in the pecuniary affairs of individuals.’ The way to hinder it from having ‘ to fathom the mysteries of Jews and jobbers,’ is to allow it to have no mysteries of Jews and jobbers of its own. Suppose it was objected to the Government’s having a Victualling Office, that besides affairs of state, it would have to unfold ‘ the drift of hollow casks hard to be spelled;’—would the way to hinder this, be to compose its Victualling Office of provision-dealers on their own account? The price of funded property will never be ‘ depressed in consequence of sales made by the National Bank,’ if the National Bank never makes any sales at all, or none but under the proposed rule. And nobody ‘ connected with the Treasury’ and with its managers’ will fall into the snare of ‘ improper dealings in the funds,’ if there is to be no meddling with the currency at all except under a known and proper rule.

‘ In the fourth place, a National Bank would be subservient at all times to the views of Government. The Bank of England has not, perhaps, on some occasions, turned a sufficiently deaf ear to the solicitations of the minister. But whatever may have been her failings in this respect, the cajolings and flirtations of the Treasury have had but little influence over her, compared to what they would have over the easy virtue of the Managers of a National Bank. Not one in ten of the Bank Directors owes any thing to Ministers, or is expecting to gain any thing by their favour. If they consent to their proposals, it is because they believe them to be advantageous to the Bank and the public, or because they are naturally disinclined to oppose any serious obstacles to the Government service. But the Managers of a National Bank, owing, as they must, directly or indirectly, their

appointments to the Treasury, and being accountable to it only for their proceedings, what possible motive could they have to refuse any thing that ministers asked?'—*Id.* p. 63.

Why is not the Victualling Office found out in supplying the tables of Ministers and their dependants with salt pork? Is it either through the impossibility of Ministers asking anything improper, or the dislike the Office would have to oblige a Minister? Or is it from the certainty that they *and* the Ministers, would bring such a storm about their heads as would not be paid for to them by all the salt pork in Christendom? Take away all obstacles to doing wrong;—make either a Bank or a Victualling Office that shall be 'accountable only to the Treasury for their proceedings' and the Treasury be accountable to nobody;—do this or anything like it, and there will be no doubt of the attainment of any specified crop of evil. But the question was not proposed for the absence of all check, but for the presence of it. Let them have the Member for Middlesex to 'flint' with; let them have a reformed parliament to 'cajole;' and then see what probability there is, of our teeth being taken out of our heads, by a combination between the Treasury and the clerks of their Paper-Money Victualling-Office.

Things must be much worse in America than they are here, if the Americans could not make a Bank, and keep the Ministerial flies out of their molasses-tub if they were bent upon it. It is very likely that they could not be kept out of such a Bank as was proposed. It is very likely that the Bank proposed, was purposely such a one as would not keep them out. There are strong interests there as here, against doing the people's business cheaply in their own shop. But that does not prove the evil necessary; except so far as it is necessary to go without, when other men can hinder.

The Americans know perfectly well, that they might as well say they could not hinder their cashiers from taking the money out of their Army Pay-Office,—or that they could not trust their frigates with top-gallant sails because they could have no security against setting them in a gale of wind,—as that they could not check their Government into checking the issue of paper money by the price of gold under a law of Congress. There is nothing mysterious in the principle; on the contrary the good sense of the public would go along with the rule, as in the case of the top-gallant sails, and there would always be sensible and honest men enough, to prevent the reckless action of those who might be the opposite. But where there are interests there are difficulties; and it is very hard to persuade any horse to tighten his own curb.

It is apprehended that the principle of an honest paper currency, has as yet made very little progress in the world. When men hear of an inconvertible paper money, they confound an inconvertible paper under check, with one that is under no check at all; the horse with his bridle on, with the horse at liberty to break their necks at his discretion;—and all manner of interests are at work to prevent their obtaining any clearing of their ideas. The success may be uncertain; but there are at all events strong inducements to try, whether the attempt to introduce the present mischief in the warming-pan of an unreformed parliament, cannot be effectually resisted.

ART. XIV.—1. *Lettres écrites de Paris, pendant les années 1830 et 1831; Par M. L. Boëns, et traduites par M. Guiran.*—Paris. Chez Paulin libraire.

2. *Lettre à Dupont de l'Éure, sur la majorité de la chambre électorale, les ministères de coalition, et les ministères dans ses rapports constitutionnels avec le roi; Par M. Pons, de l'Herault.*—Chez Paulin libraire.

3. *Lettre de M. Odilon-Barrot à M. Nicholas Kœchlin, député du Haut-Rhin.*

ONE of the most interesting questions in the actual state of European politics, is to trace the causes of the descent which France apparently has made from the high position in which she stood at the moment of the revolution of July 1830. Is it that she was then thought too much of,—or now too little? Or was the France of 1830 intrinsically different from the France of 1832; and has she really in that brief space run through the difference appearances would indicate? The way to determine this, is to describe her actual condition, and trace the reasons of the facts.

The government of Napoleon had given an enormous extension to the military force of France; but it had at the same time done all it could to stint the intellect of the nation, by taking possession of the press, destroying the freedom of public instruction, proscribing discussion, and stripping the people of everything like elective power. In a course of sanguinary and incessant wars, it had expended the greatest part of the men who had been formed in the first years of the revolution; and their successors had been reared in the ideas, the prejudices, the habits, which suit the purposes of military despotism. The small number of individuals of decided character that the revolution had left and the imperial government had not succeeded in corrupting, were all kept out of the way

of public employment, and being completely without the means of union of any kind, were not even known by their names to the rising generation.

The consequence was, that the Bourbons on their return to France in 1814, found a nation for the most part ready fashioned to the hands of despotism, and with scarcely a recollection of the habits of a free people. If all manner of adventitious obstacles had not been created by their prejudices, the recollections of their conduct in the earlier periods of the revolution, the character of the courtiers by whom they were accompanied, and the peculiar circumstances under which they were brought back to France,—they would have found no impediment whatever in the machinery of government as it stood. The largest numerical portion of the population would naturally have given them credit for the substantial advantages arising out of the cessation of war, and if a small knot of admirers of political freedom had attempted to demand securities, the people at large would neither have supported them, nor known what they meant. On the contrary, the probability is, that they would have been marked out for general dislike, as men who only wanted to sow dissension in society.

But the restoration of the Bourbons, under all the circumstances that actually attended it, had the effect of bringing into close and hostile contact two classes of interests which it was utterly impossible to reconcile. On one side, were the individuals and families that owed their rise and establishment to the Revolution and the Empire, on the other, stood the *castes*, the members of the privileged classes, which had lost all in the revolution, and hoped to recover all by the restoration. The emigrants and the clergy, whose estates had been confiscated and sold, found themselves brought face to face with the people who had been the purchasers. The *seigneur* who had been shorn of his feudal claims, and the bishop or the *abbé* who had lost his tithes, were set down by the side of the farmer or the shopkeeper whom the revolution had freed from their demands. The man whom the stirring times of the revolution had raised to civil or military station, found himself in company with the anti-revolutionist who maintained that such things were for nobody but himself. The individual who had fought against France in foreign ranks, was made to beard the man who had shed his blood for the independence of his country. And the old *noblesse* who had seen their titles burnt in the public squares, were brought into collision with the barons, counts, and dukes, the Empire had created.

Louis XVIII and his advisers were conscious of the difficulty

of keeping such elements as these at peace; and they published under the name of Charter, a kind of composition, in which there was something to encourage the hopes of everybody, and which had the effect of establishing a species of truce. Each party fancied, that if it could only attain to power, it would find the Charter an instrument for completing its designs; for the advisers of Louis XVIII had taken care to make it vague enough to lend its aid to all and anything.

This Charter, a trick from the beginning, had never been intended to acknowledge and secure the rights of the French nation. The object of its makers was merely to quiet, for the time being, the interests which felt themselves in danger from the restoration, and to give the Bourbons time to get seated in their throne, and collect a force that might maintain them there whether the nation wished or no. And consequently it gave France nothing in the shape of political organization, but on the contrary preserved all the despotic institutions, invented by Napoleon. It settled, it is true, that there should be two Chambers; but it left the king the entire nomination of the one, and gave no rule for the manner of proceeding to the formation of the other. It uttered some general principles on personal security, the liberty of the press, and freedom of religious worship; but, so far from establishing any institutions for the support of these principles, it kept in activity the laws and mandates of the Empire which made it next to impossible for them practically to exist.

From the moment that the Bourbons thought they had got about them a military force sufficient to overcome such resistance as they calculated on, they openly attacked the Charter which they had pretended to bestow. Three months were not over from the day of its publication, when they issued an Ordonnance by which they completely abolished the liberty of the press. It is no contradiction to this, that the daily papers submitted without resistance and without remark; for the fact was, they had never dared to take advantage of the liberty pretended to be given by the Charter, but had all either kept, or previously returned to a prudent understanding with, the censors appointed them under the ministers of the Empire.

If the Ordonnance which suspended the Article of the Charter relating to the liberty of the press, produced no sensation among the people it most immediately affected, who were the journalists and printers, it is easy to conceive that it would be received with still more indifference by the mass of the population. In fact there would be no danger of being confuted, in saying that it passed off without remark, and almost without notice.

How came it then, that sixteen years later, an Ordonnance of the same nature raised all France in arms and produced a revolution? How was it that an act, to which in the first instance nobody seems to have attached any importance, was some years afterwards considered of sufficient magnitude to call an industrious and peaceable population from their occupations, and carry them up to the bayonets and cannons mouths of a numerous and devoted body of picked regular troops!

To clearly comprehend the events which have passed in France, and the actual state of that country, it is necessary to attend to the earlier phenomena of the contests between the friends of freedom and the defenders of despotism,—between the men who aimed at victory for the principles of 1789, and those who conceived the possibility of carrying France back to the position of 1788, or at all events to a state analogous to what existed under the imperial government. And it is of particular importance to note the various interests, which attached themselves to one or other of these two parties, and co-operated with them with greater or less energy in proportion as they thought themselves more or less seriously in danger.

In saying that the Bourbons on destroying the arrangement of the *Charta* for the liberty of the press by an Ordonnance, met with no opposition either from public opinion or the journalists, there should have been one exception made; and that was of importance, because it obliged the ministry to have recourse to the Chambers to procure a suspending law, which was what began the contest that ended in 1830 in the expulsion of Charles and his family.

The course the restored government took, and the ease with which its usurpations were submitted to, had the effect of inducing a young advocate, who had always been an opponent of the despotism of Napoleon, to set up a weekly journal for the express purpose of subjecting the acts of the ministry to rigorous examination. The government, which at first seemed to take no notice of it, conceived that to put it down it had only by a simple Ordonnance to re-establish the censorship, which already, as has been noted, existed to all practical purposes in the case of all the previously established newspapers. The editor of the new journal refused to submit to it, and intimated very distinctly that he would give way to nothing but force. If the Bourbon government had done then what it did in 1830,—if it had sent commissaries of police and gendarmes to break the presses of the publisher,—it would have found no substantial resistance, a few people would have grumbled and the rest would have held their tongues.

The ministers, who at that time were masters of a majority in both Chambers, did not like to have recourse to force to execute their Ordinance; they thought the safer and more convenient plan, was to get it turned into a law. The liberty of the press was in consequence suspended, not only for all the daily papers, but for all kinds of publications of not more than twenty sheets, while for works of a larger size no alteration was made. During sixteen years that the restored government lasted, the periodical press has been several times muzzled and let loose again, without the censorship having ever been extended to works of more than twenty sheets. The consequence of this was, that the printing and bookselling businesses, with the various branches of industry that are connected with them, made very considerable advances during this period. In the course of this time, there grew up, particularly at Paris, a working population whose support depended on these different branches of trade. Besides this, a considerable number of young men, educated for liberal professions and of energetic habits of thought and action, finding themselves cut off from all other openings by the predilections of the government, had made themselves the means of livelihood by engaging in literary undertakings. When the Ordinances of July appeared, clouds of active combatants were seen to turn out from the printing-houses, the newspaper offices, and all the places of resort of literary men. If anything were wanted to prove the effect produced on the last revolution by the progress of certain branches of industry, it would be found in the fact, that the working printers of several of the ultra-royalist papers left their work to join their comrades and fight the royal forces.

In this there are two circumstances which may appear to contradict each other, and which it is necessary to explain, and those are, that, on the one hand, there should have been such an almost entire forgetting of the ideas and habitudes of freedom in the first years of Louis XVIII,—and on the other, that there should have been such a rapid increase of the circulation of the papers that were devoted to the principles of the revolution, and so much support given by public opinion to the men of literary and political pursuits who were engaged in them. If fifteen years of despotism or military government had sunk the mass of the population to the extent of making them lose all notion of public freedom, and feel a carelessness about all forms of government, how was it that the men who for sixteen years were struggling with arbitrary power, were supported by public feeling? How came their writings to circulate with such rapidity, and how was it that people should show themselves so eager to receive them?

The fact was, that though the friends of freedom on principle and conviction were comparatively few, the number of those whose tangible interests were affected by the restoration was enormous. And it was these interests, feeling themselves endangered by the influence of the priests and emigrant nobility, that formed round the defenders of the principle of the Revolution, and made their principal strength. In accordance with this, it was at all times observable, that the friends of free institutions were more or less popular, in exact proportion as the interests raised up by the Revolution were more or less threatened by the hand of power. They were at their highest during the Polignac ministry ; but after the expulsion of Charles X and his family, their strength fell off considerably. They were abandoned by the men whom the fear of a counter-revolution had brought about them, and by great part of those who conceived their interests put in safety by the existence of the new government.

It has been stated that the Charter bestowed by the charity of Louis XVIII was only intended to quiet, for the time being, the alarm which the restoration necessarily excited ; that it gave no substantial securities, but on the contrary preserved all the despotic institutions of Napoleon ; and that in the formation of two Chambers, it had given the Crown the appointment of one, and had not settled how or who was to appoint the other. Louis XVIII had taken in the first instance for a Chamber of Deputies, what was called the Legislative Body under the imperial government ; it was to this body that the Charter turned over the business of making a law upon elections. But it was dissolved before it had come to any conclusion ; and so the first elections and first legislature under the restoration, were made by virtue of an arbitrary Ordonnance. Charles X in 1830 only followed the example of his brother in 1816.

The results therefore appear to be, that from 1800 to 1814, France was completely deprived of the liberty of the press and everything like a popular institution ; a father of a family could not even chuse the teacher of his children. From 1814 till July 1830, the French nation was subject to the same system, with exception of the liberty of the press such as it was, and one Chamber which had a semblance of popular origin. There not only was no institution that gave the people the means of exercising the smallest influence over the conduct of affairs, even of such as involved only local interests,—but the agents of the government, who had in fact all interests in their own hands, were subject to no responsibility of any kind. There were no means of bringing any one of them to account for his official

acts, unless the government itself chose to countenance the inquiry.

The Charter, as has been noticed, had not settled how or by whom the Chamber which was called the popular one was to be elected; but it had formally cut off from capability of either electing or being elected, all the men who constituted the chief strength of France. It declared incapable of voting as an elector, every man who did not pay three hundred francs [12*l.*] of direct taxes and was under thirty years of age; and incapable of being elected, every man who did not pay a thousand francs [40*l.*] of direct taxes and was under forty years of age. But while it defined the conditions without which a man should be neither elector nor elected, *it did not say that the right of electing or being elected should belong to all who answered these conditions*; it left the government the power of fixing, *which among the men not excluded for incapacity, should have the right of electing or being elected.*

Louis XVIII, as has just been shown, did not attach the possession of political rights to a certain property, but to the payment of a particular kind of taxes. In this there were two objects; it left him the power of diminishing the number both of electors and persons capable of being elected, by the simple process of reducing the direct taxes and laying upon the indirect instead,—and it gave him the power of incapacitating individuals opposed to his views, and transferring the political privilege to those from whom he expected more support. The amount of every man's direct taxes being in fact settled by the agents of the Crown, it was the easiest thing in the world to take off a few francs from the assessment of a man of liberal politics, and lay them on somebody else to whom it was desired to give the right of voting or of being elected. And the restored government had made such good use of the first of these methods, that at the moment when it was knocked on the head, the number of electors in all France was reduced to less than eighty thousand, *and the number of persons capable of being elected was very little more than double the number that were to be chosen.*

Such then, to sum up, was the political state of France at the moment when the elder branch of the Bourbons was driven from the throne. One man in four hundred, had the chance every five years, of assisting to elect a Deputy; and there was nobody else that possessed any manner of political right, so much as a share in the nomination of a parish officer. In the parts of France where education and property are most general, one man in ten or twelve thousand, on the closest calculation, might aspire to the honour of being a Deputy. All the rest of the nation

was, in the political sense, stricken with incapacity complete and absolute, and had been so for thirty years; for there was not in France a man in office great or small, that was not appointed by the government. A great number of private professions too, had been brought into a state of dependence on the public authority, which appointed to the privilege of exercising them; such as those of printers, commercial agents, brokers, school-masters, teachers, and several more.

This immense multitude of people, who had never exercised any political right and had no direct mode of interfering with what was to befall them, was exposed to two sets of influences;—the influence of a free and independent press, directed by men in the vigour of youth and energy, and the more hostile to the restored government as having been declared by it incapable of political rights and driven from all employment under the public,—and the influence of the people in office and the clergy, who were pushing them in the opposite direction, and doing everything in their power to keep them in ignorance or plunge them in superstition. No separate notice needs be taken of the influence of the elective Chamber; because it may be included in that of the press. The small number of popular men who succeeded in getting into this Chamber, never in fact spoke in it with any object but that of speaking to the public out of doors. It never entered their heads to think of convincing either the ministry or its majority; for they knew that it was enough for any measure to be proposed or supported by themselves, to secure its being rejected.

Among the individuals who had attached themselves to the elder branch of the Bourbons, were many who were convinced that this family had no chance of maintaining themselves upon the throne, except by respecting certain principles of government. When men of this kind therefore saw them departing from these principles, or surrounding themselves with counsellors that amounted to a declaration of such intent, they did what they could to bring them to a safer course, or stop them on the brink of the precipice. The most active of these, and such as showed the most warmth in their representations, got dismissed from office for their reward; while others, to prevent this conclusion, and get clear of an administration they disapproved with more attention to appearances, took the measure of sending their resignations of themselves.

The writers of the opposition, when occurrences of this kind took place, never failed to be loud in the praises of the ancient royalists who came to join their ranks. With a view to encourage desertion from the enemy's cause, they made a hero of every

man that quitted it, expatiated on the sacrifice he had made of his place to his duty and his conscience, and forgot the wrongs and crimes he might have committed against France and freedom, in the recollection of the service he had last rendered to one and to the other. In this manner there were those who had shared the blackest plots of the Holy Alliance against the independence and freedom of all nations, that were set up above the companion of Washington, and the man that had carried arms against his country or used his talents to back the most detestable measures of its enemies, might be seen exalted above another who had sacrificed his fortune and his liberty for the interest of his fellow-citizens. Never was there such a practical exemplification of the scripture expression that 'the first shall be last,' as in the latter years of the restored family.

Royalists of this kind whom the court disavowed as having attempted to set conditions to their services, or who separated themselves from the existing administration from a persuasion that it could not last, were not only held up by the liberal party as models for public functionaries, but were recommended to the electors in all the quarters where the friends of freedom had not a decided majority for themselves. In this manner a great number of them were brought into the Chamber of Deputies by the assistance of the liberal party, who had not in truth any great confidence in them, but had rather have them than men who were sold to the ministry and bent on attempting a counter-revolution. Among the electors also, numbers of the timid or the cautious preferred these to candidates more decidedly and sincerely in opposition to the government, either from a wish to escape the stigma of being *revolutionary*, which was thrown out against them by the absolutist journals, or to avoid pushing the court to desperate measures by bringing it into contact with a Chamber it would consider as utterly insupportable.

Such were the circumstances attending the formation of the Chamber that bestowed the title of 'deplorable' on the administration of Villèle which it overset, and which on being dissolved by Polignac was returned again a few days afterwards. The royalists who had thrown themselves into opposition and been brought in by the votes of the liberals, found themselves in a most splendid position. They were in the enjoyment of enormous popularity, and saw themselves to all appearance on the point of having the power of the state thrown into their hands; for it was plain that the Polignac ministry could not stand, and that Charles X would never make up his mind to trust himself to the men of the Revolution. There was the

possibility, it is true, that the court might make the attempt to govern without the Chambers; but a quiet and orderly way had been devised for meeting this, which was to refuse all taxes not voted through the legal channels. The royalist opposition felt no doubt, that with the help of this measure, they should oblige the court to throw itself into their arms.

The Ordonnances of July came upon them like a clap of thunder in the midst of this dream of greatness and of power. In fact a great number of them, the day the Ordonnances appeared, were on the road to Paris, in the firm conviction that they were going to take possession of the ministry; for Charles X had called the Chambers together only a few days before his *coup d'état* was made. But before they could get to Paris and take measures for putting their plan of passive resistance in execution, the monarchy of Charles X was swept away. The active part of the French population, which it had been the plan of the restored government to reduce to perpetual incapacity for all political influence, had not wasted its time in looking out for a way of conquering without danger and making a tool of France for its own advantage afterwards, like the people that succeeded it; but, though without chiefs, orders, or combination, had thrown itself upon the troops of Charles X, and destroyed or driven them to flight.

The victory had been effected by a class of men full of energy, disinterestedness, and patriotism, but who were almost all under an incapacity of exercising political rights by the existing laws; and no man of note in the opposition had come near them during the actual danger. Shut out as they had been from the Chambers, from the elections, and from all public employments, the ablest among them had had no means of making themselves known, or of establishing any personal claim to public confidence. They were therefore obliged to call in men whose names had a certain degree of notoriety, and let them take the direction of affairs. These were for the most part taken, from those Members of the Chamber of Deputies of whom the public had the best opinion for courage and patriotism; and they met at the Hotel de Ville under the title of *Commission Municipale*.

Here it is that is to be found the beginning of the mistakes which turned the revolution of July from its first principle, set the course of power into the same tracks again in which it had gone since the restoration, kept France in its old state of political non-entity, and carried the feeling of insecurity and discouragement into the hearts of all the substantial and important portions of the population.

If the well-intentioned patriots who first got the direction of

affairs, instead of calling themselves a *Commission Municipale* had constituted themselves a Provisional Government, and had at once gone to work to form a ministry and appoint to the military commands and civil offices ;—if they had put themselves in communication with the men who had raised the standard of resistance in the departments,—there is not an individual in France that would not have acknowledged their authority, and come forward to execute and promote the execution of their orders ;—and they might then have called upon the citizens to form an Assembly worthy the name of National, and have given France the political organization she deserves. In fact from the moment they refused to recognize the authority of either Charles X or his ministers, they had just as good grounds for taking in hand the government of the whole country, as the regulation of the capital.

It would have been all the easier for the patriots of the Hotel de Ville to establish a Provisional Government, and so prevent the national sovereignty from being seized by those who had no right to it, and give France the political organization of a free country,—as all the constituted bodies of the appointment of Louis XVIII or Charles X, behaved exactly as everybody was bound to expect of them. The members of the Chamber of Peers,—old courtiers under the Empire or the Restoration, who had most of them fought, in the ranks of foreigners or in the civil wars, against the revolution of 1789,—had broken up, and dreamt of nothing less than undertaking the management of a new revolution. Selected to support the interests of a family which the people had just put down, their commission was at an end, and they could not without dishonour to themselves and danger to the country, make their appearance as allies of a new revolution which had just hurled from the throne the family for which they had fought so long. The greatest part of the Deputies also, behaved exactly as was to be expected of them. Appointed for the purpose of governing with Charles X and if necessary of defending him, they felt it was no business of theirs to be giving consistence to a revolution which had forced him to quit France. The most considerate of them therefore kept aloof, not knowing what side might conquer in the end, and not wishing to compromise themselves with any.

The intriguers by trade, were not slow in finding out the want of foresight and energy of the men who had met at the Hotel de Ville under the title of *Commission Municipale*. Taking courage upon finding that the royal troops were gone and seeing the generous behaviour of the conquerors of the three days,

they issued from the places where they had hidden themselves in the time of danger, and showed symptoms of desiring to take the direction of affairs.

A brace of public writers, friends of Talleyrand, who had displayed some talent for political warfare under the Polignac ministry, and who at the time when there was fighting had disguised themselves and retired to a village in the department of Seine and Oise, hurried to Paris as soon as the danger was over, and began pouring out proclamations to induce the people, who had never had anything of the kind in their thoughts, to declare for the Duke of Orleans. Some sixty Deputies, the greatest part of whom had secret understandings with the Duke, got together and declared him Lieutenant-General of the kingdom. The Duke appointed ministers and called the Chambers; and the *Commission Municipale*, which was the body that possessed the confidence of the conquerors of July, found itself stripped of all authority whatever.

To this point may be traced the long series of contradictions springing out of one original fault, the end of which has been to make the government so difficult to any party, as to lead to the apprehension that France will never escape from her existing troubles without another revolution.

It has been seen, that with a view to promote the beating the last ministry of Charles X in the elections, and to avoid pushing that government to extreme courses, the liberal party had put forward as candidates a great number of ancient royalists, who without giving up their attachment to the Bourbons of the elder branch, were nevertheless decidedly opposed to all attempts at counter-revolution. The supporting these candidates, in the time of Charles X, was on the part of the patriots a proof of wisdom and moderation; it was perhaps the only way to make the existence of that dynasty consistent with the preservation of the little liberty the public was in possession of. Nothing therefore could be more natural than the popularity which attached to these individuals under the Villèle and Polignac ministries. And the Bourbons, on their side, should have had the same feeling. For example, when seven bodies of electors returned M. Royer-Collard at once, if they had not been utterly blind they would have seen that electors who returned this old correspondent of the emigrants and intimate confidante of the plots of Louis XVIII, had no very hostile intentions against themselves.

But when Charles X and his family had been driven from France, and everything like conciliation had thereby become impossible, all the reflecting part of the population, as well as

those who were only guided by their feelings, saw that to be well represented they must have a different kind of men from these. The object was no longer to ensure the safety of the Bourbons and give them the chance of reconciliation with the people, but it was to oppose insuperable obstacles to their return, which was to be done by lodging power with men who had never had any connexion with them in time past. France could have no confidence in the future, nor feel itself in safety either against the intrigues of the fallen dynasty and its partisans, or the plots of foreign governments, except by giving the direction of its affairs to men who had never been the agents either of the emigrants or of the foreigner.

When, therefore, the same Chamber was called together again by Louis Philippe which had enjoyed so much popularity under the Polignac ministry, the patriots viewed its return with great suspicion, and took no pains to conceal their feeling. The recollection of the short period during which the royalists had coalesced with them in forming an opposition, was speedily worn out, but they did not fail to bear in mind, that these men had always sacrificed the interests of France and freedom, to the interests of a family or a caste. They felt convinced that it was impossible to form any lasting or safe alliance, with persons who had borne part in all the intrigues against the early periods of the revolution, been the allies of the emigrants and foreigners during its course, and shared in the most odious measures of the first years of the restoration.

Before the revolution of July many attempts had been made to unseat the eldest branch of the Bourbons. Numbers of the rising generation who had been concerned in these, had paid the forfeit of their lives, and others of their liberty or fortunes. Everybody who either openly or in secret, and the quantity of them was prodigious, had been engaged in plans of this nature, continued to cherish the most lively feeling against the royalists, who had been the means of causing them to fail. They thought themselves quite generous enough, in abstaining from direct acts of persecution and revenge, but though they could forget their personal sufferings, they could not give up the recollection of the assistance the others had rendered to the Bourbons. They knew perfectly well, that the royalists who had been recommended to the electors in the times of the Polignac ministry, had no feeling for the liberal cause except as the means of keeping the family on the throne that had just been driven from it, and it was consequently with great distrust that they saw any of them make their way back into the Chamber and to the conduct of affairs.

For their own parts, these olden champions of legitimacy,—who had served it by their intrigues in its exile and some of whom had gone with it into foreign lands,—did not seem to find out that anything like a revolution had taken place. Having found themselves in a high state of popularity by their opposition to the Villèle and Polignac ministries, and just upon the point of taking the direction of public affairs under Charles X, they devoutly believed themselves the men to take the direction of a change that had driven him from the throne. Their ambition, vanity, the standing they had held in the last days of the restored family, and more than all, the necessity they felt for doing something to satisfy their consciences in the first act of their political existence, combined to push them upon trying to get the government into their hands and cut down a popular revolution to the dimensions of a court turn-out. They could find in their hearts to make a sacrifice of their attachment to the eldest branch of the Bourbons, when they could do nothing to keep it any longer on its feet; but they were determined to do their best to save as much of the restoration as it was possible to devise.

This spirit of hostility to the people's interests which existed in the first Chamber of Deputies that met after the revolution of July, was still more strongly marked in the Chamber of Peers. The greatest part of this Chamber was composed of men who had been the most active and persevering enemies of the first revolution. There were to be found there the principal heads of the old emigrant party, and of the royalist armies of Vendée and the South of France. Charles X had moreover taken care to post there all the heads of the catholic religion the most marked for their fanaticism, and such members of the elective Chamber as had shown the strongest affection for arbitrary power. In the eyes of the greatest part of these, the revolution of July was not only an 'untoward event;' it was a crime which they would have punished severely if they knew how. As not one of them had any power but what he had derived from Louis XVIII or Charles X, they could not give up the principle of legitimacy without cutting away the only base on which their own power was founded.

Louis Philippe was an individual very little known. As he had given himself up entirely to the occupations of private life, and had never distinguished himself by any act or opinion likely to take hold on popular feelings, the public neither liked nor disliked him. A few intriguing people had contrived to keep a stir about him, and tried to make up for him something like a party, on the chance of his being some day called to the

throne ; but this had never met with much success. He had the character, where his private interests were concerned, of being unfeeling and designing ; but there was a disposition to give his advisers and men of business the credit, of the numerous lawsuits that were carried on in his name. People did not find it easy to believe, that a prince who was considered as having a gigantic fortune, could descend to entering into the pettiest details of the management of his affairs, and pass his time in getting up litigious claims against poorer persons than himself. And they said besides, that for a king, avarice was not so bad a vice, and perhaps he would take care of the people's money as he had learnt to do so of his own.

The inclinations which Louis Philippe took care to keep in the back ground before his arrival at the throne and in the periods that immediately followed the July revolution, have since been demonstrated in so many ways, as to leave no doubt on any mind at present. It has been clearly established by his language in public, by his acts, by his choice of men, that the Restoration is the order of things that finds favour in his eyes, if not for the people, at all events for the king. His ambition consequently was neither more nor less, than to put himself quietly into the place of his cousin Charles ; and he manifestly formed the expectation, that by only abstaining from any open violation of the letter of the Charter, he should possess the same prerogatives, and have the peaceable enjoyment of a fat civil list. Having no idea of anything better than the system of the Restoration as settled by the advisers and courtiers of Louis XVIII, it was natural that he should bestow all his confidence on the authors of this system, and have more or less aversion for all the men of the Revolution and their opinions.

The political state and condition of France immediately after the expulsion of the Bourbons of the elder branch and the dissolution of the *Commission Municipale*, appears then to have been as follows. A Chamber of Peers composed in the main of servile followers of the old regime and bitter enemies of the Revolution, out-and-out partisans of the family the people had just expelled. A Chamber of Deputies the majority of which consisted of old supporters of legitimacy, a few of whom had made some small show of liberal opinions, from conviction or from policy ; but in which there was a minority with most decided feelings in favour of the Revolution. A Lieutenant-General, that at the next step was to be King, who made a show of joining in the popular feelings, but in reality longed for nothing but to set on-foot again the system of the Restoration.

The Courts of Law composed almost entirely of enemies of the Revolution, or partisans of the exiled family. Last of all, a ministry divided upon all the questions of primary importance, and without either energy or good-will upon any of the rest.

Out of doors was an immense population, exalted by the consciousness of strength and recent victory, brimfull of generous feeling, with a most perfect confidence in what was to come next, buoyed up in all probability with illusive visions of the good that was to arise to it from a revolution which had been carried into execution without cruelty and without injustice, but deficient in information on many important points, and not at all provided with the experience necessary to enable it to keep itself from being cheated. In spite of which, though for more than thirty years it had been cut off from all practice in the exercise of popular rights, this population formed of its own accord into national guards in almost all the towns of France. It chose its own officers, and the choice generally fell on men of approved patriotic principles. In many places, and particularly in the great cities, the members of the existing municipal authorities were set aside, and their places filled with men known to be attached to the revolution which had just been made. It is literally true, that the partisans of the fallen dynasty gave themselves up for lost, and did not attempt to show themselves on any one of these occasions. The Chambers, or at least a considerable part of their members, were got together, and then began to be seen the deep hostility which drew and ever will draw, a line between the partisans of the thing called legitimacy, and those of the sovereignty of nation. The list of these classes, who had found means to draw a quantity of timid people to their side, were evidently the majority in the two Chambers, but they were in such a feeble minority in the nation at large, that it would not have been safe for them to make any public exhibition of their feeling, and they were obliged to use a great deal of caution in proceeding to their work. Not seeing a chance of bringing back Charles X or any of his descendants, they made up their minds to declare the throne vacant, taking care all the time to do nothing against their principles on the rights of legitimacy, or that should in any manner pledge them for the future. The vacancy of the throne was grounded on the naked fact, that the Bourbons of the elder branch *were not in France*; so that any of the members of this family had only to come back with a sufficient force to show themselves, to make an end of the category.

One of the 'long heads' of this party, [M. Guizot], a little

afterwards, was so indiscreet as to let out a portion of the secret. He said openly, that the Duke of Orleans had only been made king in consequence of his near relationship to Charles X, and because it was desired to go as little as possible out of the way of strict legitimacy. And thus it was that caused the name of *quasi-legitimists* to be at one time given to the men of this party. They afterwards got the name of the *party of resistance* (or as it would be called in England, the *conservatives*), because they professed resistance to all innovation, and the maintenance of the *statu quo*. And last of all, they were known by the title of the party of the *juste milieu* [‘proper medium’], a phrase understood to have been first applied to them in sober sadness by the king, because they were apprehended to hit exactly the right place, between divine right and the sovereignty of the nation, between the Restoration and the Revolution.

There were two circumstances that at first obliged the *quasi-legitimists* to use great caution in all they said or did. And these were, on one hand, the necessity they were under of bringing the last ministers of Charles X to some kind of trial, in which the object was to let them escape and at the same time not compromise themselves, and on the other, the necessity for keeping on good terms with the national guard of Paris, which was the only military body at their disposal, and which had, for the most part, constructed itself in the way that would make it most efficient in support of the revolution. These two circumstances induced the *quasi-legitimists* for some time to conceal their hatred of such friends of liberty as the revolution had brought to the head of affairs; but they gave it free course as soon as the danger was over.

The partisans of the revolution would have been for making a new constitution, in the place of that Charter which had kept up all the despotic institutions of the Empire, and which had been in the hands of the Bourbons nothing but a machine for raising enormous taxes. But the holders of this opinion were so few in the Chamber of Deputies, that they had no chance of success. A constitution would have embodied and sanctioned the principles of the revolution of 1789, and acknowledged the legitimacy of the forms of government that had existed between that period and 1814; and it would have set the seal of condemnation on the emigrants, the royalist insurrections, and all the other attempts at counter-revolution. For these very reasons, the *quasi-legitimists* rejected the notion of it; they kept up the charity-bestowed Charter, as being a fragmental emanation of right divine; and they decided that the rights and liberties of France should have no origin and no foundation except the

restoration. In this manner they fancied they secured a justification for all their past performances, for emigrating in 1792 and taking the road to Ghent in 1815, the civil wars and correspondence with the foreign enemy, then acts of hypocrisy in 1814 and the bloody acts of the second restoration.

They agreed, however, for decency's sake and by way of composition, to cut down the preamble of the charter given by the Charter, and to modify some of its articles. Two weighty questions had particularly attracted public notice, one was, whether the peerage, such as it had been made by the restoration, should be kept in existence, and the other, whether the judges appointed by Louis XVIII and Charles X were to be all continued in office. To the first of these the more importance was attached, because it was known that Louis Philippe in his private communications was decidedly for keeping up both the institution and the men it was composed of, and was using his influence to have the question settled as the most aristocratically disposed person possible could desire.

On the evening that the Chamber of Deputies entered on this great question, an immense crowd collected round their place of sitting, and threatened to turn them out, or proceed to still greater lengths, if the peerage was not abolished. The more timid of the Deputies were for giving way to the popular voice, but those who had stronger aristocratical constitutions, were for resisting and taking all consequences. Augustin Pecci, the brother of the President of the Council, who had before his eyes the vision of a long line of hereditary peers to spring from his proper person, made himself particularly distinguished above the rest of the Chamber for vehemence and noise. Several Deputies on the left side who were in possession of the confidence of the public (Benjamin Constant for instance, and Labbey de Pompières) went out to try to pacify the crowd, but it was all in vain, and they were told, that if the Chamber did not decide at once, they should be driven from their place of sitting. Lafayette was then sent out to them, he promised that public opinion should be satisfied, and on this assurance the people became quiet. The *quasi-legitimists*, who had been thoroughly frightened, durst not after this keep up the peerage, and they had no appetite for putting it down. So they took a *propre médium* kind of resolution, and put off the decision of the point till the next session, in hopes of being then strong enough to execute their original project.

The question of keeping up the judges that had been appointed under the restoration, took less hold of the public mind, because nobody had an idea that the government could do any-

thing but bring them all to some kind of arrangement. The ministers of Louis XVIII and Charles X had in fact for sixteen years raised nobody to any legal office but such as they thought particularly zealous partisans of the restoration, and of course equally decided enemies of all new revolutions. A great number of these men were additionally compromised in public opinion, by the violence which they had shown for sixteen years in prosecuting the friends of freedom, and the severity, or it would be as well to say cruelty, of their sentences. To leave all these men indiscriminately in possession of their offices, seemed to be like the new government's putting itself at the mercy of the beaten party, and holding out the promise of impunity to anybody that would try to make a third restoration. The *quasi-legitimists*, however, did not stick at taking this step, and they were supported in it, to the great surprise of the public, by the intimate confidantes of Louis Philippe, and by such men as Dupin, Villeman, and Madiet-Montjau. Nobody could tell at the time, why the counsellors of the new sovereignty should be so eager for keeping up the entire of the judges chosen by the worst ministers of Louis XVIII and Charles X. The police conspiracies, in which, shortly afterwards, an attempt was made to involve the men who had been most active in the revolution of July, the long imprisonments that many of them were condemned to on the most trumpety pretences, and above all, the numberless prosecutions brought against writers on the patriotic side, have, since that, effectually solved the riddle.

The *quasi-legitimists* who had put off to the next session the question of the peerage, and who had maintained, out of respect to the Charter, as they said, the whole of the judges of the restoration, found themselves in great perplexity with the Peers who had been named by Charles X and who were for the most part then personal enemies. Charles X had in fact called them to the Chamber of Peers, for the express purpose of overcoming the resistance of such of the old royalists as thought he was going too fast on the road to counter-revolution. The *quasi-legitimist* Deputies, after putting off their decision for one session, concluded by decreeing the exclusion of about a third of the Chamber of Peers. It was a manifest contradiction, a palpable violation, of that Charter for which they pretended such devout respect, but it was a *proper medium* piece of policy enough.

At the point of time when Louis Philippe had been proclaimed King, and after the expulsion of the Peers of Charles X had been completed, France may be considered as having been under very nearly the same government as in 1819. There were the

same set of judges, the same peotage, in a great measure the same Deputies, the same responsible ministers, and an individual on the throne who had not a bit more elevation of character or openness of proceeding than Louis XVIII. In some few high situations, it is true, was a very limited number of men whose attachment to the cause of liberty had never changed or blanched; but they were only put there to unuse the people of France by whom the revolution had been executed, and who would not have tolerated a government that was nothing but the Restoration over again, if pains had not been taken to make the best of it by giving it the Tri-coloured Flag and the names of a few popular men.

At the moment when they were obliged to bring on the trial of the Polignac ministry, the two Chambers and the *quasi-legitimist* party in the government were so unpopular, that everybody of any foresight felt certain there must be another revolution. A deep schism of opinion manifestly existed in the cabinet, the ministers could not go on together, but none of them would stay in the ministry to help to form a new one. For twenty-four hours Louis Philippe was without a ministry, and without any means of composing one. The patriotic party in the former administration, out of compassion for his situation, determined to run all risks. If public order was maintained during the trial of the Polignac ministry, the thanks were due to the public spirit of Lafayette, Dupont de l'Eure, Odilon Barrot, and some of their friends.

The moment the danger was over, the *quasi-legitimists* began to throw off the mask, and the courtiers of the new sovereign were the foremost to attack Lafayette and his friends within the walls of the Chamber of Deputies. A few months were enough for Louis Philippe to get rid of all the men who had found their way into the government since the July revolution, and showed signs of adhering to their principles. Those to whom he had been the most liberal of his caresses, and on whom he had bestowed the most professions of regard and of attachment, were the first he sent away. Two reasons principally operated on him to produce this resolution. He was held in check by the unyielding temper of their principles and their integrity, and he felt humiliated by the presence of men who had made him a king, or who at all events could have hindered him from being one if they had chosen.

The men of the *quasi-legitimist* party whom the revolution of July either found or brought into office, were not contented with keeping out of the government every man who had taken part in the revolution and had remained steady to his principles; but

they put in action against them an enormous system of calumny which they extended over the whole of France. They contrived to charge them, not openly, but through the instrumentality of the police and other agents of the ministry, with all the disturbances and commotions that took place in Paris, and which were the simple consequences of the leaning to the old system of legitimacy displayed by the Chambers and the government. The calumnious representations of this kind which the ministry of Louis Philippe procured to be spread abroad both in France and foreign countries, were for a long time almost all that this ministry had to support itself upon. They were produced over again boldly in the last Chamber, and if the Opposition has any thing to charge itself with, it is with having taken less notice of this conduct than it deserved.

The Chambers broke up, after making a few alterations in the law of elections, and some others of smaller importance. That of the Deputies, which had been prodigiously popular at the time it was elected (under the Polignac ministry), had become to such a degree odious to the active part of the Parisian population, that if the Chamber had ever met again, the probability is it would have given rise to another revolution. In consequence Louis Philippe, whose plans it had constantly supported, was obliged to dissolve it, though he declared in his private communications, that he had always been quite satisfied with it, and it was impossible to have a better. And while he gave way to the popular feeling which called for its being dissolved, he did every thing that was in his power to procure the re-election of the *quasi-legitimist* members and to keep out everybody else. He formed the celebrated ministry of the 13th of March, whose head was notorious for his hatred of the revolution and the high tone of his aristocratic feeling.

The dark manoeuvres of this ministry in the last elections, it would be useless to recount, promises, threats, and falsehoods of all kinds were employed as liberally as in the days of Villèle. The consequences will be seen on coming to the statement of the relative strength of present parties in France. The friends of freedom had always concentrated their efforts on one single point, which was to prevent the formation of an aristocracy by birth, and they had consequently looked out for the candidates who were most determined to vote against the hereditary transmission of the peerage. Their success upon this point was complete; they got a decided majority which nothing could touch or shake.

On the opening of the Session, the ministry of the 13th of March did not feel at all sure of having a majority that would

enable them to carry on the government, even though they agreed to give up some of the principles they set most store by, as for instance the hereditary transmission of the peerage, and the unlimited power of the king to make peers. The Perier ministry was so far from having the majority, that on making a cabinet question of the choice of a president for the Chamber of Deputies, the individual supported by the ministry, after giving himself his own vote, had only one vote above the opposition candidate. In spite of this, the ministers, after announcing publicly their intention to retire, determined to go on; for they trusted to the support of the new court at all events balancing the support which public opinion gave to their political opponents. And in fact they had the majority on a great number of questions, though on many others they were in a minority, but their majorities were always weak, sometimes only four or five, for the most part somewhere between twenty and thirty.

To have a clear idea of the political situation of France, (waiving for the present the increased exasperation given to the various elements of political feeling by the transactions of the month of June), it is necessary to examine narrowly the composition of the different branches of power as they actually stand, to see what is the degree of harmony that exists, either with one another, or with the different classes of the population; and lastly, what are the means which each party can put in action, to promote its ultimate predominance.

The Chamber of Peers as appointed by Louis XVIII, has been subjected to changes in two ways at once,—a number of the old peers have died off,—and their places have been taken by their sons. These youthful peers are for the most part still bitter enemies of the July revolution than their fathers. They had already got into the way of speaking of their hereditary right, as of a property that could not be taken from them without the most grievous injustice; and they never forgave the men of July for having curtailed them of a prerogative, which gave themselves and their children, from generation to generation, a monopoly of the objects of all men's hopes, which are power and fortune. There can therefore be no dispute, that they look forward to a third restoration as what would be a common good, if it would only restore them the hereditary privileges they have lost. The old surviving peers, who have been all of them companions or favourites of the fallen dynasty, have the same kind of feeling, though they take pains to hide it, to keep in favour with the new sovereign. As for those who have been appointed since the revolution of July, they are for the most part courtiers either of the Empire or of Louis Philippe, who have no principle

but that of standing well at court, and doing what they can to please the king.

This Chamber thus hostilely disposed towards the revolution, is almost at open war with the Chamber of Deputies, which has run away with its hereditary right. It revenges itself for this blow, by contemptuous proceedings which it takes to be aristocratic and dignified, and by throwing out the bills that originate in the other Chamber. As it contains almost all the old ministers of the Empire and the Restoration, it thinks itself possessed of exclusive fitness for good government. On general questions, it has no influence whatever with the public; and if the government of Louis Philippe was in danger, and it wished to do it what service was in its power, the best thing it could do would be to get where nobody should ever think of it. It is, and always has been, so well convinced of its own insignificance, that in 1830, as it did in 1815, it allowed the dynasty that created it to perish, without ever attempting to hold it out a hand.

The Chamber of Deputies may be divided into three grand sections. There is the Opposition, which is the most numerous of the three, and consists of the most decided friends of the Revolution and the most active enemies of the system of the Restoration. The ministerial party, composed of three or four different kinds of people, ready any minute to quarrel with one another. And the party that may be called the waverers, because the small number it consists of, go sometimes to one side and sometimes the other, without ever venturing to take a decided part.

The ministerial party contains the ancient royalists who left the ministries of Villèle and Polignac, and for that reason had been considered as being liberals. In fact these are the *quasi-legitimists*, who would any day be glad to become whole legitimists, if they were sure of holding power under Henry V. It further includes a great number of men whose fortunes are to a certain degree dependent on the government, such as contractors for government canals, share-holders in certain mines, the owners of monopolies, bankers concerned in the loans, holders of army contracts, and a number of great merchants interested in obtaining advantages for different kinds of trade, or bounties on the import or export of certain goods. Lastly it includes a great mass of public functionaries and placemen, who vote with the ministry for the sake of keeping their places, or being removed to better. And all this number of interested people would not have been sufficient to make up a majority, if the ministry had not contrived to draw to its side a great quantity of Deputies of small courage and confined views, by harping on the danger of convulsions or of war.

The *quasi-legitimist* party are far from being as numerous in the present Chamber of Deputies, as they were in the one that met just after the revolution of July. They at that time made a majority, and now they hardly make a sixth part of the representatives. At the same time it is the only part of the elective Chamber, that agrees in opinion with the majority of the Chamber of Peers, the consequence of which is, that the majorities in the two Chambers are at daggers drawing with each other. And the sources of collision which have come to light during the session that is just finished, are likely to show themselves with vastly increased force in the next, unless some great changes take place in the majority of one or other. Now it is a very difficult thing to effect any change in the Chamber of Peers on the side of liberality, because there are very few popular men that could be persuaded to go into it, or probably not a single one. On the other hand it would be more difficult still, to alter the Chamber of Deputies to the side of the majority of the Chamber of Peers, because public opinion is every day taking great strides the other way.

But though the majority in the Chamber of Deputies is not agreed with the majority in the Chamber of Peers, it is a long way from being in agreement with the feelings of the nation. If a ministry on rational principles had been formed after the last general election, it would have had a very powerful majority in the elective Chamber. It would have been supported by all the members of the present opposition, who make nearly half the Chamber, by all that numerous class whose interests lead them to join any ministry, and by the fragmental sect of *waverers*, who wait only to see which way the scale turns. Louis Philippe, having like his relations Louis XVIII and Charles X looked for support to the anti-popular portion of the Chamber, has contrived to maintain an almost imperceptible majority of votes, which has answered his ends in a great number of the measures his ministers have proposed, but this majority is become such an unpopular affair, that it is doubtful whether it can get through another session, unless considerable alterations take place. This Chamber therefore may be said to have lost great part, if not the whole, of its credit with the people.

Casimir Perier as head of the ministry, had the support of the upper commercial classes in Paris and most of the great towns in France. He was the representative of the Bank and the Exchange; and they supported him with all their might. Having never given his attention to anything but subjects of finance, and having even in these been not always over delicate

in the choice of his means of success, he was incapable of giving into any extended views, except where he was pushed by a feeling of pride. Very able and well-informed in all that related to banking speculations, he possessed very limited information on anything else, and had no idea of valuing either learning, arts, or science, except by the money that might be made of them. Harsh even to rudeness in his conduct towards the lower classes, and fancying that there were no ways to make men move but fear or the love of money, he knew only of two instruments of governing, corruption and force. Having obtained his immense fortune by means which would not stand too nice examination, he had no idea how masses of people could put themselves in motion, for any end but pillage. To hear him speak and see him act, a man might have come to the conclusion, that he had ambitionated the high post he held, for no reason on earth but to be able to set the army and national guard to take care of his own strong box.

A knowledge of the character of this minister explains all the principal events of the last fourteen months,—the support the ministry met with from all the monied men,—the dislike with which it was viewed by all the men of letters, men of science, artists, a part of the middle and the whole of the working classes,—the popular movements which took place at Paris and in a great number of the departments, against the government, and the violence with which they were put down,—the dismissal from public affairs of such patriotic individuals as were for preserving some independence of character, and the raising to high situations of men of evil repute for acts of baseness,—the continually increasing hatred of the Opposition towards the administration, and the deep degradation fallen into by the few ancient liberals who kept to the ministerial banner,—the servile deference shown to foreign powers of the least respectable description, like the court of Rome, and the insolent behaviour maintained towards everybody at home; and last of all, it will explain the bond of feeling between Louis Philippe and his prime minister, which continued to exist in spite of violences of conduct and disposition which it might have been thought would put an end to it.

The epidemic which rendered Casimir Perier and D'Argout incapable of duty, it might have been supposed would have brought about a dissolution of the ministry. And yet the rest of them remain there still, and have increased their force by the addition of Girod de l'Ain, who in the last session rendered himself remarkable for incapacity, still more decidedly than for his partiality in the execution of his office. For half a century

there has not been in France a more unpopular ministry, or in fact one so low in public estimation as what exists at present. The last ministry of Charles X was an object of fear ; because in its numbers there were several men who were neither wanting in talent nor in energy ; but that of the present day is feared by nobody. The only impression it gives is that of its incapacity, and the consequences that may result to the dynasty that keeps it in its service.

The courts of law are but slightly altered from what they were before the revolution of July. The prosecuting officers are for the most part changed ; but the judges are almost everywhere the same as before. The consequence of this is, that in a great number of cases the operations of the government are nullified, and it is left without the means of defence. If it wants to prosecute the more violent of the papers of the liberal Opposition, it finds the magistrates perfectly well inclined to serve its purpose ; but when the accused appear before a jury, they are almost invariably acquitted, because the classes from which the juries are taken, are nearly all in opposition. If on the other hand it wants to prosecute the legitimist writers, who attack it with violence still greater than the others, the juries would be very ready to find verdicts, but the judges, who belong to the fallen party, bar proceedings by dismissing the case before it comes to their decision ; and to the same personal connexion on the part of the heads of the law, may be attributed the ready acquiescence of the *Cour Royale* in the measures lately taken for placing the capital under military government. In the last twelvemonth, the ministry has instituted an excessive number of proceedings against the press ; but it has so constantly failed, sometimes through the juries and sometimes through the judges, that it has ended by discovering that it can in fact do nothing at all. The result of all this is, that to keep down the attacks of its enemies, the government is obliged to have recourse to violence, and the establishment of extraordinary tribunals such as military commissions. Measures of this kind may possibly give it strength for a brief space, but must infallibly produce its destruction in the end.

There is one more power it remains to mention, and on which it is necessary to speak with caution, because it is only by a circuitous process that information can be obtained respecting it. And this is, the royal power, or at all events the power of the individual who is its present depositary. It is notorious that a king is hardly ever well judged of in his life-time ; for both his friends and enemies unite in attributing to him qualities that he does not possess. He is always set either too high or

too low ; and such people as only view him from a distance, can do little more than guess. What may be said therefore of the present king, must be considered as not so much referring to what he is, as to what he is taken for ;—as being not so much a description upon knowledge, as a statement of the opinion which is uppermost in France.

There never was a king, in actual possession of a throne, that was attacked with more perseverance and vigour, or it might be added, with more spite and violence, than Louis Philippe. He has been an inexhaustible subject for sarcasms and jokes, of all kinds ; tales, newspapers, songs, caricatures, theatrical entertainments, have all been put in requisition to bring him down in public estimation, and it must be acknowledged, with pretty good effect. The principal charges advanced against him in these various ways are, that he has neither more straight-forwardness nor courage than his relations Louis XVIII and Charles X,—and his love of money. They represent him as not merely devoid of feelings of gratitude or generosity, but as being the instigator of the wrongs and calunnies that have been heaped upon the men who were the authors of his exaltation. He is accused besides, not only of having cheated the friends of freedom, but of cheating his own ministers as Louis the XVIII and both his brothers used to do. And to finish, they twit him with being utterly without elevation of soul, disliking everybody of merit, and being too fond of busying himself with things which do not sit well upon a king, such as proceedings against the press, plots got up by the police, and petty intrigues of the like nature.

It is of no use to inquire whether these charges are well or ill founded ; it is enough to calculate the consequences of their existence. The first and most unfortunate of which has been, the complete alienation of the affections of almost all the men in France, who are in the vigour of their age and in the way of occupying themselves with public affairs. Every day that comes, the papers which are the organs of the youthful generation who will soon be of standing to be called to the exercise of political rights, proclaim their irreconcilable hostility with the royalty which has been saddled on the revolution of July. The charges brought against Louis Philippe, and the acts he has been advised to or has himself caused his ministers to sign, have made vastly more republicans than were ever made by Franklin or by Washington. And the feeling is not limited to declarations of irreconcilable hostility between the new dynasty and the men who form the opposition out of doors ; but it is declared to exist in equal force, in the case of

the opposition Deputies in the Chamber. This last may be exaggerated; but there can be no doubt of the excessive distrust felt of the king by everybody in the Chamber who by their talents and standing are at all likely to be members of a ministry. Those who feel this most, are those who have seen him the oftenest and the nearest, and none but the most weighty reasons would ever bring them back to undertake the conduct of affairs. The probability in fact is, that if anything could bring them back, it must be accompanied with conditions so disagreeable for Louis Philippe, as he would not long be likely to endure. Feeling perfectly convinced that the king would never have had recourse to them but under the pressure of irresistible necessity, and that every possible effort would be made to deceive them after all, they would find themselves obliged to take such a number of precautions, as would make it next to impossible for the government to go on.

Among the reasons which were decisive with men of foresight in France for continuing to support the wretched government which has existed to the grievance of the country, one most leading one has been the desire of giving full play to the passing of the Reform Bill in England. There is not an intelligent person in France, who does not see that the reform of parliament in England is an immense step gained for all the nations of the earth that are either free or ever hope to be so. Exactly in proportion to the mistrust and hatred borne on the continent to the hitherto ruling portion of the English aristocracy, is the confidence felt that a popular government in England will be the natural ally of the friends of peace and freedom all over the world. There is a general expectation, that the heavy blows the English reformers have laid on the backs of their oppressive aristocracy, will be echoed, first or last, upon the bones of all the aristocracies in Europe, and nothing would have been considered such a misfortune, as anything which could have been tortured into a pretext for delaying the English reform, or cutting down its extent. But as soon as all anxiety on this head is at an end, the nations of Europe, and the French people in particular, will see the road open to similar measures of political improvement for themselves.

The French people has been far from gaining by the revolution as much as it had a right to expect, but it has gained enough, to enable it to go on gradually to obtain everything it wants. In the battles of the three days, it conquered the right of appointing all the officers of the national guard, to the rank of lieutenant-colonels commanding battalions inclusive, and of presenting the candidates from whom the higher ranks are to be chosen. It

has also obtained the appointment of corporation magistrates in towns, to which will shortly be added that of the collective magistracy of departments or counties. The press was completely set at liberty as far as regarded the power of utterance, and the return of the censorship made impossible without a complete overturning of the actual constitution of society. The decision in all charges of political offence was surrendered to the jury; which put a powerful check on the inclinations of the Crown. Members of the Chamber of Deputies, on accepting any place attended with emolument, are sent back for re-election. And to conclude, which France considers as a most important conquest, the hereditary transmission of the peerage has been put an end to, and the aristocracy of birth entirely destroyed. It is true that many of these fruits of victory have been invaded since the disturbances of June, and with temporary success. But the friends of freedom confidently expect, that the final result will be an immense reaction in favour of their cause.

The *quasi-legitimists* or *propi medium* party, have attempted to get possession of the revolution and guide the policy of France in the direction that suits their interest; and all they have effected, has been to make a government that cannot possibly go on. The Chamber of Peers and the Chamber of Deputies pull different ways; and it would be as hard to make the first of these Chambers popular, as it will be to hinder the other from becoming so. The ministry cannot attempt to assist the first, without wounding the opinions or the interests of the other; and to avoid open war, it is obliged to continue neutral. In the courts of law, the judges and juries neutralize each other, in all cases of political charge; the first will not take cognizance of anything that is done against the *propi medium* by the Carlists, and the second will not give a verdict against anything that is done by the liberals. The prefects, who are the principal agents the ministry have, cannot get on either with the officers of the national guard or the corporation magistrates, who are all appointed by the public. In short the whole machine of government, from the king to the sheriff's officer, is so unpopular, that it is kept on its legs by nothing but people's not exactly knowing what to set up in its room.

Distinct from political organizations, there exists a formidable power which the dynasty of Louis Philippe has contrived to set against it, and which is in continual action against it and its supporters; and that is the periodical press. All the newspapers of any influence, and the number has risen to a prodigious amount, belong either to the liberal or to the Carlist opposition. The leaning of most of the papers belonging to the

first of these, both in Paris and the departments, is republican; the manifest tendency of the others, is to a third restoration. The papers of the *proper medium*, which are founded on no marked principle at all, are kept up only by the help of the secret service money at the disposal of the police and civil list. A single one, the *Journal des Débats*, has enough readers to support itself; though that does not hinder it from selling itself to the ministry.

The manifest leanings of the government, began by producing a great deal of discouragement among the mass of the population; and the terrible disease which has ravaged the capital and neighbouring departments, has further tended to withdraw men's attention from politics. But it would be very foolish to fancy that this slumber of public opinion will last; the spirit of the people has been everywhere found wide awake, at the sight of any of the Deputies who are considered as having betrayed the confidence of the country. They have been pursued by the marks of general hatred and contempt in almost all the departments; and it has found employment for a great part of the force at the disposal of the government, to enable them to show themselves with safety. The nation therefore at all events is not below the point it was at when it overturned Charles X; but, unfortunately, it then acted for itself, and now it acts only through a government which was never made with its good-will at all.

The clashing which exists among the different branches of public authority, deprives the royal government of all power over the various classes into which the country is divided. To keep in order the Carlist population of the Western departments, requires an army of fifty thousand men; and thirty or forty thousand more, to prevent the rising of the Carlists in the South. And the cities and departments where the friends of freedom are most numerous, are just as much the objects of apprehension as those where the royalists prevail. The regiments employed in watching Lyons, Grenoble, Dijon, Metz, Strasburg, and above all, Paris, would of themselves make a very considerable army; it takes not less than forty thousand men, to keep the last alone in subjection. The government in this manner has placed itself between two fires, the royalists on one side and the patriots on the other, and brought them both on its shoulders at once; which obliges it to keep up a standing army utterly ruinous to the country, and at the same time so contrived as to be null as respects its operation upon foreign nations. It is out of the limits of possibility, that such a state of things should last a twelvemonth; for the simple reason, that the whole finances of France would not be sufficient to keep it up.

If Europe remains at peace, the force of circumstances in France will carry the day against the ill intentions of the individuals that compose the government; the revolution will assume a regular course, and the abuses accumulated under the last reigns will gradually disappear. If war should break out, and France be obliged to fight once more for independence and for liberty, it is impossible to foresee what might happen. Extensive suspicions would be felt, that Louis Philippe would follow the example of the Prince Royal of Naples, and make a bargain with the foreigner to effect a counter-revolution in favour of his relations at Holyrood. And the first cry of treason that should be heard in time of actual war, would probably be the signal for a frightful catastrophe; and then we should have a repetition of the war of extermination between the people of Europe and the race of kings.

ART. XV.—*Supplement to the Article on the ‘Silk and Glove Trades’ in No. XXXII.*

SINCE the agitation of a subject brings forth truth, as the churning of milk bringeth forth butter,—and as it is always probable that the objections to a given proposition may arise out of the imperfect way in which it has been enunciated and supported,—advantage is taken of a number of comments which have been received upon the theory of double incidence in the Article of the preceding Number specified in the head, to try to extend the elucidation of the principle maintained.

The first objection suggested has been, that the mere transfer of an advantage cannot with propriety be called an *incidence*; and that in the Article alluded to, nothing more is made out than one incidence and a transfer.

The answer to this appears to be, that it is at most only a question of nomenclature. In a transfer of any kind, there must be two sides,—an *abstraction* from somebody, and a *giving* to somebody else;—and the word incidence was chosen, precisely because it appeared to include the first of these meanings. It was not *limited* to this meaning; because it was intended equally to express the occurrence of a loss where there should be no corresponding gain to anybody else. To take the simplest case (for which obligation is acknowledged to a commentator), if a shilling is dropped on the road by one individual and picked up by another, there is an *incidence* upon the man who drops, and an effect of a contrary kind (for which a distinct term does not so readily present itself) upon the man who finds. But if

instead of being dropped on the road the shilling was dropped into the sea, there would still be an incidence on the man who dropped, though there would be no effect of a contrary kind on somebody that found. *Incidence* therefore expresses the occurrence of a removal, of an abstraction, of a privation, no matter in what manner, or with what other circumstances attended or not attended, in short, the infliction of the negative sign in algebra. And there is no novelty in this; it is nothing but what is accordant with the ordinary employment of the term. If men talk of a tax taken, they ask on whom is the *incidence*. Since there is here no question of the tax being more than taken once and paid once, according to the nomenclature demanded by the objection there ought to be no incidence at all. But *incidence* does not mean what is left on the negative side after deducting what may chance to be upon the other, it means that which is on the negative side to begin with.

And the reason for employing this term is, that it, or some other to express the same meaning, is essential to the proof in hand. The proposition to be proved true or false is, that in a forced trade, there are two *losings* and only one *receiving*; and it is for the sake of arriving at this, that the two losings are called *incidences*. There is no denial that the settlement of the account (supposing the losings and receivings to be each severally of the same amount) leaves a balance of *one*; but it is not this balance that is named an incidence. If 5*l.* is taken from A and given to B, and moreover 5*l.* taken from C and given to nobody at all, there is no denial that the balance of the aggregate account is 5*l. minus*, but this does not prevent there being an incidence on A and another on B, of 5*l.* each. On the contrary it is precisely because there *are* two incidences and only one gain (or whatever else it may be chosen to call it), that the balance is 5*l. minus* in the end.

The next objection commences on the expression [No. XXXII, p. 428, l. 6.] in which 'the loss of the brandy-and-water' to the glove-merchant, is represented as balanced by 'the benefit to his trade.' There may be a portion of obscurity attaching to the word 'loss.' As intimated more than once already, there is difficulty in finding familiar terms to express the addition or subtraction of the quantities concerned, without being liable to misapprehension. *Loss*, to the idea of simple subtraction joins that of violence or injustice; and *gain*, though perhaps in an inferior degree, does something of an opposite kind in respect of simple addition. It was precisely to parry this difficulty in one instance, that the term *incidence* was introduced. By 'the loss of the brandy-and-water' to the glove-merchant, was merely meant

that if he applies the shilling to the benefit of his trade, he at the same time ceases or fails to get the brandy-and-water. It is the simple removal of the brandy-and-water from the list of his enjoyments. And on the other hand, it was stated, there is a 'benefit to his trade' to an equal amount, which must keep the total balance of the account exactly as it was before. The benefit which before went down his own throat, is shifted to a benefit to his trade and those concerned in it, in the shape of new wages or profits, and consequently, (the argument ran), if there were two incidences and one benefit before, there must be the same number still.

But the objection proceeds to state, that in the matter in hand there is really no question about the loss of the brandy-and-water. The glove-merchant who is supposed to rob, cannot have the brandy-and water and the benefit to his trade too. He can only have one, and if he takes the benefit to his trade, the only question (it is stated) is, whether the gain to the glove-maker balances the loss to the person robbed. It can hardly be maintained (the objection proceeds to say) that in regard to the interests of the society, a shilling spent in brandy-and-water is more advantageous than a shilling spent in employing more journeymen glove-makers. In reality however (it continues) the illustration is not a correct one, as it leaves the main point entirely out of consideration, namely, the raising unnecessarily the price of gloves.

Now there was never any attempt to maintain that a shilling spent in brandy-and-water is more advantageous than a shilling spent in employing journeymen-glove-makers, on the contrary they were brought forward as things homogeneous and equivalent, and the argument rested on establishing them to be so. The objection appears founded, on not distinguishing the argument used in the two simple cases (of the highwayman and the forcible trader), from the argument in the complex question brought forward as the difficulty raised by an opponent, in which last the object was to reconcile the two cases, and show how and where it was, that the second incidence was formed when the supposed robber applied the plunder to his trade.

In every separate case, there are always three quantities, two negative and one positive, and of the two negative, the reasoner is at liberty to take which he pleases and consider it as balancing the positive; and then (assuming that the three quantities are equal) there stands out the remaining negative quantity as the balance on the *minus* side. To resort, for instance, to the case of the glove maker who sells for three shillings what might be bought from France for two. There is a gain to English

glove-makers and their connexions, flowing down in the shape of an augmentation of wages or of profits in various degrees to the tanner, the butcher, the farmer, and the landlord, and exactly to the amount of a shilling in the whole,—this is the positive quantity. On the other side, there is a manifest loss of a shilling to the English wearer of gloves, who is made to pay three shillings instead of two,—this is *one* of the negative quantities. And besides this, there is a loss to the English tradesmen with whom the shilling *would have been* laid out by the wearer of gloves if it had not been demanded for the gloves,—being the abstraction, in fact, of what would have flowed down in the shape of an augmentation of wages or of profits in various degrees to all the dealers concerned in the fabrication or production of the goods concerned, to exactly the amount of a shilling in the whole,—and this makes the *second* negative quantity. Of these two negative quantities, anybody is at liberty to take which he likes and consider it as set off against the shilling gained to the English glove-makers, but whichever of them he takes, the other remains behind, and makes a loss of a shilling to England on the general balance. At the same time the neatest, or as sailors would say the most *ship-shape* way, is to consider the advantage to the glove-makers as balanced by the disadvantage to the dealers thrown out of custom by the forced application of the shilling, and for this reason,—that the quantities (as intimated by the use of the word on a previous occasion) are what may be called homogeneous, and will therefore be compared together with an increased perception of the accuracy with which they balance each other. For each consists of the sum total of a shilling, diffused and branched out to an almost infinite extent, in the shape of increased wages or profits, in one instance among the exercisers of one set of English trades and callings, and in the other instance among the exercisers of another set. Any difficulty there may be in actually tracing the subdivision of the shilling, is therefore common to both, and leaves no doubt upon the fact, that the shilling's worth of advantage in one instance, is balanced by the shilling's worth of disadvantage in the other. But if anybody insists on taking the thing in the other way, he is welcome, though it is not so clear.

The fallacy, both of those who go wrong by design and those who have not sufficiently kneaded and worked the subject, consists in always leaving out of sight one of the two negative quantities. The fraudulent trader for the most part says, 'It is true the consumer loses a shilling, but then the glove-makers gain one,—think only what a benefit to trade!'

His fraud is in throwing out of sight the fact, that besides all this, there is another set of traders somewhere that is losing to the same amount as the consumer over again. And on the other hand is sometimes met the altered form of mistake, which consists in pleading that a gain to a glove-maker must at all events be as good for society as a gain to any other kind of trader the money could be spent on,—and leaving out of sight, that if *these* two quantities are assumed to balance, the *loss to the consumer* stands out without compensation in the aggregate.

It is hard to demand of a proposition, that there shall be no possibility of putting it in a case that shall be complex. Simplicity is a blessing, but where nature has made cases of complexity, they must be dealt with accordingly. It is very easy to make cases, where there shall be a good deal of perplexity attending the tracing of the *two* incidences and *one* gain, but the important fact is, that they always *can* be traced. Sometimes, as in the proposed instance of the glove-maker who should take the shilling on the highway, the easiest method is by observing, that wherever any supposed circumstance makes a change of any kind to some one party, it makes a change of a contrary kind to some other, and consequently the aggregate result,—the fact of there being finally two incidences and only one gain,—remains unaltered. This mode of reasoning is what is constantly employed in the solution of an algebraic equation, and may consequently be trusted here. But in operations of this kind also, the operator may sometimes take his choice which of several things he will consider as balancing another, and care must be taken that confusion does not arise from considering the different processes as contradictory.

A commentator to whom obligation has already been acknowledged, is severe upon the word 'gain.' There is no doubt of its liability to misinterpretation, but the difficulty is to get any that is not. There appears no present remedy, but endeavouring to clear the way by explanation of the intended meaning. It is undeniable also, that there was an obscurity about what was meant by the glove-maker who should take a shilling on the highway, 'applying it to the benefit of his trade,' and how it was to be imagined to be effected. The most intelligible way of imagining it to take place, is by supposing the robber to add the shilling to two more, and then buy a pair of gloves for his own wear with the money, either at his own shop or that of one of his fellow prohibitionists.

An evening paper * says, that

‘If the shilling is “not lost twice over upon the total average,” it is not lost twice over at all.’

This is only a misunderstanding arising out of different meanings of the word *loss*. By the same rule it might be said, when a shilling is gained once and lost once, that ‘if it is not lost once upon the total average, it is not lost at all.’

‘The consumer of monopoly-priced gloves or silk stockings, loses a shilling. That shilling, the glover or silk-weaver gains.’

‘The tradesman, to whom the consumer of the monopoly-priced gloves or stockings would have transferred the shilling in question, loses, in all probability, custom to that extent—but to the same extent, precisely, some other tradesman gains an increase of custom.’

He does; but this is the man that has just been reckoned before, namely the glover or silk-weaver. The glover or silk-weaver is reckoned twice over. Count him only once, and the loss of custom to ‘the tradesman to whom the consumer of the monopoly-priced gloves or stockings would have transferred the shilling,’ stands out an uncompensated loss.

‘The payer of the money gets no linen coats.’ it is true—but, by the supposition, he gets something else—though not of course, full value for his money. It is in the fact of the payer’s not getting full value—in the fact that there is an actual loss to the community—that the grievance lies—not, assuredly, in the circumstance of his “getting no linen coats.”

The objector has made the mistake of supposing it was the *three* shillings that were spoken of as cut off from the custom of the woollen-draper, when it was the *one*. The proposition as it stood, was the same as his own.

It has been explained before, that by designating ‘the supposed thief’s abstinence from brandy and water, which would have been paid for with stolen money, a *loss* to the thief—’

was only meant that there was a removal from him of the enjoyment of the brandy-and-water

‘The case would, we apprehend, stand thus——’

‘One man is robbed on the high-way, of a shilling. His loss is the robber’s gain.’

‘A tavern-keeper, to whom the robbed man would have handed over the shilling in question, loses custom to that extent while a certain branch of manufacturing industry, in which the Reviewer’s robber is presumed to be engaged, gains, exactly what the tavern-keeper loses.’

The tavern-keeper did not represent the dealer with whom the money would have been laid out by the robbed. Which might be a fruitful source of confusion.

But passing this, and taking the case as it is given;—The ‘robber’s gain’ and the ‘gain to the branch of manufacturing

industry in which he is presumed to be engaged,' are not two things, but one thing. This thing, therefore, cannot balance both the loss to the man robbed, and the loss to the trader (here called a tavern-keeper) with whom the money would have been expended if the robbed man had kept it. The fact is, the robber's gain (as distinct from the advantage to his trade) is nothing at all, if he is forced to swallow his own physic,—if he is obliged to add the shilling to two more, and buy a pair of gloves for his own wear for three shillings which he might have had for two. He is a man despoiled of a shilling as much as anybody else would be. He may be considered as robbed in turn, and what he is robbed of, he does not gain. The shilling thus applied to his trade, does not go to *him*; except in the small portion that constitutes his particular profit. It is divided with the tanner, the butcher, the farmer, and the landlord. He is plundered of it by the corporation of people interested in the forced glove-trade like any other man, and if he saves the five per cent which is his profit, it is only by the accident of his being one of the corporation himself. And even this fraction, has already been counted once, as being included in the 'gain to the branch of manufacturing industry' set off against the custom of the trader with whom the man robbed on the road would have spent his money. The whole puzzle arises, from counting the same things twice.

There is no denying, that the pursuit of all the imaginary cases into which the question can be pushed, is very complex and difficult. At the same time it is important to prove, that they *can* be pursued. The simple practical case is much the easiest, but the more the subject is agitated in all directions, the more the truth will stick.

It is scarcely necessary to say that these various comments have been received with much gratitude, nor must it be held impertinent to add, that the result has been a great increase of confidence in the ultimate accuracy of the principle laid down. As far as has yet been seen, it certainly holds water. The prospects held out are immense. Let it once be fully established, and perfectly drilled into the minds and souls of men, that all that is gained by anybody in consequence of commercial restrictions, is lost by the consumer, and over again by some traders with whom the money would otherwise have been expended,—let this but become a piece of household science, like the fact that three groats make a shilling,—let the grumbling consumer be once backed by the growling trader, and let them come to the knowledge that their interest is not a single interest opposed to the monopolist, but two against one,—

and how long will the Chinese monopoly endure,—how long the East-Indian,—how long the throwing into the sea of a per-centage upon every thing that is eaten, or drunk, or seen, or worn, that sounds on harp or viol, or gratifies the sense with its perfume,—how long the overwhelming Corn Laws,—how long the un-human poll-tax for paying for the flogging of women in the West Indies? The question is one that Napoleon would have called '*grande*.' If a periodical work should never assist in establishing any principle but this, it would be success enough for honest men, and memory that might satisfy all modest appetite for fame.

ART. XVI.—1. *The Extraordinary Black Book : An Exposition of Abuses in Church and State, Courts of Law, Representation, Municipal and Corporate Bodies ; with a View of the House of Commons, past, present, and to come.* A New Edition, greatly enlarged, and corrected to the present time. By the Original Editor.—London : Effingham Wilson. 1832. 8vo. pp. 683.

2. *The Rights of Nations : A Treatise on Representative Government, Despotism, and Reform.* By the Author of 'The Reformer's Catechism' and 'The People's Charter.'—London : J. Brooks. 1832. 12mo. pp. 454.

3. *Parliamentary Candidate's proposed Declaration of Principles : or say, A Test proposed for Parliamentary Candidates.*—London. Published at the Office of the Westminster Review, 5, Wellington Street, Strand ; and sold by the Agents of the Westminster Review in all Parts of the Kingdom. 1831. pp. 18.

ONE of the touchstones of a good commander, is always to move forward after a success. A driveller dawdles, and does not know what to do next ; and so the precious time passes, and the enemy has time to set himself upon his legs again. In fact, beat any set of men, and give them three weeks without following up, and they will be as ready to try to beat you again as ever they were. It is in the nature of human affairs, that in all cases of recent contest, each party must either go forward or backward ; a state of rest may be arrived at by slow degrees, but it is not a thing to be had by wishing for, nor by any man's running his head under the bed-clothes and fancying it is peace.

The English people and the honest part of the aristocracy, have just beaten the dishonest part of the latter *à plate couture* ; which means that the opponent has been fairly forced out of the field. It is true that it has been done without fighting ; but then there were none to fight withal. It would have been useless to recal this fact, if the bad portion of the aristocracy and their

organs had not been the first to talk of military array; but as it is, it is one of the data for estimating their position. Men who would have fought and could not,—who were restrained from shedding blood by no motive of humanity or love of country, but who, on the contrary, chuckled over the idea of settling the manufacturing towns ‘in blood,’—such men, if properly looked to, are not dangerous after a great defeat such as they have just met with. Only they must not be played the fool with, and decent care must be taken, being down, to keep them down. They must not be invited to resurrection by simplicity, no man scotches a viper and then says, ‘Go your way, till I meet you another time.’ The object is to act wisely and resolutely *now*.

The first element for settling the people’s position and their duty, is to see clearly by whom the contest has been won. It has been won by the combination of two great classes,—the representatives of the aristocracy that made the Revolution of 1688 and their retainers,—and the masses of intelligent individuals in the working and middle ranks, that have grown up since the intermission of war in 1815. There is no need to distinguish them by symbols x and y , though it could be done almost as briefly, for titles, like comparisons, are sometimes odious. There was a good deal of distrust on both sides, before these two classes could be made to draw together, but at last, draw they did, in spite of all the efforts of open and hidden enemies, and the result has been to demonstrate, that as long as they *will* draw together, the field is before them. They have no enemy so long as they can combine, though armed men would rise out of the ground to demolish both, the moment any symptom was given of separation. It is the common question, of whether parties having great interests in union, can make such smaller sacrifices as shall continue their co-operation, or whether they will lose the ninety per cent, by quarrelling and separating for the ten. The family receipt on these occasions is, that a good deal must be given up on both sides, and what is sense for a family, is sense for a parish or a nation.

The first inference therefore upon view is, that the two parties,—the honest aristocracy and the intelligent people,—must hold together at all hazards. And the next is, that to accomplish this, they must each yield something to the other, and rather be inclined to stain compliments upon each other, than to be picked and precise as to what shall be mutually demanded. The aristocratic side have had a cheap bargain, in being carried on the shoulders of the people to an elevation that gives them the prospect of such real greatness, fame, and useful power, as have never been surpassed in the world’s history. They would

not be ungrateful, they would be fools and incapables too low to be accountable for their actions, if they were to think of quarrelling with the steed that carries them. And the people, on the other hand, have done through the junction of the aristocracy, what they would not have done without; and *will* do, through the continuance of the alliance, what they could not do, or at all events could not do so easily and so well. The union is a good union, if the parties can only be made to hold one another in the mutual respect that shall continue it. The point to be settled therefore is, what each ought to give up to the other. And here the people have already agreed to give up,—not only all questions of major changes in the form of government, though many of them had imbibed from history and experience strong leanings in that direction,—but also any attempt to carry further the alterations in the subordinate forms and channels of legislation, except so far as the necessity shall be evinced by future experience. There is no disguise or concealment, of what it is the people have fixed their minds upon. They have set their hearts upon being as well governed as their cousins in the United States;—and they mean to have it. They have no notion why New York should be governed well, and Old York ill; and they have agreed to try whether the present change will produce the effect desired, and if not, they will try another. This is their bargain; and what they have bargained, they will stand to. But then this is of itself an enormous *quid*, and implies a *pro quo* of proportionate dimensions. The fear is not that the upright aristocracy should give too much, but that after exerting all their talents they should give too little. They stand in the situation of officers, who by the firmness and vigour of the array of common men behind them, have just been carried to the pinnacle of present success against a stubborn enemy, who is known to be rallying again behind the next ridge, to try his fortune in at all events cutting off as much as possible of the fruits of victory. In such circumstances, if any man were to ask what would be, not the wisest, but the maddest thing such officers could do,—if he were to be curious in ascertaining what imaginable proceeding would lead most directly to the conclusion that it had pleased God to visit them with a privation of the degree of reason which makes men competent to the actions of common life,—it would be if it should from any source be suggested to their minds, to hint about disbanding the array that had led to victory. If anybody chuses to suppose such a case,—which is perhaps hardly civil,—the result would clearly be, that the epaulettes who so conducted themselves, would be

invited to go over to the enemy's side to prevent confusion, and somebody else would quietly step forward and take their places. There would be a general cry through the ranks, that we had not come here for the pleasure of marching up a given hill, or looking down upon a range of country from a given point, but of attaining certain public objects, and till these were practically and substantially secured, the man was a traitor who should so much as whisper to pile arms. There are degrees of folly no man thinks of; and this is one of them. But if by some gambol of imagination the case is supposed to occur, the answer that would fly from rank to rank would necessarily be, 'Neither for you nor any man!' We stand here in the plenitude of conscious and experimented strength; we should be sorry to suppose that either A or B should think of making themselves our enemies, but if A and B are given over to an insane mind, A and B must only try.'

At the same time it is evident, that no set of men want to stand in heavy marching order for ever, and that they will be as willing as anybody else to turn into quiet quarters, the moment the people on the staff will bring things into a reasonable state for doing so. What, then, is that reasonable state?

The first essential towards it, is manifestly that our aristocracy or men of epaulettes shall have removed from us all those marks and badges of servitude, the imposition of which *they themselves protested against when they were a minority*. This is a criterion which anybody must be a barefaced rogue and deceiver to object to. The various chains and gags and collars, inflicted since 1791 in the shape of restrictions or impediments on the press, on the right of popular meeting and communication on political subjects, the Six Acts, and the Foreign Enlistment Act, must come down and be trampled under foot before any man with the spirit of a leader or the honesty of a private sentinel, can counsel or hear of any counsel of abating the least of the array that has won the victory. We have won it by means of the array; and we are not so simple as to be told, that because we have won it, the reasonable inference is that we should submit ourselves tied and bound to the enemy. If they love us, they will not dream of asking us any such thing; for if they did, they know the answer. We all of us are well aware, that the frame and constitution, the mechanism and carefully contrived organization of our government is, that substantial and efficacious portions of it shall be born and bred, and christened and married and buried, under the full influence and operation of everything which an ingenious theorist could point

out as hostile to the interests of us the people, and that these constitute the antagonist powers, by the action of which the vessel of the public happiness is to be kept with the keel downwards and the masts uppermost. We know that it is ruled and regulated,—not as any temporary phenomenon, but as what is to be systematically repeated and renewed from generation to generation,—that one virtually if not ostensibly operative portion of the government, is to be an offset from a foreign power,—that the absolute powers of the Continent are always to have a representative and a vote, and all the final results of government in England are to be dished and tempered by the introduction of this element,—and we know that this is as it ought to be, and in fact an invention *penè divina* for our happiness and well-being. But then we know too, that we are the other antagonist power, and that what we have, like the Yorkshireman in the farce, we mean to keep;—that those who wish to take anything from us, or hinder us from recovering our own by a very brief and blunt application of what we have got already,—are welcome to try, but had better think twice if they feel any interest in not being our enemies. There is a regiment on the other side of the steam-bridge, that manœuvres ‘uncommon’ comfortably, and never a commission by purchase or by fathership among them, and if it was forced upon us, if there was absolutely no escape, the only refuge would be to try something of the same kind here. But the great object of the guides and counsellors of the masses at the present moment, is to prevent and keep down the necessity for any such result. They have been sadly baffled and counteracted by the conduct of those who might have been supposed to have had an interest in concert, and they never had an idea, till they beheld it, of the quantity of downright sheer republicanism which existed in this country, in a state for being disengaged by such impolicy as has been displayed. If they had had the honour of being consulted, the first thing they would have asked the Lords to do, would have been to make such a rampant display of ill-will, followed by such exhibition of inability to resist. In short, they would have begged the Lords, to let themselves down gently, and this merely because their actual conduct produced an excitation on the popular side, which it was not easy to direct into conformity with the purpose in hand. But this was not the fault of the people or their leaders; on the contrary, it was a difficulty thrown in the way by their opponents. The people, however, still adhere to their desire to prescribe the old formula of King, Lords, and Commons. The two first have made but a poor show on the present occasion; but the people

mean to prop them up. And thereon comes the *how*! And this, too, is one of the things the people intend to see settled, before they abate one jot of the active exertions which have placed them in the situation of men able to take care both of themselves and other persons.

The people, therefore, do not intend to abate a tittle of their present attitude, till they see the form of government by King, Lords, and Commons, put out of danger,—and most especially out of the greatest danger of all, that of being brought into continual collision with the safety and interests of the community. And the way to do this, is neither doubtful nor obscure;—*Clear the way for the present leaders to go on*. If anybody should come forward and say, ‘Good people, you have just had a great victory, whereupon our desire and request is, that you will let your leaders be taken from your head, and the commanders of the enemy be settled in their places,—if anybody should be gross and foolish enough to say this, it is plain, that unless it had pleased heaven in the interval to visit the people with mental alienation, it would be equivalent to crying ‘To your tents, O Israel’ and to forcing the people to take all the measures *now*, the initiation and demonstration of which were so effectual *before*. It would in fact be asking them to allow their throats to be cut today, by the men they hindered from doing it yesterday. Any attempt of this nature would be an act of open hostility; the consequences of which will be visible enough when they come. But it is not enough that this should be impracticable for the moment, the people are not going to stand for ever on a cold hill side, when by the mere display of the legal and irresistible power which is in their hands, they can obtain security for the future and retire to bed. They know that the difficulty lies in the House of Lords. They know that for the last fifty years, men have been pouched into that House for the express purpose of supporting the rotten boroughs as long as they could, and in case they should fail on that point, resisting the improvement of the condition of the people afterwards. For example, is it or is it not, matter of notoriety, that *five* rotten boroughs were the market price of a peerage,—that is to say, that it was at one time understood and acted on, that any man who could nominate five Members in the Commons House, might be made a Peer for asking? And in this state of things, it is to be made a question with the people, whether when they and the part of the aristocracy which are their friends are uppermost, the House of Lords is to be adjusted by the introduction of new Members in the ordinary and constitutional way. It in fact makes part and portion of the question, whether the people’s officers are to be

taken from their head, and those of the enemy substituted in their room. For any minister who should dream of holding office, and surrendering the right of advising and determining the making of Peers to coteries of court ladies or bedchamber lords,—would evidently hold his popularity and his power of carrying on the government about as long, as if he were to concede that the employment of our regiments in making war, should depend on the appetites and propensities of the juvenile princes who present themselves from time to time in hussar dresses to the admiring legionaries. If the formula of King, Lords, and Commons is to continue, the operation of making peers is *the* operation, in which all the others may be said to be bound up. If the people's minister is not to have it, say so,—and the question is then reduced to whether the people of Great Britain, standing in their present attitude of legal activity and constitutional organization, have or have not the power to prevent their interests from being at the mercy of a ministry of their enemies.

The case in short reduces itself to this. The enemies of the people have been only half beaten; and the question is, whether they shall be whole beaten, or the people shall lay down their arms before them as they are. And the officers, to say the truth, are not to be thought too much of; they are many of them only a half-and-half set, who come to our side because they think it will be the strongest in the end. There are those among them who would take service with the enemy tomorrow, if in the mean time they could run us neatly, and without a chance of resurrection. As a proof of it, they are hand and glove with the leaders of the enemy; and when they have a man to send upon a foreign mission, it is just in the enemy's ranks they think of looking for him. They must think us strange idiots if we are taken in by this,—or if it does not breed a steady cool determination, that for every act of this kind they try to commit, there must in common prudence be a step more taken, to advance the power of the democracy at home. If we are to be served by enemies abroad, it is doubly necessary they should be directed by none at home. There must be a purgation,—a purgation. A squad of the worst must turn out, and better take their places. Do they expect the English will be cheated like the French in July? There is clear treachery already; our worst enemies are applied to, to do our business abroad. There must be an end of this; and the sooner the better. Either the people have beaten or they have not; and if they have not, it is time they should try. But no frauds of the *juste milieu* here. The example is providential; the same men in France, whom the people in their folly and their stupidity allowed to take the reins when it was in

their power to decide, are seen committing every enormity of the preceding government with increased energy, and waiting for another day of popular union to consign them to destruction. The people of England will take warning, and keep free while they *are* free. Their enemies object only to one thing,—that they should be free. The people may do what they please, provided they keep clear of this one unreasonableness—exercising the influence on the government, that shall enable them to take care of themselves. They may have representatives—since it cannot be helped ;—but nothing can be so unconstitutional and inconsistent with all good government, as their combining in any union which shall make their representatives of use. The secret is simply this, that the government is *not* to be good. The understood bargain is, that the people shall not be free ; and all that goes to make them so, is held up as a breach of social order, and to be resisted accordingly.

There is no arguing with opponents of this kind ; it is a mere question whether the people have power to hold their own or not. If they have not, they will be squeezed dry as hay ; and if they are not so squeezed already, it is only because they have the power of preventing it. Luckily they have the power, as has been proved, of preventing it without coming to actual blows ; and this very power, the modest request is, that they should consent to lay aside.

Three things then, the people have a naked right to demand, before they will agree to lay down an atom of the state of preparation for constitutional resistance, which, thanks to the giver of all good, nobody can make them lay down without consent. And these are, first, that there shall be no chance of their being insulted by the proposal for a ministry of their enemies ;—secondly, that the way shall be opened for carrying on the government under the present form of King, Lords, and Commons, by either turning out the rotten-borough Lords, or, since no machinery has been provided for such an operation, neutralizing them by the machinery which *has* been provided, the introduction of honest blood to dilute the baseness of the other ;—and thirdly, that our own side of the aristocracy should show their honesty, by immediately taking off from us the fetters and badges of slavery laid upon us by our enemies, and that the criterion shall be, their own resistance to the measures at the time they were imposed. But this is but dry bread after all ; it wants a condiment, an unction, to make it slip down the general throat, and give it some savour of festive triumph. Besides, men have wives and children, who do not go far into abstract political questions, though they abide the consequences ; and for these, there should be something to

make a holiday, some trophy gained that they can feel and thoroughly enjoy. For instance, is there no biting, insulting wrong,—no household shame and intruding fireside degradation,—that makes its way to the table where an honest man breaks his fast, and causes him to lay his hand upon his daughter's heads and whisper inwardly, 'My dears, you all pay daily for keeping up a great bad house beyond the sea?' Would it not be a glorious thing, a matter for men to think of on their death-beds with delight, a deed splendid and brilliant in the eyes of foreign nations, and which would go down to history as of that class of glowing national acts for which the opportunity was thought confined to the earlier ages of the world,—if the British people, standing on the summit of their success and on the very ground where their cause was won, should put aside all meaner wrongs, and say, 'Rid us of one disgrace,—liberate us from one infamy,—let us go home to our wives and daughters clean men, and not with a conscious dirtiness of soul as payers for our own dishonour. We demand to be freed from it, not because it is impolitic, but because it is felony. We are honest men, and should not pay for buying our fellow-citizens. We stand here as we are, *till we see an end of Slavery in the Colonies*' Consider how creditable this would be, reflect how fitting for decent people. Remember how long-by governments have deceived you with an intended fraud and falsehood in their mouths, how they have stumped and determined the baseness of the act, and then kept you under the avowed baseness for seven years, for the sake of seven years profits of the wrong. Recollect how certain and indisputable it is, that you have in no instance got anything but what you could command, that if the white slaves are not as ill off as the black, it is owing to one feeling—fear. Just turn in your minds, how simply, how speedily, how effectually, the whole question might be settled, and we and our children walk without an inward blast of degradation in our souls,—if the Political Unions would but agree to demand the abatement of the West-Indian nuisance? What strange people those religious are! Here will they make a point of not paying taxes for an ecclesiastical establishment they dislike, except after the exercise of such resistance as is within the law, to mark their hatred,—and yet not one of them ever moves the question, whether it is consistent with a conscientious man's duty, to pay for the support of known crime without being subjected to the same degree of force. They can protest in the one case, because it concerns their party, they cannot in the other, because it only concerns their souls. A pretty reckoning it will be at the last day, when they are asked, 'How came you to refuse church-dues unless

your goods were taken, and had not the spirit to refuse in the same way to pay a tax for supporting the flogging of women in the West Indies?' They will say perhaps, that Peter caught a haddock. But it was not set before him in its nakedness, 'Friend Peter, now thou knowest, that what thou fishest for, is to keep a brothel in a Roman colony.' And Peter's too, was the act of a man submitting to foreign conquest to avoid bloodshed, and not of a free citizen giving the approbation of his consent. If the only consequence of refusing the Roman tax-gatherer, would have been the taking of a cup or platter out of that house that like a good man he nursed his wife's mother in, it may be very doubtful whether Peter would have gone to fish. Or some will say, You may use the dearer sugar. But why are our consciences to allow of paying for the infamy without resistance, in this way more than in the other? But these things go by fancy. It is very odd, nevertheless, that any man should fancy paying for such disgrace, while there is a way of vindicating, not his pocket, but his honour,—not his interest, but his conscience of not having submitted cowardly, without a protest, to degradation. Such things, however, require concert. Everything must have a beginning. Come forward one man, and there shall be two; which is a considerable progress geometric, whatever it may be arithmetically. • It would be splendid energy, that what men would not do in their own cause, they should do in the cause of others. Suppose we were taxed to pay to keep Burkers. Would it not be the duty of a well-bred Christian to refuse? Put it on this ground, if preferred; say that as gentlemen you cannot think of it. There is one set of men, however, who must be treated gently when the time comes; and those are the hereditary owners. A man cannot help the place he is born in. There are good people everywhere; but they must show themselves. One of the most humane and amiable men the writer of this ever knew, was born the hereditary master of a slave factory on the coast of Africa. But for the men who join for filthy lucre, have neither pity nor remorse. They have had time enough for warning; and any loss to them will be only part of their speculation. They entered on it, knowing they were entering on a condemned business; and set their gains accordingly. If an insurer chuses to insure for a high premium on an act of desperate piracy, is that any reason the piracy should be spared?

Suppose again, that after seven years promise to abate the Burking nuisance, a committee was sitting to report on the state of the wells and premises. Would not the first question be, 'Have they examined, do they mean to examine, is there any chance that they will examine, will they allow anybody to

bring to be examined, any single individual of the class on whom the Burking falls !' Consider 'what would be thought of an operation, whose manifest end and object was, to bring up the Burkers and invite them to give evidence for themselves. You are played with ; you are made fools of ; go to the Political Unions and make men of yourselves, and then hold up your heads before your wives and families. Be well prepared too with the bowels of the question. If any man tells you to look at the magnitude of the trade, tell him that all trade supported by a tax, is paid for twice, once by the payer of the tax, and once by the people from whom the honest trade is taken. Ask him why a trade in honest sugar should not be as good as in sugar you are disgraced to pay for. If he says there are slaves in the East Indies too,—first deny it,—secondly, ask him why, villainy against villainy, there is to be that particular villainy that you must pay for. If anybody points to the revenue and to shipping, tell him the same might be derived from an honest trade, and more ; and that the boast of revenue and shipping from a trade that cannot keep itself, is a simple cheat for the benefit of the concerned. If any man tells you he has been credibly informed the slaves are happy, ask him if he would believe his informants if they told him the fish in a frying-pan were happy. Can a slave marry, can a slave prevent his children from being sold to other lands, can a slave give evidence of the rape of his daughter or the murder of his wife, though he saw it with his eyes ! Oh, a man who can do none of these, must be wondrous happy ;—what a 'cake,' what a piece of unleavened dough, must he be that can be persuaded of it. An Englishman may lack fresh beef ; but what would he think of a law, which made it criminal to have fresh beef in his possession ! Would this come home to him, and persuade him slaves were comfortable ? All this is done, and you, *you*, pay for it ; and for no other end to yourselves, than that men shall come into your legislature to vote against your happiness. Is it true or not, that the West-Indian interest has always been in the head and front of the opposition to your own freedom ? And how could it be otherwise ; would it not have been a disgrace, to have had any interest it could have in common ! Things may be endured to a certain length ; but there are lengths that men who have lived where bells have 'knoll'd to church,' respectable men, well-educated men, decent men, men who have the habits of good society, cannot endure,—there is a better word, *will not*. Don't endure it ;—you may put it down in two months if you like. You have gained greater things than this ; gain this. If the government should put forward any plea of difficulty, tell them it is the first

time the people of England have been advised to fear an enemy, kept up by a vote of the House. Hear no pleas on the probability of insurrection. Tell the 'Burkeis,' the sooner the 'Italian boys' can rise upon them, the better for you; and that after having had seven years to abate the nuisance, they must be their own insurers. At last the press of England has taken up the right tone on that point *; and has boldly declared, that insurrection is what the slaves must look to for relief. The people of England is with them heart and soul. How does an officer or soldier expect to be received, who comes back after performing the part of Jack Ketch for our enemies! Once more to the Political Unions,—don't endure it; but hold together like bars, till you see this foul, indecent, unmanly shame wiped off from you and your posterity.

Do all this, and there will be something done for the 'Prospects of Reform.' Afterwards, the means will be of a more ordinary kind. The choice of good men to be representatives, is the great end to be pursued. For this purpose, the Political Unions are a ready organized set of committees. Chuse no man, that will not be your delegate, or resign when your opinions clash. It would be an improvement still, if he could be paid as in the olden time, and as in America at this day. It would be a pleasant thing to hear a member say, 'My constituents, whose money I take, and whom of course I cannot go against.' This is the true footing. If men have interests, they pay the lawyer they think can serve them. If lawyers offered to serve at their own expense, what would be the inference, but that they paid themselves out of the property that came before them! As to what should be demanded of such delegates, it would be useless to attempt a digest here; the work last cited in the head of the Article, is the legacy of the great man who is just gone to the Power that made him. The other books cited in the same place, afford copious illustrations of what there is to oppose and what to amend; and though perhaps not invariably right, they in the main give a formidable opinion of the judgment as well as talent of those who mean to set about the operation. One word of advice may be not unseasonable. Take care not to be deceived by the stratagems of the enemy. Let no man, for instance, unless he has a tail or some other assume appendage, be taken in by such a raw jest as the Factory Bill. A Toy club have cut us off from our trade,—made laws that we shall not sell the labour of our hands,—reduced us and ours to the bare possibility of keeping soul and body together by labour the

* Morning Chronicle. Examiner.

most excessive, and toil the most extravagant;—and these very men shall come forward and tell us, *that if we will send them to parliament* to support all this abuse,—to maintain the Corn Laws, and keep down all chance of being allowed to sell our goods abroad,—they will do, *what* ?—pass a bill to prevent us from working our own children more than ten hours a day. This is kind, this is benevolent; this is worth a man's going on his knees in the mud to thank them for. Get liberty to buy and sell, ye Issachars, ye asses couching between two burdens; and then your children may live by your labour, without leave from those who starve you. If negro slaves did anything so absurd, the world would say, how debasing the effects of slavery! Feel every man for a tail, who talks of such a thing. Time was, a Yorkshireman might walk abroad, with some consciousness of being supposed as knowing as his neighbours. If fooleries of this kind go on, Gotham will be put in Schedule A, and the representation of unreason transferred into the West Riding.

POSTSCRIPT TO THE ARTICLE ON THE HARMONIC OF THE ANCIENTS,
IN No. XXXII.

ONE of the authors of the musical articles in Rees's Encyclopædia (Dr. Burney and Farey senior) says in the Article on *Temperament*, 'No experience has yet been brought to show that the human voice sings tempered notes, not even when accompanied by tempered instruments. It seems to us, on the contrary, that an exercised voice, guided by a good ear, sings true, even though accompanied by a mis-tuned instrument, as harpsichords most frequently are, especially in transposed keys.'

If this is just, it explains the harmonious effect obtained from human voices, as for instance in glee singing. And what holds good of voices, is probably good to a certain extent of violins; as being in the same manner under the direction of the ear.

All this goes to prove, that there is such a thing as correct harmony, and that it would be important to ascertain and cultivate it.

In p. 463, l. 37, for modulation read intonation.

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THE
Westminster Review,

No. XXXIV, for October, 1832.

THE Tories in their wisdom have set on its legs the question of the Ballot. Lord John Russell says he will support it *if*,—and everybody else is moving to support it *because*. The great object for the country just now, is to give the Tories cause to join the cry.

There are symptoms of something very like a *split*, in the United States of America. Such an event would give unmeasured joy to the friends of tyranny in Europe; though if the case be as suspected, the reason would not be much. What the friends of republican institutions have maintained, is that a republic may hold together if conducted with sense and honesty; not if conducted without. An oppression like the American Tariff or the English Corn Laws, consisting in preventing one part of a community from buying and selling in the market, that another may enjoy a fraction of the amount,—is undeniably good and sufficient cause for any kind of Revolution, *provided it is certain no other method will avail*. It is

the olden problem of the point where the duty of resistance begins ; with which mankind by this time ought to be pretty generally familiar.

The ' Bank ' totters to its foundation ; and the East India Company is reduced to sending out travelling-preachers. The meeting at Birmingham has repeated the phenomenon of the Kilkenny cats ; each of the combatants has eaten the other up except the tail. The lovers of misrule appear to have expectations from something that is to be done in Ireland ; and the English people is waiting for it, as another opportunity to what a sailor calls ' heave and pall.' A French fleet is on its way to Spithead, and an English one to the Scheldt. ' Conservative ' principles are at a discount throughout the world, and mankind everywhere are kicking off the fetters in which they used to dance for the amusement of their masters.

We must be rid of the War party among the Radicals ; that is to say, of those who will not allow us the chances of peace, which depend on being ready for war in a just cause. For instance, there could not be a remonstrance in behalf of betrayed Poland, but somebody must beg an assurance might be tacked to the end of it, that England did not mean to go to war. This is selling us, as the *Juste Milieu* have done in France. Not so acted the founders of England's greatness, Elizabeth, and the ' First of Men.' O for four hours of the noble old Republic, before the Whoremaster came back upon us with his bastards, —to pen a petition to the Majesty of all the Russias !

THE
WESTMINSTER REVIEW.

OCTOBER, 1832.

AUTH. I.—*An Inquiry into the Nature and Causes of the Wealth of Nations.* By Adam Smith, LL. D.—*With a Life of the Author, an Introductory Discourse, Notes, and Supplemental Dissertations.* By J. R. McCulloch, Esq. Professor of Political Economy in the University of London.—4 Vols. 8vo. Edinburgh; Black, Tait. London; Longman. 1828.

‘ WITH regard to the “Inquiry into the Wealth of Nations”
‘ itself, we may observe that, after having been for more
‘ than half a century before the world, it still continues to keep
‘ its place as the standard work on the subject of which it
‘ treats. But during the period that has elapsed since its first
‘ publication, the science of political economy has, as might be
‘ expected, made considerable advances; and several of the
‘ principles laid down by Dr. Smith *have been discovered to be*
‘ *erroneous*, or at least to require correction and modification.
‘ An edition of the work, therefore, was wanted, in which the
‘ light of these subsequent investigations should be brought to
‘ illustrate the text, *so that it should still present a view of the*
‘ *science in its most modern and improved state.* Such an edition
‘ *is that before us.** In the notes and supplementary disserta-
‘ tions which Mr. Macculloch has appended to Dr. Smith’s
‘ original statements, he has noticed whatever contributions of
‘ importance have been made to the science since the time of
‘ that writer; and explained with great ability *the views which*

* ‘An Inquiry into the Nature and Causes of the Wealth of Nations; by Adam Smith, LL.D. With a Life of the Author, Introductory Discourse, Notes, and Supplemental Dissertation, by J. R. McCulloch, Esq. 3 vols. 8vo. London, 1832.’

' *at present prevail wherever they differ from those offered in the body of the work.* A very learned preliminary discourse also presents an account of the rise and progress of the science up to the era of the publication of the "*Wealth of Nations,*" followed by a brief but comprehensive statement of the *improvements which it has since received.* To the whole work is added an index of unusual fulness, and apparently drawn up with great care. So that in these four volumes *we have really a complete encyclopedia of the science of political economy,* embracing its history from its rise to the present day, and detailing all the successive changes which its doctrines have undergone till they have been brought to the state in which they now are. The price of the book is two guineas and a half.'

This is the advertisement and puff collateral in the government's Penny Magazine* ; of which it circulates 130,000 copies weekly without stamps. If William Cobbett had put forth such an article on political economy on the plea that it contained nothing that was political,—he would be assailed both for the stamp duty and the advertisement ; and honest people's children, struggling to be starved next week instead of this, would be sent to mend their practice in the society of housebreakers. In noting which, it is not meant to play into the hands of the enemy, from whom it is a deliverance to have loosed a little finger though the hands remain tied ; but to mark the shabbiness of a government with a whole nation at its back, truckling with the powers of evil, after such a distinct avowal of the desirableness of liberation where the feeling is its own.

All this, however, forms no reason for making an unfair representation of a book in return ; though it will be surmised that the extract, especially in the parts here distinguished by italics, is considered as going a little too far. It is an awful thing to have undertaken to mend Adam Smith,—in the event of any failure ; and the responsibility is not lessened, by the University of London being in some sort made the scene of operations.

The First Section of the commentator's 'Introductory Discourse' contains valuable memoirs of the conflict between comparative light and darkness, from the early periods of history to the publication of Adam Smith's book in 1776. In which it is interesting to discover, that the absurdities which the good sense of the age is opposing with the vigour of recent insurrection, were in fact never left without witness against them ; but that in the full bloom and blossom of the wisdom of our ancestors, there were always, some of whom the world was not worthy, who kept up in solitude the lamp of heresy and truth.

* For June 23, 1832.

'The once prevalent opinion, that wealth consists exclusively of gold and silver, naturally grew out of the circumstance of the money of all civilized countries being almost entirely formed of these metals. Having been used both as standards by which to measure the relative value of different commodities and as the equivalents for which they were most frequently exchanged, gold and silver, or money, acquired a factitious importance, not in the estimation of the vulgar only, but in that of persons of the greatest discernment. The simple and decisive consideration, that all buying and selling is really nothing more than the bartering of one commodity for another—of a certain quantity of corn or cloth, for example, for a certain quantity of gold or silver, and *vice versâ*—was entirely overlooked. The attention was gradually transferred from the end to the means, from the *money's worth* to the money itself; and the wealth of individuals and of states was measured, not by the abundance of their disposable products—by the quantity and value of the commodities with which they could afford to purchase the precious metals—but by the quantity of these metals actually in their possession.—And hence the policy, as obvious as it was universal, of attempting to increase the amount of national wealth by forbidding the exportation of gold and silver, and encouraging their importation.'—*McCulloch's Introductory Discourse*, p. xii.

One reason might be, the desire to have at hand the readiest means of transporting value for purposes of war; in short, a military chest. But so far as this idea was not concerned, the explanation of the zeal for making gold and silver come into a country and not go out, lay in the ignorance of the principle by which any imaginable quantity of an instrument of exchange above a certain amount (supposing it possible to prevent its escape, which is hardly practicable where there is to be intrinsic value) will always reduce itself to the value of that certain amount, by the intervention of a rise of prices. It was the fallacy of Sinclair and Attwood,—'Make money, and people will be rich—'; without surmising that no man could gain anything by being made the vehicle for two pieces of money instead of one, if the two would only buy the same as the one, and that in addition to this there might be a horrible destruction of the interests of all the labouring classes by the concomitants of the process*.

* Is it possible that any labouring man should be unable to see, that instead of an increase in the nominal quantity of money (as for instance by the multiplication of bank paper) being a source of advantage to his class, it is by the directly opposite process that *he* would be the gainer? If for instance pound notes were multiplied till two would only buy what one pound does now, would any working man be the better for receiving two such pounds at the week's end, instead of one of the old? But *would he get* the two pounds; and how if he stuck at four-fifths of it instead? And is it not plain that he *would* stick at some such mark; and that the

'It appears from a passage in Cicero, that the exportation of the precious metals from Rome had been frequently prohibited during the period of the Republic; and this prohibition was repeatedly renewed, though to very little purpose, by the Emperors.† Neither, perhaps, has there been a state in modern Europe whose early laws have not expressly forbidden the exportation of gold and silver. It is said to have been interdicted by the law of England previously to the Conquest; and reiterated statutes were subsequently passed to the same effect; one of which, (3d Henry VIII. cap. 1.) enacted so late as 1512, declared, that all persons carrying over sea any coins, plate, jewels, &c. should, on detection, forfeit double their value.'—*Int. Dis.* p. xii.

The passage from Pliny is an early specimen of lamentation over the misfortune of men's being permitted to buy instead of keeping the money in their pockets; conveyed in language ludicrously accordant with the wailings of the moderns. Why

masters would always continue to have the wages *behind* the altered value of money and not *before*? And on the contrary, if by reducing the quantity of money one pound was made to have the value of two, is it not plain that the operatives would have an advantage of the same kind against the masters in turn, though it is likely they would not be able to make an equal use of it? * This is sufficient to account for the zeal of the masters for an augmentation in the nominal quantity of money, and any increase of business or employment to arise from such an augmentation, is manifestly a joke, if the result is to be that two bits of paper are to do the work of one.

It is an astonishing fact, that the operatives should just now be found crying for the very thing, that if they had their wits about them, they would consider as the greatest injury,—the very screw by the operation of which they were reduced, under the Pitt fraud, to the miserable condition they have never been able to get the better of. Day by day were their substantial wages reduced by the successive depreciation of the currency, and the more they tried to overtake the original amount, the farther they were left behind. And still the simpletons are ready to call at anybody's bidding, for an increase of paper money. There is no cure for it but one, Knowledge. *Will* the higher classes take off the tax on that commodity, before the people break into their preserves, or not?

After the above was in types, it was observed with great satisfaction that the same view of the matter had been taken by the author of the Political Register (*Aug.* 18. 1832), of whom there is no man but may say, as Frederic did to Laudon at table, *J'aime mieux vous voir à mes côtés, que vis-à-vis de moi.*

* "*Exportari aurum non oportere, cum sæpe antea senatus, tum me consule, gravissime judicavit.*" "That gold should not be exported, had been decreed under heavy penalties by the Senate, under my Consulship, as well as many times before."—*Orat. pro L. Flacco*, sect. 28.

† Pliny, when enumerating the silks, spices, and other Eastern products imported into Italy, says, "*Minimæque computatione milies centena milia sestertium annis omnibus, Indu et Seres, peninsulaque illa (Arabia) imperio nostro demunt.*" "And on the lowest computation a hundred millions of sesterces [about a million sterling] is taken annually by India, China, and the Arabian peninsula, from our Empire."—*Hist. Nat. lib. xii. cap. 18.*

did not the Romans abstain from pepper, and season with sesterces ?

' The extraordinary extension of commerce during the fifteenth and sixteenth centuries occasioned the substitution of a more refined and complex system for increasing the supply of the precious metals in place of the coarse and vulgar one that had previously obtained. The establishment of a direct intercourse with India by the Cape of Good Hope, seems to have had the greatest influence in effecting this change. The precious metals have always been one of the most advantageous articles of export to the East : and notwithstanding the old and deeply rooted prejudices against their exportation, the East India Company obtained, when first instituted, in 1600, leave annually to export foreign coins, or bullion, of the value of £.30,000 ; on condition, however, that they should import, within six months after the termination of every voyage, except the first, as much gold and silver as should together be equal to the value of the silver exported by them. But the enemies of the Company contended, that this condition was not complied with ; and that it was besides *contrary to all principle*, and highly injurious to the public interests, to permit gold and silver to be sent out of the kingdom. The merchants, and others interested in the support of the Company, could not controvert the reasoning of their opponents, without openly impugning the ancient policy of absolutely preventing the exportation of the precious metals. They did not, however, venture to contend, nor is there indeed any good reason for thinking that it really occurred to them, that the exportation of bullion to the East was advantageous, on the ground that the commodities purchased by it were of greater value in England. But they contended, that the exportation of bullion to India was advantageous, because the commodities imported from thence were chiefly re-exported to other countries, from which a much greater quantity of bullion was obtained than had been required to pay them in India. Mr. Thomas Mun, the ablest of the Company's advocates, ingeniously compares the operations of the merchant in conducting a trade carried on by the exportation of gold and silver, to the seed-time and harvest of agriculture. " If we only behold," says he, " the actions of the husbandman in the seed-time, when he casteth away much good corn into the ground, we shall account him rather a madman than a husbandman. But when we consider his labours in the harvest, which is the end of his endeavours, we shall find the worth and plentiful increase of his actions."⁴ •

' Such was the origin of what has been called the **MERCANTILE SYSTEM**: and, when compared with the previous prejudice—for it hardly deserves the name of system—which wholly interdicted the exportation of gold and silver, it must be allowed that its adoption was a considerable step in the progress to sounder opinions. The supporters of the mercantile system, like their predecessors, held that gold and silver alone constituted wealth ; but they thought that sound

* 'Treasure by Foreign Trade, orig. ed. p. 50.'

policy dictated the propriety of allowing their exportation to foreigners, provided the commodities imported in their stead, or a portion of them, were afterwards sold to other foreigners for a greater amount of bullion than had been originally laid out on their purchase; or, provided the importation of the foreign commodities caused the exportation of so much more native produce than would otherwise have been exported, as would more than equal their cost. These opinions necessarily led to the celebrated doctrine of the *Balance of Trade*. It was obvious that the precious metals could not be imported into countries destitute of mines, except in return for exported commodities; and the grand object of the supporters of the mercantile system was to monopolise the largest possible supply of the precious metals, by the adoption of various complex schemes for encouraging exportation, and restraining the importation of almost all products, except gold and silver, that were not intended for future exportation. In consequence, the *excess of the value of the Exports over that of the Imports* came to be considered as being at once the sole cause and measure of the progress of a country in the career of wealth. This excess, it was taken for granted, could not be balanced otherwise than by the importation of an equal value of gold or silver, or of the only real wealth it was then supposed a country could possess.'

'The principles and conclusions of the mercantile system, though absolutely false and erroneous, afford a tolerable explanation of a few very obvious phenomena; and what did more to recommend them, they were in perfect unison with the popular prejudices on the subject. The merchants, and practical men, who were the founders of this system, did not consider it necessary to subject the principles they assumed to any very refined analysis or examination. But, reckoning them as sufficiently established by the common consent and agreement of mankind, they applied themselves almost exclusively to the discussion of the practical measures calculated to give them the greatest efficacy.'

"Although a kingdom," says Mr. Mun, "may be enriched by gifts received, or by purchase taken, from some other nations, yet these are things uncertain, and of small consideration, when they happen. The ordinary means, therefore, to increase our wealth and treasure, is by foreign trade, wherein we must ever observe this rule — *to sell more to strangers yearly than we consume of theirs in value*. For, suppose, that when this kingdom is plentifully served with cloth, lead, tin, iron, fish, and other native commodities, we do yearly export the overplus to foreign countries to the value of L.2,200,000, by which means we are enabled, beyond the seas, to buy and bring in foreign wares for our use and consumption to the value of L.2,000,000: by this order duly kept in our trading, we may rest assured that the kingdom shall be enriched yearly L.200,000, which must be brought to us as so much treasure; because that part of our stock which is not returned to us in wares, must necessarily be brought home in treasure."*

* 'Treasure by Foreign Trade, p. 11.'

'The gain on our foreign commerce is here supposed to consist exclusively of the gold and silver which, it is taken for granted, must necessarily be brought home in payment of the excess of exported commodities. Mr. Mun lays no stress whatever on the circumstance of foreign commerce enabling us to obtain an infinite variety of useful and agreeable products, which it would either have been impossible for us to produce at all, or to produce so cheaply at home. We are desired to consider all this accession of wealth—all the vast additions made by commerce to the motives which stimulate, and to the comforts and enjoyments which reward the labour of the industrious, as *nothing*,—and to fix our attention exclusively on the balance of L.200,000 of gold and silver! This is much the same as if we were desired to estimate the comfort and benefit derived from a suit of clothes, by the number and glare of the metal buttons by which they are fastened. And yet Mr. Mun's rule for estimating the advantage of foreign commerce, was for a long time regarded, by the generality of merchants and practical statesmen, as infallible; and such is the inveteracy of ancient prejudices, that we are still annually congratulated on the excess of our exports over our imports!—*Int. Dis.* p. xiii.

If the attempt to hedge-in gold and silver was unmixed folly, the Mercantile System was the kind of hybrid denominated half-wittedness. But it should be spoken of with respect, for to this day it would be received with reverence in the House of Commons, and various other quarters it would be invidious to particularize.

'The shock given to previous prejudices and systems by those great discoveries and events, which will for ever distinguish the fifteenth and sixteenth centuries, and the greater attention which the progress of civilization and industry naturally drew to the sources of national power and opulence, prepared the way for the downfall of the mercantile system. The advocates of the East India Company, whose interests had first prompted them to question the prevailing doctrines as to the exportation of bullion, began gradually to assume a higher tone; and at length boldly contended that bullion was *nothing but a commodity*, and that its exportation ought to be rendered as free as the exportation of any other commodity. Nor were these opinions confined to the partners of the East India Company. They were gradually communicated to others; and many eminent merchants were taught to look with suspicion on several of the best received maxims; and were thus led to acquire more correct and comprehensive views with respect to the just principles of commercial intercourse. The new ideas ultimately made their way into the House of Commons; and, in 1663, the statutes prohibiting the exportation of *foreign coin and bullion* were repealed, and full liberty given to the East India Company, and to private traders, to export these articles in unlimited quantities.'

'In addition to the controversies respecting the East India trade, the discussions to which the foundation of the colonies in America

and the West Indies, the establishment of a compulsory provision for the support of the poor, and the acts prohibiting the exportation of wool, &c. gave rise, attracted an extraordinary portion of the public attention to questions connected with the domestic policy of the country. In the course of the seventeenth century, a more than usual number of tracts were published on commercial and economical subjects. And although the authors of the greater number appear to have been strongly tinctured with the prevailing spirit of the age, it cannot be denied, that several of them rise above the prejudices of their contemporaries, and have an unquestionable right to be regarded as the founders of the modern theory of commerce—as the earliest expositors of those sound and liberal doctrines, by which it has been shown, that the prosperity of states can never be promoted by restrictive regulations, or by the depression of their neighbours—that the genuine spirit of commerce is altogether inconsistent with the dark, selfish, and shallow policy of monopoly—and that the *self-interest* of mankind, not less than their duty, requires them to live in peace, and to cultivate a fair and friendly intercourse with each other.'—*Int. Dis.* p. xxiv.

The light thrown on the works and history of the early confessors of Political Economy in England, is interesting enough to authorize a considerable extent of extracts.

'With the exception of Mr. Mun, to whom reference has been already made, Sir Josiah Child is perhaps the best known of all the commercial writers of the seventeenth century. His *New Discourse of Trade* was first published in 1668; but it was very greatly enlarged in the next edition, published in 1690. There are many sound and liberal doctrines advanced in this book. The argument to show that colonies do not depopulate the mother country is as conclusive as if it had proceeded from the pen of Mr. Malthus; and the just and forcible reasoning in defence of the naturalization of the Jews is highly creditable to the liberality and good sense of the writer, and discovers a mind greatly superior to the prejudices of the age. Sir Josiah has also many excellent observations on the bad effects of the laws against *forestalling* and *regrating*; on those limiting the number of apprentices, and preventing the exportation of bullion; and on corporation privileges.'—*Int. Dis.* p. xxv.

'The principal defect in the writings of Mun, Child, &c. did not really consist so much in their mistaken opinions about the superior importance of the precious metals, and the balance of trade, as in those respecting the superior advantages which they supposed were derived from the importation of durable, rather than of rapidly perishable commodities. This, however, was an extremely natural opinion; and we cannot be surprised that the earlier writers on commerce should not have avoided falling into an error, from which neither the profound sagacity of Mr. Locke, nor the strong sense of Mr. Harris, has been able to preserve them. But even so early as 1677, the fallacy of this opinion had been perceived. In that year,

there appeared a small tract, entitled, *England's Great Happiness; or, a Dialogue between Content and Complaint*; in which the author contends, that the importation of wine and other commodities, which are speedily consumed, but for which there is a demand, in exchange for money, is advantageous; and, on this ground, he defends the French trade, which has been uniformly declaimed against by the supporters of the mercantile system. I shall make a short extract from this remarkable tract:

"*Complaint.*—You speak plain; but what think you of the French trade? which draws away our money by wholesale. Mr. Fortrey, whom I have heard you speak well of, gives an account that they get L.1,600,000 a-year from us."

"*Content.*—'Tis a great sum; but, perhaps, were it put to a vote in a *wise Council*, whether for that reason the trade should be left off, 'twould go in the *negative*.—I must confess, I had rather they'd use our goods than money; but if not, I WOULD NOT LOSE THE GETTING OF TEN POUND BECAUSE I CAN'T GET AN HUNDRED; and I don't question but when the French get more foreign trade, they'll give more liberty to the bringing in foreign goods. I'll suppose John-a-Nokes to be a butcher, Dick-a-Styles to be an Exchange man, yourself a lawyer, *will you buy no meat or ribbands, or your wife a fine Indian gown or fan, because they will not truck with you for indentures which they have need of?* I suppose no; but if you get money enough of others, you care not though you give it away in *specie* for these things; I think 'tis the same case."

'The general spirit of this tract may perhaps be better inferred from the titles of some of the dialogues. Among others, we have "*To export money, our great advantage;*"—"The French trade a profitable trade;"—"Variety of wares for all markets, a great advantage;"—"High living, a great improvement to the arts;"—"Invitation of foreign arts, a great advantage;"—"Multitudes of traders, a great advantage," &c. &c. But its influence was far too feeble to arrest the current of popular prejudice. In 1678, the year after its publication, the importation of French commodities was prohibited for three years. This prohibition was made perpetual in the reign of William III. when the legislature declared the trade with France a *nuisance!*—a principle, if I may so call it, which has been acted upon up to this very hour, with the exception of the short period during which the commercial treaty, negotiated in 1786, had effect.—*Int. Dis.* p. xxvii.

Though not exactly *Content's* case as given, it is worth noting how easily the reasoning of 1677 is transferable to the question which puzzles the whole unreformed House of Commons,—of how it can be consistent with wisdom to buy a good bargain of France, unless France will consent to the *reciprocity* of buying

* 'Mr. Fortrey's pamphlet has been much referred to. It was published in 1663, and reprinted in 1673. It contains a very good argument in favour of inclosures. The reference in the text sufficiently explains the opinions of the writer in regard to commerce.'

a good bargain for herself in turn. It would be long before any sane individual could be found to start such a difficulty with Dick-a-Styles.

Notwithstanding the immense variety of pursuits in which Sir William Petty was engaged, his discriminating and original genius enabled him to strike out new lights, and to make many valuable discoveries in them all. His treatise "On Taxes and Contributions," published in 1667,—his "*Quantulumcunque*," published in 1682,—his "Essays on Political Arithmetic," first published in 1687, and his "Political Anatomy of Ireland," published in 1691, are among the very best of the political tracts published in the seventeenth century, and contain many original remarks, and much curious and interesting information. He seems to have been the first person who has distinctly laid down, though only in a cursory and incidental manner, the fundamental doctrine, that the value of commodities is determined by the quantities of labour required for their production. In his treatise "On Taxes and Contributions," he says, "If a man bring to London an ounce of silver out of the earth in Peru, in the same time that he can produce a bushel of corn, the one is the natural price of the other; now, if, by reason of new and more easie mines, a man can get two ounces of silver as easily as formerly he did one, then corn will be as cheap at ten shillings the bushel as it was before at five shillings, *cæteris paribus*."—"Let a hundred men work ten years upon corn, and the same number of men the same time upon silver; I say that the neat proceed of the silver is the price of the whole neat proceed of the corn; and like parts of the one the price of like parts of the other:" and, in another place, he observes, "*Corn will be twice as dear when there are two hundred husbandmen to do the same work which an hundred could perform.*" *—*Int. Dis.* p. xxix.

It is to be borne in mind, that this statement is only true in the long run, and of things produced under the absence of monopoly. That two things took the same quantity of labour, is not by itself a sufficient reason why one shall exchange for the other. It may be that nobody wants one of the things at all, or wants the existing quantity at that price. The man who engraved the Lord's Prayer on a grain of wheat, might sell a single grain for the price of his maintenance during the operation; but certainly not a bushel, still less a quarter. As the statement stands here by itself, there is therefore an element missed out; which if it has not led to mischief, may do.

In the *Quantulumcunque*, the subject of money is treated with great ability, and the idea of draining England of her cash by an unfavourable balance, successfully combated. Sir William has also strongly condemned the laws regulating the rate of interest, justly observing that there might as well be laws to regulate the rate of exchange or of insurance.†

* 'See Treatise on Taxes and Contributions, ed. 1679, pp. 31, 24, and 67.'

† 'Pp. 3, 6, 8, orig. edit.'

'The essays on *Political Arithmetic* are too well known to require any particular notice in this place. But the *Political Anatomy of Ireland*, though perhaps the best of all Sir William Petty's political works, is now comparatively neglected. This treatise is not more valuable for the accurate information it affords respecting the state of Ireland in the latter part of the seventeenth century, than for the judicious reflections and suggestions of the author, with a view to its improvement. Sir William was fully aware of the benefits that would result from an incorporating union between Great Britain and Ireland, and from the establishment of a perfectly free intercourse between the two countries. When speaking of the act passed in 1664, prohibiting the importation of cattle, beef, &c. from Ireland into Britain, he asks "If it be good for England to keep Ireland a distinct kingdom, why do not the predominant party in Parliament, suppose the western members, make England beyond Trent another kingdom, and take tolls and customs upon the borders? Or why was there ever any union between England and Wales? And why may not the entire kingdom of England be further cantoned for the advantage of all parties?"*—*Int. Dis.* p. xxx.

By far the most valuable relic, however, is preserved in the Discourses of Sir Dudley North.

'But a tract, entitled, *Discourses on Trade, principally directed to the Cases of Interest, Coinage, Clipping, and Increase of Money*, written by Sir Dudley North, and published in 1691, unquestionably contains a far more able statement of the true principles of commerce than any that had then appeared. Sir Dudley is throughout the intelligent advocate of all the great principles of commercial freedom. He is not, like the most eminent of his predecessors, well informed on one subject, and erroneous on another. His system is consentaneous in its parts and complete. He shows, that in commercial matters, nations have the same interests as individuals; and forcibly exposes the absurdity of supposing, that any trade which is advantageous to the merchant can be injurious to the public. His opinions respecting the imposition of a seignorage on the coinage of money, and the expediency of sumptuary laws, then very popular, are equally enlightened.'

'I shall subjoin from the preface to this tract an abstract of the general propositions maintained in it:'

"That the whole world as to trade is but as one nation or people, and therein nations are as persons."

"That the loss of a trade with one nation is not that only, separately considered, but so much of the trade of the world rescinded and lost, for all is combined together."

"That there can be no trade unprofitable to the public; for if any prove so, men leave it off; and wherever the traders thrive, the public, of which they are a part, thrive also."—*Int. Dis.* p. xxxii.

In the last proposition, care must be taken mentally to include "in a state of freedom." For the very trick of the robbers of the public is to maintain, that where robbing traders thrive, "the public, of which they are a part, thrive also."

"That to force men to deal in any prescribed manner may profit such as happen to serve them; but the public gains not, because it is taking from one subject to give to another."

"That no laws can set prices in trade, the rates of which must and will make themselves. But when such laws do happen to lay any hold, it is so much impediment to trade, and therefore prejudicial."—*Int. Dis.* p. xxxiii.

Sir Dudley would have made these propositions stronger still, if he had lighted on a distinct vision of the fact, that all that is given to one trader by interference of any kind, is taken once from the consumer, and once over again from some other trader with whom the consumer would have spent the difference in question.

"That money is a merchandise, whereof there may be a glut, as well as a scarcity, and that even to an inconvenience."—*Int. Dis.* p. xxxiii.

This probably alluded chiefly to the business of a money-dealer. As for example, the dealer in the neighbourhood of the Exchange whose trade it is to supply napoleons to gentlemen going to Calais or Boulogne, must find out that it is as easy for him to have too many or too few for his demand, as it would be if he dealt in pounds of sugar. And the like phenomenon must be traceable on the greater scale. But this does not go far into the money question; though an observation of this kind is probably with most men the first stepping-stone to further knowledge.

"That a people cannot want money to serve the ordinary dealing, and more than enough they will not have."

"That no man will be the richer for the making much money, nor have any part of it, but as he buys it for an equivalent price."—*Int. Dis.* p. xxxiii.

These propositions indicate further insight than the last; and they only want improving into the demonstration, that as concerns the abstract power of carrying on the exchanges of the public, the quantity of money is a thing indifferent;—because the smaller quantity will rise in value till it is enough to perform the office wanted, and the greater quantity will sink in value till it does no more. This does not include the effects of altering the value of money on debtors and creditors, nor the case where the quantity of money should be inefficient through lack of subdivision; and Sir Dudley manifestly meant the same.

"That the free coynage is a perpetual motion found out, whereby to melt and coyn without ceasing, and so to feed goldsmiths and coyners at the public charge."—*Int. Dis.* p. xxxiii.

There appears to be some inexactness in this. The system alluded to must have been one, not of coining and melting, but of coining and sending abroad. If some men had wanted to coin and others to melt, they would have exchanged and saved themselves the trouble. But people were encouraged to coin, by the offer of doing it at the public expense, whereby the exchangeable value of the coin was necessarily levelled to the value of the metal contained in it; and then they found out that this coined metal was as convenient as any other, and rather more so, for making purchases abroad. In which the folly was simply in the government's not finding out, that it was trying to fill a sieve with water, and expending the public money in coining without any adequate reason.

"That debasing the coyn is defrauding one another, and to the public there is no sort of advantage from it; for that admits no character, or value, but intrinsick."

"That the sinking by alloy or weight is all one."—*Int. Dis.* p. xxxiii.

There has been much darkness upon what has been called debasing the coin; and despotic princes have probably been sometimes accused of an imaginary crime like witchcraft. If the coin is debased as it is called, till it is as thin as paper,—or till it is reduced to a piece of gold-leaf which must be pasted on a piece of paper to support it,—or if the ingenuity is carried the further step of issuing the paper without the gold-leaf, but with the image and superscription of the reigning king, or of Abraham Newland, or of any other creature in heaven or earth or in the waters under the earth that shall have the effect of preventing imitation or forgery;—if all this be done, there is not evil done but good, so long as the number of such coins or substitutes for coins is not increased. If the sovereign happens to be acting in the interest of his people, as for instance if the operation was intended as the means of carrying on a war of just defence,—he would only have stumbled on a way of raising money without the people feeling how. And if he is acting *against* the interests of the people, it is as well he should take value in a way they do not feel, as in a way they do. It is true that if the people were intelligent enough, they would see the value applied to their own use, and bring the Brother of the Sun and Moon to account for its disposal. But this is going beyond the age. To the present moment, not even the inhabitants of the United States of America have a distinct and general vision of the fact, that a people can demand of its government to save

the whole difference of the expense between a gold and paper currency, and to account to the people for the proceeds as rigidly as for a malt-tax. It would therefore be unreasonable to demand this nicety from the despot.

“That exchange and ready money are the same, nothing but carriage and re-carriage being saved.”

“That money exported in trade is an increase to the wealth of the nation; but spent in war, and payments abroad, is so much impoverishment.”

“In short, that *all favour to one trade, or interest, is an abuse, and cuts so much of profit from the public.*”

‘Unluckily this admirable tract never obtained any considerable circulation. There is good reason indeed for supposing that it was designedly suppressed.* At all events, it speedily became excessively scarce; and I am not aware that it has ever been referred to by any subsequent writer on commerce.’—*Int. Dis.* p. xxxiii.

Sir Dudley North may be considered as a kind of Wyclif of economical reform, of which Adam Smith was to be the Luther. There was manifestly a great outpouring on him, considering the darkness of his day.

‘A violent controversy had been carried on for some years previously to 1700, with respect to the policy of permitting the importation of East India silks and cotton stuffs. Those who wished to prevent their importation, resorted to the arguments universally made use of on such occasions; affirming that the substitution of manufactured India goods in the place of those of England had been the means of ruining a large proportion of our manufacturers, of causing the exportation of the coin, and the general impoverishment of the country. The merchants interested in the India trade could not, as had previously happened to them in the controversy with respect to the exportation of bullion, meet these arguments without attacking the principles on which they rested, and maintaining, in opposition to them, that it was for the advantage of every people to buy the products they wanted in the cheapest market. This just and sound principle was, in consequence, enforced in several petitions presented to Parliament by the importers of India goods; and it was also enforced in several publications that appeared at the time. Of these, an anonymous tract, entitled, *Considerations on the East India Trade*, printed in 1701, seems one of the best. The author, who is a person of no common talent, has endeavoured to refute the various arguments advanced in justification of the prohibition against importing East India goods, and has also given some very striking and admirable illustrations of the effects of the division of labour, and of the advantages resulting from the employment of machinery.’

‘In answer to the objection that the manufactured goods imported from India are the produce of the labour of fewer hands than those

* ‘See the Hon. Roger North’s *Life of his Brother, the Hon. Sir Dudley North*, p. 179.’

made in England, and that by allowing them to be imported, some of our people must be thrown out of employment, we have the following conclusive statements.—

“The East India trade destroys no profitable English manufacture; it deprives the people of no employment which we should wish to be preserved. The foundation of this complaint is that manufactures are procured from the East Indies by the labour of fewer people than are necessary to make the same in England; and this shall be admitted. Hence it follows that to reject the Indian manufactures that like may be made by the labour of more hands in England, is to employ many to do the work that may be done as well by few; is to employ all, more than are necessary to procure such things from the East Indies, to do work that may be done as well without them.”

“A saw mill with a pair or two of hands, will split as many boards as thirty men without this mill; if then the use of this mill shall be rejected, that thirty may be employed to do the work, eight and twenty are employed more than are necessary, or are employed to do a work that may be as well done without them. So if by any art, or trade, or engine, the labour of one can produce as much for our consumption, or other use, as can otherwise be procured only by the labour of two or three; if this art, or trade, or engine, shall be rejected, if three shall be employed to do the work of one, two are employed more than are necessary, or to profit of the kingdom. For if the providence of God should provide corn for England as manna heretofore for Israel, the people would not be well employed to plough, and sow, and reap, for no more corn than might be had without this labour. Wherefore to employ more hands to manufacture things in England than are necessary to procure the like from India, is to employ so many to no profit that might otherwise be profitably employed. For there can be no want of profitable employment so long as England is not built, beautified, and improved to the utmost perfection; so long as we either have or can produce any thing that others want, or that they have any thing that we want.”

“We are very fond of being restrained to the consumption of English manufactures, and, therefore, contrive laws either directly or by high customs, to prohibit all that come from foreign countries. By this time 'tis easy to see some of the natural consequences of this prohibition:—”

“'Tis to oblige things to be provided by the labour of many, which might as well be done by few; 'tis to oblige many to labour to no purpose, to no profit of the kingdom, nay, to throw away their labour which otherwise might be profitable. 'Tis to provide the conveniences of life at the dearest and most expensive rates, to labour for things that might be had without. 'Tis all one as to bid us refuse bread or clothes, though the providence of God or bounty of our neighbours should bestow them on us; 'tis all one as to destroy an engine or navigable river, that the work which is done by few may be done by many.”

“As often as I consider these things, I am ready to say with my-

self, that God has bestowed his blessings upon men that have neither hearts nor skill to use them. For, why are we surrounded with the sea? Surely that our wants at home might be supplied by our navigation into other countries. By this we taste the spices of Arabia, yet never feel the scorching sun that brings them forth; we shine in silks which our hands have never wrought; we drink of vineyards which we never planted; the treasures of those mines are ours, in which we have never digged; we only plough the deep and reap the harvest of every country in the world."

'But these arguments, however conclusive and unanswerable they may now appear, made but little impression when they were published; and an Act was soon after passed prohibiting the importation of East India manufactured goods for home consumption.'—*Int. Dis.* p. xl.

All that can be suggested to be added to the reasoning of this anonymous writer is, that it should have been wound up into the demonstration, that if an Englishman obtained a handkerchief for six shillings instead of ten through the intervention of the India Trade, he had four shillings the more to expend on some English trader; and consequently to stop the India trade was depriving some English trader of both the six shillings and the four, to give them to another, and robbing the wearer of handkerchiefs of four shillings besides. And the ways the wearers of handkerchiefs would have discovered of spending the four shillings if they had been left with them, constitute the 'no want of profitable employment' the writer speaks of. And the same with the money saved to the consumers by machinery.

'In 1744, Sir Matthew Decker, an extensive merchant, published his *Essay on the Causes of the Decline of Foreign Trade*. This essay has been frequently referred to by Dr. Smith, and it deserved his notice. Sir Matthew is a most intelligent and decided enemy of all restrictions, monopolies, and prohibitions whatever. To give full freedom to industry—he proposes that all corporation privileges should be abolished; and that all the existing taxes should be repealed, and replaced by a single tax laid on the consumers of luxuries, proportionally to their incomes. The following extracts will give an idea of the spirit which pervades Sir Matthew's work, and of the ability with which it is written:—'

"Trade cannot, will not, be forced; let other nations prohibit, by what severity they please, interest will prevail; they may embarrass their own trade, but cannot hurt a nation, whose trade is free, so much as themselves. Spain has prohibited our woolens; but had a reduction of our taxes brought them to their natural value only, they would be the cheapest in Europe of their goodness, consequently must

* 'Pp. 51, 52, &c. It is probable that Addison had the concluding paragraph now quoted in his eye when he wrote his admirable paper on Commerce. See *Spectator*, No. 69.'

be more demanded by the Spaniards, be smuggled into their country in spite of their government, and sold at better prices; their people would be dearer clothed, with duties and prohibitions, than without, consequently must sell their oil, wine, and other commodities, dearer; whereby other nations, raising the like growths, would gain ground upon them, and their balance of trade grow less and less. But should we, for that reason, prohibit their commodities? By no means; for the dearer they grow, no more than what are just necessary will be used; *their prohibition does their own business*; some may be necessary for us; *what are so, we should not make dearer to our own people*; some may be proper to assort cargoes for other countries, and why should we prohibit our people that advantage? **WHY HURT OURSELVES TO HURT THE SPANIARDS?** If we would retaliate effectually upon them for their ill-intent, handsome premiums given to our plantations to raise the same growths as Spain might enable them to supply us cheaper than the Spaniards could do, and establish a trade they could never return. Premiums may gain trade, but *prohibitions will destroy it.*"*

'Sir Matthew applies the same argument to expose the absurdity and injurious effect of our restraints on the trade with France. "Would any wise dealer in London," he asks, "buy goods of a Dutch shopkeeper for 15d. or 18d. when he could have the same from a French shopkeeper for 1s.? Would he not consider, that, by so doing, he would empty his own pockets the sooner, and that, in the end, he would greatly injure his own family by such whims? And shall this nation commit an absurdity that stares every private man in the face?"—The certain way to be secure is to be more powerful, that is, to extend our trade as far as it is capable of; and as restraints have proved its ruin, to reject them, and *depend on freedom for our security*; bidding defiance to the French, or any nation in Europe, that took umbrage at our exerting our natural advantages."†—*Int. Dis.* p. xlvii.

It is conceived that these extracts from the history of the fathers of commercial freedom *when we get it*, can scarcely fail to be interesting at the present moment, when the fabric of corruption and absurdity is in the act of falling to pieces. And to give any the smallest impulse to such a process, will be held of more utility, than any quantity of contest on disputable points which might have been discovered among the mass selected from.

The Second Section is in part occupied with attacks on Adam Smith, which after all may be characterized as *small*, and which may probably be better met as they appear among the Notes. The Third Section commences with a just tribute to the Essay of Mr. Malthus, as 'the first' great contribution to the science of Political Economy, made subsequently to the public-

* 'P. 163.'

† 'P. 184.'

ation of the Wealth of Nations. It would not have been the less just, if there had been added 'the last.' The greatest ostensible portion of what has been produced since, has been doing and undoing. Political economy has to the eye appeared to retrograde; though there can be no doubt that on the whole the materials were accumulating for extensive progression. Two or three major mistakes, rashly entered into, and pertinaciously adhered to rather than defended, have distracted the public mind, and given cause to the Philistines to mock; but the intelligence of the community is growing up over the sore, and then the healthy action will go on. In the mean time, the most useful addition that could be made to the investigations of Malthus, would be to direct attention to the means of removing the limit, of which he has demonstrated the consequences and the evils. In a state where commerce is prohibited by Act of Parliament, and the exchange of labour repressed by penal statutes, it is stopping needlessly short of the mark to demonstrate the evil of being shut up, and abstain from inquiring why the shutting up should be continued.

The first Note (in Volume I. page 9) is on the precise meaning of *wealth*; which after all, only means *well-being*, or what man wants as the instruments thereto. It means what he wants and has some difficulty in obtaining; and not what he does not want because he has it whether he will or no. With this understanding, the definition is sufficiently exact; and it is better than that which makes a reference to *value*, because it includes it. It does not appear that Adam Smith has left any practical doubt of his meaning being the same.

The Note on Book I. Chap. 1. in Vol. I. p. 20, charges Smith's comparison between the agriculture of rich and poor countries, with having 'totally neglected the comparative fertility of soils.' This can hardly be just, when he uses the express words (p. 19), 'Their lands [those of opulent nations] are in general better cultivated, and having more labour and expense bestowed upon them, produce more in proportion to the extent and natural fertility of the ground.' The conclusion of the Note merges into the cart-before-the-horse mistake of Mr. Ricardo upon Rent.

The Note on the Chapter on the Division of Labour (I. 34) is all directed against figures of straw. Adam Smith never said that division of labour was introduced into pin-making because one man had an 'innate propensity' to make the head of a pin and another the point; but because (p. 17) 'ten persons could' in this manner 'make among them upwards of forty-eight thousand pins in a day; but if they had all wrought separately and independently, they certainly could not each of them have made twenty.' And in like manner the savage

that makes bows and arrows (p. 32), does it because 'he finds that he can in this manner get more cattle and venison, than if he himself went to the field to catch them.' The Note appears to be hung upon the fact of Adam Smith having in one place attributed the division of labour to 'the propensity to truck, barter, and exchange one thing for another,' without adding the words 'with a view to gain by it.'

In the place to which a Note is appended in I. 60, Adam Smith merely said, that 'rents which have been reserved in corn have preserved their value much better than those which have been reserved in money.' If any error has been committed, it at all events does not seem to have been here.

The passage incriminated in I. 71, involves no error. It explains the mystery which must have presented itself to every man of middle age in this country, the mystery of thin sixpences. The truth is that the inferior coins are always mere counters; and may as well be so as not, saving the temptations that may arise to counterfeit, which is not a good, though the evil may not be so immediate and terrible as has been imagined.

The 'fundamental error' alleged against Adam Smith's Chapter on 'The Component Parts of the Price of Commodities' in I. 81, is not either clearly made out, or very distinctly stated. The bearing seems to be, that changes arising from variations in profits, wages, and rent, will *affect all commodities alike*, and therefore their relative value cannot alter. Now even supposing this to be the case, it was not a bad preliminary process which went to show how there was a tendency for any particular commodity to vary in value from certain causes, even though there should be an ultimate tendency for other commodities at the same time to vary in the same direction. But there is no difficulty in finding a commodity whose value shall vary separately, and precisely from that source which Adam Smith has expressed under the name of rent. *Corn* is admitted by the author himself (See his Introductory Discourse, p. lxxv) to rise in value with the progress of population; and the excess of this value over the average expense of production goes to the landlord as rent, which is evidently what Adam Smith meant by 'constituting rent.' What then becomes of the allegation in I. 81? There assuredly must be a mistake in this principle of *affecting all commodities alike*. It is the same that has led to the theory of the impossibility of a *Glut*. There is a perpetual motion, an argument in a circle, in it somewhere.

If monopoly prices are not always 'the highest which can be got,' it is only in those rare cases where the monopolist is in a

mood to give away. The occasion for the correction in I. 103 appears therefore to be small.

The Note in I. 162, bearing that 'prices, generally speaking, are the same, whether profits or wages are high or low,' must at all events be vaguely expressed, and appears admirably calculated to excite an outcry against political economy. If it meant that a variation in one of the two things profit and wages, has a tendency to be absorbed by an opposite variation in the other, which prevents any effect from reaching the consumer,—this should have been expressed in a guarded manner, and not left open to the interpretation that both profits and wages may be what they will, without any effect upon prices; which can only be true of things produced under a monopoly.

In the suggestion of exaggeration of the injuries arising from corporation privileges (in I. 197), one item against the corporations is overlooked, which is,—that they cause the introduction to the several trades and mysteries to take place by the tedious, the roundabout, and the wasteful way, instead of the speedy and economical, and to indemnify themselves for antecedent sufferings from this source, if for nothing else, then members will assuredly 'form an effectual combination for a rise of prices.'

The Note in I. 208 says that 'Industry is not really, upon an average, better rewarded in towns than in the country, but traders and manufacturers residing in a town have, as Dr. Smith has already explained, a *greater field* for the prosecution of their industry, or *greater opportunities* for making a fortune by the employment of a large capital,' the result of which is, as explained by Dr. Smith, that a hundred make fortunes in towns for one in the country. *Query*, whether this is not being better rewarded.

The Note on Rent in I. 237 makes the first material introduction of the great vexation of the class of political economists from whom it proceeds. Rent is *not* a consequence of the decreasing productiveness of the soils successively brought into cultivation, and for this good reason, that it exists equally where there is no difference in the productiveness of soils, and no successively bringing into cultivation. It exists in Egypt, where a man may stand with one foot in the rich arable soil, and the other in the dominions of Typhon as some have construed him, or sand; and it clearly would exist in an island of the South Sea, if such there were, where every inch of soil down to the sea-beach should be of the same uniform quality as a citizen's cabbage-garden at Peckham, from the moment the population began to press against the produce. 'It is never heard of in newly settled countries—in New Holland, Illinois, or Indiana, or in any country

where none but the best of the good soils are cultivated, ' nor would it be heard of in the South Sea island, while the land was newly settled, or till the population began to press against the produce. If there *be* inferior land in existence, then as population begins to press, this inferior land will successively be taken into cultivation, in the South Sea island, or any where else. But why will this particular school of political economists insist on mystifying their fellow creatures, by putting the cart before the horse, and declaring to be the general cause, what is only an accidental consequence, arising out of foreign circumstances which may exist or may not? Could the art of man have invented a more likely way to go wrong? They say it is a verbal difference. If so, why will they not give it up? At all events they have not satisfied weak brethren, that it is only a verbal difference. The admission that high or low rent is the effect and not the cause of high or low price (Note in I. 241), is almost a concession of the whole. It is admitted that there is high rent because prices are high, but what makes prices high? Answer, because there is inferior land, for they say there would be no rent unless the lands 'under cultivation be of different powers' (*See quotation next below*) and 'unless inferior lands are taken into tillage,' *viz* the existence of inferior land is the cause of rent, also rent, they say, is not the cause but the effect of high prices, *viz* the existence of inferior land must cause rent by previously causing high prices,—here is no other way of piecing the two into a whole. If then the inferior land were sunk into the sea, would there cease to be high prices? According to their reasoning there ought. Yet it will be very difficult to persuade the world, that prices would not be *higher* from such a circumstance, or that the effect of the rise upon the lucky owners of the good land left, would not be to raise their rents. But the fact is that in many parts of the present work, there are traces of a desire to escape from the bad position, without carrying it into its consequences. The Ricardo mistake is stuck to in some places, and in others it is virtually given up, which is not fair.

If there were any doubt whether it had really been maintained that the essential and indispensable cause of rent was difference in soils, the following Note in I. 263 would appear to be decisive.

'In point of fact, however, no portion of this surplus will go to the landlord unless the rice fields under cultivation be of different productive powers. The best lands in Indiana are probably as fertile as the best lands in East Lothian, and yet they yield no surplus in the shape of rent to the proprietor, nor will they ever yield any unless inferior lands are taken into tillage.'—I. 263.

There is no escaping from the fact, that the existence of rent

is here stated to depend, not upon an increase of demand which shall carry the price offered for the rice to more than the average cost price, but upon 'the rice fields being of different productive powers.' This is simply the mistake which the commentator escapes from every now and then, when the consequences press closest; but cannot make up his mind to avow.

In I. 276, Adam Smith means something quite different from what is brought forward in the Note; and the Note brings nothing against him. The demand for coals produces the offer of a certain price; the owner of the 'most fertile' coal mine (including evidently, in Adam Smith's meaning, the 'greatest and most extensive coal mine') has to a certain extent a power of underselling his neighbours, and therefore in a certain degree can regulate and keep down the price of coals. This is Adam Smith's assertion; and the Note only holds of the besetment of the author's school on the subject of Rent.

On the profits of silver mines (on which there is no difference of opinion between the commentator and his original) two powerful reasons exist why speculators in this country should speculate upon disappointment. In the first place, supposing their agents in foreign countries to be ever so unexceptionable in integrity and zeal, their employers at home, from the very nature of the pursuit, may always rely on exaggerated representations of the chances of success. It is not in the nature of man to go on such an errand, and not make the most of his expectations for tomorrow. And secondly, if the success should be ever so great in point of quantity, this very success must have an effect in pulling down prices, vastly more rapid than anybody is likely to calculate upon. From these two causes, no business upon earth might be so safely betted against, as the business of the silver miners.

On the fallacy charged against Adam Smith on the subject of corn in I. 307, it is desirable to remark that what he says is not 'that corn is, upon an average, the most invariable of all commodities in its value,' (which, as taken from p. lxxiv of the commentator's Introductory Discourse, was possibly the understanding of the commentator); but that 'the raising of equal quantities of corn in the same soil and climate, will, at an average, require nearly equal quantities of labour, or what comes to the same thing, the price of nearly equal quantities.' The two propositions differ by the whole difference between value and cost. A bushel of corn may be conceived to be raised in *value* by the pressure of population and corn laws, to the value of its bulk in gold; but it does not follow that the *cost* of raising an average bushel of corn will thereby be raised in anything like the same proportion. The commentator has gone

aground on that perpetual rock of his order, the fact that such a price of corn would cause its cultivation to be pushed into some nooks and crannies where for instance nine-tenths of a bushel of gold might be expended to secure the whole one.

The Note in I. 347, like another before remarked, is worded in a way to give rejoicement to the enemy. That

'the proportion between the average values of any number of freely produced commodities depends upon the comparative *cost of their production*, and is not in the slightest degree influenced by the quantities of them brought to market,

may be true under explanation, but looks fearfully like a paradox without. The missing solution is, that the quantities brought to market will *in the long run* be such as will keep the average values proportioned to the comparative costs of production. It cannot be said this is happy.

In the Note in I. 407 where it is said that 'the condition of all the other classes is as much improved by a decline in the value of manufactured goods, as that of the landlords,' it surely is not intended to maintain, that the condition of the manufacturers is as much improved. It may be improved to a certain extent, that is, a certain deduction may be made for the part which falls on themselves as consumers. If Wedgewood's ware falls in value, Mr. Wedgewood may congratulate himself that he drinks tea out of a cheaper tea-pot. And in the same way of other orders of manufacturers. But it may be vehemently doubted whether their condition is 'as much improved as that of the landlords.' This is another instance of inaccuracies put forward in the shape of most impolitic paradoxes.

In Dr. Smith's assertion (I. 408) that 'the proprietors of land never can mislead the public with a view to promote the interest of their own particular order, *at least if they have any tolerable knowledge of that interest*,'—it is feared he must stand principally on the reservation in italics. When the poor-rates have eaten up a little more of the landlords rents, they will begin to find out that they have *not* had any tolerable knowledge of that interest.

In the Note in Volume II. p. 5, the definition of Capital accumulates ideas which it should be the object of science to separate. Capital, is wealth employed in the production of other wealth. Adam Smith does not always confine it to this sense; but the business of an improver is to discern. A horse yoked to a gentleman's carriage, is wealth being enjoyed, not wealth employed in the production of other wealth; unless perhaps the gentleman should be a visiting physician. The same horse yoked to a brewer's dray, is not wealth being enjoyed, but wealth employed in the production of other wealth. The

brewer does not exult in his horse by reason of the pleasure of seeing him draw, but by reason of the pleasure he expects from the possession of the proceeds. The question is not of *capacity*, for all horses may be capable; but it is of what the horse does. To say that all horses are 'capital' because they are capable, would be like saying that all men are 'fathers of families' for the like reason. If any person insists on employing the term 'capital' for everything that is of value, he must do it if he pleases; but the other is the application which is useful.

Adam Smith stopped short in a metaphor, when he spoke of 'the channel of circulation' and the necessity that whatever is poured into it beyond a certain sum must overflow (II. 31). To have gone into the subject, would have led him to the principle of depreciation; one of the most important at the present moment that can be named. But it is impossible for a man to have done everything.

When Adam Smith said (II. 78) that gold and silver money 'is a very valuable part of the capital* of a country, which produces nothing to the country,' he plainly meant, 'produces nothing but its effect as the instrument of exchange, which paper might do as well.' An honest issue of paper money,—which means issuing the paper by means of a national Office and crediting the public with the amount of issues,—*would* 'convert a great part of this dead stock into active and productive stock.' It would turn the unnecessary gold, into gold as active and productive as any other in the hands of bullion dealers. To 'substitute cheap in the place of dear instruments of exchange' (Notes II. 78), is in fact to do this with all that before was employed to waste.

There is a much more effectual way than 'compelling bankers to give ample security for their notes,' to 'protect the public against their insolvency and bad conduct' (Note II. 84); which is, to allow them to issue none. Every note issued by private bankers, is so much of the public property given away by the government for sinister purposes, in the same way as if they were allowed to wheel away the pitch and tar out of the dock-yards. There are two perfectly distinct functions, which it is the interest of the public enemy to confound; the function of discounting, lending, and keeping cash accounts, which is *banking*,—and the function of making paper money. The first is a trade; and ought like other trades to be carried on by individuals and not by the government. The other is not a trade, but an exercise of public power; and ought to be exercised for the public, and not for individuals.

* This is an instance where Adam Smith uses 'capital' in the too extended sense.

The distinction between 'productive' and 'unproductive' labour, appears to have been most unfortunate in its terms. It clearly was not meant to say, that there was labour that produced *nothing*; for if so, wherefore was it laboured? And if Kemble is an unproductive labourer, why is not a ploughman, a grazier, or a brewer? There is about as much left of one man's performances as the other's, the day after the enjoyment. The only substantial distinction that can be set up among species of labour, is analogous to that formerly stated between 'capital' and wealth applied to direct enjoyment. There may be labour employed for the production of things which are useful as they lead to the production of other things, and there may be labour for the production of things that are to be enjoyed in their own proper substance. A corollary may be held to be, that all labour of the first kind is exerted with a view to its being accessory to labour of the second, for no man labours for labour's sake, but that somebody may enjoy. The terms 'productive' and 'unproductive,' may on the whole be supposed to have arisen out of a confused notion of labour well and ill employed.

The Note in II. 150, is full of the Ricardo mistake on Rent. At the same time there can be no doubt that Adam Smith had not entirely escaped from the mist of the French *Economistes*; whose error lay in not discovering that the wonderful powers attributed to earth and rent, were all resolvable into one man taking from another man by virtue of a monopoly.

Adam Smith would not have said, that 'to expect that the freedom of trade should ever be entirely restored in Great Britain, is as absurd as to expect that an Oceana or Utopia should ever be established in it' (II. 305), if he had possessed a clear vision of the fact, that everything which is gained to anybody in consequence of prohibition, is lost twice over, once by the consumers, and once more by the English traders on whom they would have spent the difference. Wait till the knowledge of this becomes vernacular.

Adam Smith's digression on the Bank of Amsterdam (in his Fourth Book, Ch. 3.) may be noted as leading to the solution of one of the most curious problems in the range of political mathematics,—the mode of production of the phenomenon called an *Agio*. A piece of paper shall pass for four, five, or fourteen per cent more than the coins it purports to represent, in consequence of certain conveniences and superiorities which are perhaps visibly not worth more than half a crown; and, which is the most curious point, these conveniences shall be obtained for nothing by the circulator after all, for he passes the paper for the same value that he received it, without ever deducting the

half crown. There may be reason to believe that the explanation of this phenomenon is the *experimentum crucis* of that theory of the value of currency, which maintains that the value of a currency, metallic or paper, may be raised to any level by merely limiting its quantity; a theory which the author (Note II. 90) has been observed as receiving with assent.

In the Note in III. 10 it is stated, that

'Profits are the excess, or the value of the excess, of the commodities produced by the expenditure of a certain quantity of capital and labour, over that original quantity of capital and labour, or its value. It is clear, therefore, [*why?*], that they must be wholly unaffected by the mere extension of the field for the employment of capital, how great soever that extension may be.'

The query that arises on this is, whether all extension of the field for the employment of capital, is not attended at the time with an increase of the rate of profits, and whether this is not the very instrument of inviting capital to occupy the new opening. There seems to be a confusion of the effect *after* capital has run in, with the effect *during* the running in.

On the Note in III. 139 it may be observed, that the error of the *Economistes* did not lie in the direction there stated, but, as before intimated, in the non-discovery that all that was got for rent by one man was taken from another.

The restriction of banking companies in England to not more than six partners, reduced in 1826 (see Note III. 262) to a circle of sixty-five miles round London, is a subject often brought into debate at the present conjuncture. If the pitch and tar in the dock-yards were allowed to be wheeled away by companies of six, and the question were whether it should be allowed by companies of sixteen,—the solution would mainly depend on whether anybody was impeded by the restriction. If they are, the restriction is a comparative good; and if they are not, no reason is produced for the alteration demanded.

The charge of fallacy in the Note III. 420, appears to be untenable. If the producers cannot indemnify themselves for a tax on profits out of some rent or other, they will give up the production altogether. It is part of the Ricardo mistake on 'the portion that pays no rent.'

The price of sugar from Jamaica (Note III. 482) has at all events been a monopoly price ever since an extra tax was laid upon the sugars that might compete. The fact that every individual who pleases may carry his capital and industry to Jamaica and become a producer of sugar, is as much beside the mark, as would be the fact that he may become a grower of corn under the corn laws.

The state of the case with respect to Public Debts (IV. 1) is, that the government seizes upon some sum, as suppose a hundred millions, not in its gross shape, but in the shape of the perpetual annuities which are of the same value in the market; and then it sells these annuities, to people who are willing to give the gross sum in return. Hence a hundred millions raised by funding, is as irrecoverably spent and thrown away (saving any utility there may be in the objects on which it is spent) as if it had been raised by a poll-tax of 100*l.* apiece on a million of the inhabitants. People may squabble afterwards about the payment of the interest; but nothing can restore the hundred millions. Despots unhappily have found this out; and if England is ever overrun by the Holy Allies, whose limbs are in our high places, they will levy the largest amount they can by funding, as they did in France; knowing that to the citizens of England afterwards, the evil will be as irreparable as the docking of a horse,—they may carry their tail in any way they like, except putting the old one on again. Hence that the debt is only owing from one Englishman to another, is a good argument so far as it is to prove the impossibility of gaining in the aggregate by refusing to pay the interest;—no argument at all, if it is to prove that the debt is not an enormous evil, for which the authors should be made responsible if they had not taken care to get out of the way. In England there is fortunately the option of allowing the country to outgrow the debt by restoring the freedom of trade and particularly the trade in corn. And if this is not done, the result will be, first a rush upon the fund-holders, and then, as this can produce no aggregate improvement, a rush upon the property of everybody else that has any. For all which, those who persevere in prohibiting commerce by act of parliament, will justly be responsible.

Nearly the whole of the Fourth Volume consists of Supplemental Dissertations under the title of Notes. The first is on the definition of Labour. Few persons have hesitated to believe, that labour means the exertion of living agents, and that it is not usual to say a steam-engine labours. The reason given in IV. 77 why we ought to say so, appears highly inconclusive. It is, that

'If a capitalist expends the same sum in paying the wages of labourers, in maintaining horses, or in hiring a machine, and if the men, the horses, and the machine can all perform the same piece of work, its value will obviously be the same by whichever of them it may have been performed.'

From which it is argued, that 'whatever actions or operations have the effect to communicate the same value to the same or

different articles or products,' ought 'all to be designated by the same common term.' Now the fact is, that, the communicating the same value, is the only thing in which there is any sameness; and therefore it is this, and not anything else, that should be 'designated by the same common term.' The whole of this Note may be considered as a specimen of confounding instead of discerning.

Note II is on 'Value;' a word on which there has been infinite debate. The value of a thing [*valor*], in the primary sense, is how much [*valet*] it is equivalent to, or will fetch of some other thing or things in exchange. In this sense there seems as little possibility of assigning value to a thing, without reference to some other thing, as of assigning ratio. And as ratio may be defined to be that relation of one magnitude to another, which is sought by inquiring what multiple, aliquot part or parts, of the one, is equal to the other; so value, in the primary sense, may be defined to be that relation of one substance to another, which is sought by inquiring what quantity of the one will voluntarily be given in exchange for an assigned quantity of the other. But after this relation has been determined between all imaginable substances respectively and one particular commodity, which in all civilized societies is money; by a slight metastasis, the substances which will exchange for equal quantities of money are said to be of equal values, and substances which will exchange for different quantities are said to be of values proportioned to those quantities. And by a further licence, the *value* of a thing comes popularly to mean the quantity of the general measurer, money, for which it will, at the period that may be in question, exchange. Hence there appears no difficulty in ascertaining the meaning of *value*, when applied to the comparison of objects at the same period and in the same state of society. But if question were to be made, of 'What was the value of silk stockings in the time of Queen Elizabeth,' or 'What was the value of a tuppenny nail in Otaheite on its first discovery by Europeans,' it could apparently only be answered by approximation. There need be no hesitation in stating, that in both these cases the things mentioned were of *much higher* value than in England at this moment. But if greater precision is insisted on, there seems no resource but expressing the values by reference to exchangeable things of some kind, which though they do not necessarily afford an exact measure, afford something like an approximation, of the accuracy of which an estimate may at the same time be made by the inquirer as far as he is able. For example, the silk stockings or the nail may be stated to have been equal to so

many days labour of the lowest kind of labourers, or so many of some higher kind; though it does not even follow that the proportion between the numbers presented by these two modes of expression, should be the same that it would be in England at this day. Or it might be estimated in *hogs*; though it does not follow that a hog in Otaheite or in Elizabeth's time may not have been a more lordly dish than in England now. Value, therefore, like greatness, has in all cases a reference, direct or implied, to something else. And if there was no one thing in existence which could be trusted to have precisely the same proportion in respect of magnitude to other things that it had in the time of Elizabeth, there would be the same difficulty in settling the magnitude of things in that era, that there now is in settling their value.

An intricacy is observable in some parts of the commentator's work, arising from the intrusion of the fact, that the value of things produced without monopoly is perpetually gravitating towards the cost of production. This may be true, but there is no use in continually bringing it forward in a way that tempts the reader to believe they are the same, for the fact is that they are never the same, or only for such comparatively rare periods as a swinging body is at the lowest point. And this perpetual oscillation on both sides of the cost price, instead of being an inconsiderable accident, is in reality the great agent by which the commercial world is kept in motion, and it depends for its existence on the principles of Monopoly Price, —the sellers having to a certain degree a monopoly in their favour whenever the quantity in the market is *less* than could be sold at the cost price, and the buyers having an advantage of a similar kind when the quantity in the market is *more*.

Rent, which is the subject of Note III, is another mere collateral from the principles of Monopoly Price. A *monopoly* is when the quantity of a commodity is limited either by nature or art, so as to cause the competition for it to raise the price higher than the average cost of production. A monopoly may be of the kind in which no part of the produce costs comparatively more in production than any other part; as may be the case with the *Eau de Husson*, which, if as generally surmised it is only an extract from some common vegetable, might be made by cart-loads without comparative increase of cost. Or it may be of the kind where a certain part of the produce is raised at a somewhat increased cost, though this process may not be carried so far as that any particular portion of the produce can be assigned which sells for no more than the cost price, as may be the case with Tokay, in the raising of which it is probable that there are portions of the

vineyard that require comparatively more labour than some others, but none whose produce does not sell for more than the cost price,—and moreover possible enough (for the vine is said to abhor manure), that there may be no such thing as increasing the produce by any higher degree of what is called *dressing*. Or it may be of the kind in which portions of the produce may be raised at different costs, up to that which swallows up the whole price; as is the case with the corn raised from the various qualities of land in the hands of the landlords in general. But in all these cases the principle of Monopoly is one, and the varieties are the results of the diversity of extraneous circumstances. There is no more ground for maintaining any difference in the common principle, than for maintaining that there is a difference in the principle which causes a man to fall from a church steeple, a waggon to run down hill, and a bullet to describe a parabola instead of flying off in the tangent. And this seems to furnish the reply to an objection received from a highly eminent name in political economy, against having called Adam Smith's the 'True Theory of Rent.' It may be that he did not trace the full extent of the difference, between a monopoly of class No. 3 like corn, and one of class No. 2 like Tokay; but if he has struck out the leading principle of both cases, he may be held to have a good general claim. A man *must* leave something for posterity.

Great part of the Note on Rent is occupied by replies to the objections urged from various quarters against the unhappy mistake on the subject of 'the portion of produce which yields no rent,' which has had a sensible effect in retarding the progress of political economy for nearly twenty years. These were conclusively answered by Say in the year following their publication; whose assertion that '*the so called theory of rent, has introduced no new truth into the science of political economy, and explains no fact that is not explained more naturally by the truths that had been previously established**,' might easily have been carried forward into the demonstration that it has been productive of extensive practical error.

On one part of the objections the commentator says,

'Besides the objections which have now been examined and refuted, another has been urged from time to time against the theory of rent, as now explained. The authors of this objection affect to suppose that Sir Edward West, Mr. Malthus, and Mr. Ricardo, considered the cultivation of inferior land as the *cause* of a high price of corn. But this, they allege, is to invert the order of the phenomena;

* Say, Vol. iv. ch. 20. See extract translated in the Westminster Review No. XXXII for April 1832, p. 406.

the cultivation of inferior soils not being the cause but the effect of high price, and this high price being itself the effect of demand. This very doctrine, however, has been explicitly laid down by the distinguished authors previously referred to, and particularly by Mr. Ricardo.* They have no where contended that a high price of corn was caused by the cultivation of inferior land; what they contend is, that it is caused by the necessity under which every increasing population is placed, of cultivating such inferior land, or being starved. The wants and desires of man are the cause why all commodities are produced, and are, by consequence, the cause of their value; but it is the difficulty experienced in gratifying these wants and desires, or, in other words, the cost incurred in the production of commodities, that measures and regulates this value. This is the theory laid down by Mr. Ricardo and the other expounders of the doctrines of rent, and it cannot be in any degree affected by the petty cavils alluded to.—IV. 116.

This statement has many inaccuracies. The objection alluded to, was not that the expounders of the new doctrine maintained a high price of corn to be caused by the cultivation of inferior land, but rent; though it would not have been far wrong if it had said the other, and the commentator says so himself in this very book. By a bounty on corn exported from England to Spain, (IV. 335), he says, 'Corn would be permanently reduced [in price] in Spain, because the unusual cheapness of the foreign supplies would throw the poorest cultivated lands of that country out of tillage; and it would be permanently raised in England, because the increased demand would stimulate the bringing of poorer lands under cultivation.' Is this saying 'the bringing of poorer lands under cultivation' is the instrument of 'raising' price, or not? The upshot therefore is, that the supporters of the new theory do not always know what they have said and what not; and consequently they say and unsay. All of which is great damage to political economy.

At the same time the difference between saying that the cultivation of inferior land causes a high price of corn, and that it causes rent, is intrinsically little or nothing; for it is only by causing a high price of corn, that it can be imagined to cause rent. Only if instances had been adduced where the cultivation of inferior land was stated to cause rent,—as for example in the Note 1. 263 of the present commentator before quoted in its order,—the commentator would probably have turned round and claimed the benefit of the distinction.

The conclusive proof of the weakness of the new theory, was that it led to conclusions contradicted by experience on the

* 'See his Principles of Political Economy,' &c. 3d edit. p. 178.'

incidence of tithes and poor-rates, consisting in the assertion that they fell on the consumers. The commentator appears to have given up both these consequences, but to maintain the premises. It has therefore become incumbent on him to show, where the error was which can authorize allowing the consequences to be wrong and the premises right. And it is more especially required of him, because he is a convert. He formerly maintained stoutly, that 'tithes and other taxes on raw produce do not form a deduction from rent, but go to increase the price of produce*.' The truth is the commentator has been driven out of mistakes of his own and other people's by the 'petty cavillers,' and is not thankful.

The Notes on Population, on the Consequences of the Use of the Potato, and on Wages, might all be directed with advantage into a demonstration of the horrible cruelty and injustice which prohibits foreign commerce by Act of Parliament. They tell but half their story; they discuss the evil, its symptoms, and its progress, but stop short when they ought to point out the maintaining cause. It is a cruel joke to talk about the evils of an increasing population, when that population is cut off by law from the power of selling the produce of its labour, for the interest of a robber caste; who tell us plainly, that like the French *noblesse*, they will pay no taxes, unless they may have liberty to take the amount again from other people, and who, if speedy change of mind be not vouchsafed them, will come to the same rough end.

The Note on the 'Circumstances which determine the Rate of Profit,' is intended for an overthrow of Adam Smith's opinion on that subject. The reasoning adduced contains an odd specimen of fallacy. The object is to prove, that though competition may equalize profits, it cannot reduce their general amount.

'It is easy to see that competition can never produce a general fall of profits. All that competition can do, and all that it ever does, is to reduce the profits obtained in different businesses and employments to the *same common level*, to prevent particular individuals from realizing greater or lesser profits than their neighbours. But farther than this competition cannot go. The common and average rate of profit does not depend on it, but on the excess of the produce obtained by the employment of a given amount of capital, after replacing that capital, and every contingent expense. Suppose, for the sake of illustration, that a manufacturer has a capital of L.10,000, the half of which is expended in buildings and machinery, and the other half in paying the wages of his workmen, and that his taxes amount to L.100; sup-

* See Art. TAXATION in the Supplement to the 4th and 5th Editions of the *Encyclopædia Britannica*, p. 630.

pose now that the produce annually obtained by this manufacturer is 12,000 yards of broad cloth; and that this produce is sufficient, besides replacing the whole of that portion of his capital which is devoted to the payment of wages, and whatever portion of the fixed capital may have been wasted, as well as paying his taxes, insurances, and all other necessary outgoings, to leave him 1,000 yards of cloth, or L.1,000 of surplus. The profits of this manufacturer would be at the rate of ten per cent.; and it is obvious that they could not be affected by the most intense competition. Competition cannot affect the productiveness of industry, neither can it, speaking generally, affect the rate of wages, for, such as the demand for labour is, such will be its supply, and it cannot affect the burden of taxation. It is plain, therefore, that it can have nothing to do in determining the common and average rate of profit. It will prevent any individuals from either getting more, or taking less, than this common rate; but it can have no further effect.'—IV. p. 189.

Now upon this, 'it is easy to see,' that though competition might not affect the fact of the results from the capital of 10,000*l.* being 12,000 yards of cloth, it is just the thing which will affect their being worth 12,000*l.* and leaving a surplus of 1,000*l.* If competition should lower their marketable value to 12,000 pence, it is surmised the capitalist would be in a melancholy state. And it is precisely because men will not employ capital for less than a certain rate of profit,—which may be supposed the rate which will arise to the cloth manufacturer from the 12,000 yards being worth 12,000*l.*—that cloth will be manufactured to the amount which will cause 12,000 yards to be worth 12,000*l.*, and to no greater. Here therefore being a singular fallacy and mistake, it may be concluded that Adam Smith was right when he maintained that profits were lowered by the competition of capitalists and raised by its absence; the inferior limiting cause, or that which prevents capitalists from offering competition beyond what will admit of a certain rate of profits, being manifestly the opinion and habits of society, which as they determine the final or average proportion which shall be maintained between the numbers of the labouring population and the funds for their support, or in other words determine the average rate of Wages, so they also determine the average rate of Profits of Stock, which are only the wages of another description of labourers, consisting partly of the recompense of present labour exerted in the form of superintendence, and partly of the recompense of past labour exerted in the creation of their capital*. It would in fact be no

* For further illustration of this, see the 'True Theory of Rent,' Ninth Edition, p. 16 and elsewhere. Published at the Office of the Westminster Review; price Three pence.

bad rule always to assume Adam Smith to be in the right, when his opponents let fall anything about 'the fundamental principle with respect to the decreasing productiveness of the capital successively applied to the soil.'

But, it will be said, if capitalists of all kinds, as for instance coach-makers, upholsterers, and glass-makers, would agree to increase their production at the same time and in the same degree, would not this enable the cloth-maker to have as good a coach, as many tables, and as much glass to set upon them, in return for his yards of cloth as ever, without troubling his head whether the money price of these things continued the same or not? No; there is a fallacy something like that of the schoolboy who fancies pebbles might go for halfpence if only everybody would agree to take them. It is impossible that production *should* be equably increased in all kinds, however resolutely the capitalists were bent on the experiment; and not only would it not be increased equably, but in some most important articles, it would lag behind in a manner that would be immediate ruin to the scheme. If, for instance, all the manufacturers as above were to take into their heads to try to double their workshops and their workmen, they might proceed a little way in the pursuit, *but where would they get double the quantity of food?* Capitalists might set up two workshops, and make two coaches instead of one; but where would they get two landed estates, and make two crops of corn instead of one? The land is not there to be had; and if it is urged that they may apply their capital to the bad and rejected land, it is plain that this is only an indirect limit instead of a direct one. It is the bud tied to a spiral spring; which though it may gain a little by pulling, is in reality as much tied as another. The limit to the quantity of food, a limit always existing even where not brought nearer by unjust laws, is therefore what would bring the whole scheme to a halt. If this limit can be extended, as for instance by getting access to the food of foreign countries, or if the situation is supposed to be one in which good land may be occupied at pleasure,—these are precisely the circumstances in which increase of production of all kinds may and will go on equably and without producing a competition that will prevent the expected profits. But if these circumstances do not exist, then the increase of production in some kinds will find a limit through the impossibility of a corresponding increase of production in some other kinds. It is likely that other things besides food, might be found contributing to bring on the check, but food is the principal, and therefore it is sufficient for the argument. Here then appears to be the sore place, both of the theory which says 'the most

intense competition' could never produce a general fall of profits, and of that which says variations in wages, profits, and rent, cannot cause the value of commodities in the advanced stages of society to vary.

In the Note on the Effect of Variations in the Rates of Wages and Profits on the value of Commodities, all that is connected with allusions to the 'fundamental principle' in the form of the 'capital last applied to the land,' &c. may be cut off as fallacious, except where the result accidentally accords with the result of substituting the general principle of monopoly price. For example, when it is said that 'the giving up of rent by landlords would not enable raw produce to be obtained at a reduced price,'—this is true, not for any reason connected with 'the portion of the necessary supply that is obtained by the agency of the capital last applied to the land,' but simply because it could make no difference in the price of a limited quantity of produce, whether it was sold for the benefit of one set of men or of some other. And this reason would equally hold good, if a situation should be discovered where, either from ignorance or natural circumstances, there should be no such thing known as different qualities of soil, or increase of crops arising from laying out more money on the land. The insisting, therefore, on adhering to what is a mere accident, and representing it as the cause of the general result,—is like insisting that the king's coach was made to move because the horses were cream-coloured; and though the main fact asserted, namely that the coach has been drawn, may be undeniable, it is plain that such a mode of accounting for it must lead to error in the end.

On the Note on Money, it is apprehended, that though the results laid down are true, the reasoning by which they are supported does not go to the bottom of the question; and that a nearer approach to this is made in the place pointed out on occasion of a previous allusion to the subject of money. The part of the case which relates to Banking, and particularly to the question of the establishment of a National Bank, may be considered as having been discussed in the Article on the *Renewal of the Bank Charter* in the preceding Number of this Review*.

The Note on 'Corn Laws and Corn Trade' contains exceedingly valuable matter; and perhaps the only objection that can be raised to any portion of it,—with the exception of some allusions to that bane of political economists 'the newly-employed capi-

* The Article on *Renewal of Bank Charter* in No. XXXIII of the Westminster Review. Republished as a Pamphlet; price Twopence.

tal,' which however do not seem to affect the results,—is to the part near the conclusion, where an *ad valorem* duty of seven or eight per cent is spoken of as what the agriculturists might possibly justly claim 'to indemnify them for peculiar charges.' There can be no policy in indemnifying the agriculturists by a tax which deprives the public of several times the amount given to the favoured class, when there remains the incomparably cheaper plan of removing the supposed burthens from the agriculturists and laying them on somebody else. No man spends two shillings, as the means of indemnifying his neighbour for a balance of one; if his neighbour's claim is just, he pays the shilling.

The Section (1.) on the Effect of granting a Bounty on the Exportation of Corn, is peculiarly important. It is not certain that the author was aware of the value of the inference incidentally thrown out, that 'bounties on exportation,' and 'restrictions on the importation of corn,' have results of precisely the same kind,—or of the high degree in which light is thrown on the operation of the Corn Laws by his discussions on a bounty.

'If the prices of corn in Britain and Spain were nearly on a level, no exportation from the one to the other would take place. But if, when prices were in this situation, a bounty, say of 10s. per quarter, were granted by our government, corn would be immediately poured from England into Spain. Limits would, it is true, be soon set to this exportation and importation. The competition which takes place among exporters, as among every other class of traders, prevents their realizing more than the common and ordinary profits of stock; and hence grain would be exported from England to Spain, not in the expectation of realizing the whole of the bounty as profit, but in the view merely of securing the ordinary rate of profit on the capital employed in its transfer. A rise of prices, though not to the whole extent of the bounty, would therefore be immediately felt in this country, and a corresponding fall in Spain. Nor would this rise and fall of price be temporary. Corn would be permanently reduced [*in price*] in Spain, [*not*] because the unusual cheapness of the foreign supplies would throw the poorest cultivated lands of that country out of tillage [*for the tendency of throwing any land out of tillage, so far as it goes, is to raise the price of corn and not to lower it; but because the increased quantity of corn arising from the cheap foreign supply would bring down the price of corn upon the whole, and this reduction would throw a certain quantity of poor land out of tillage, though to a much less amount than would reduce the whole supply of corn to the former magnitude*]; and it would be permanently raised in England, [*not*] because the increased demand would stimulate the bringing of poor lands under cultivation [*but for causes the opposite of those which operate in Spain*]. A bounty, to the extent we have supposed,

would perhaps depress prices 5s. a quarter in Spain, and raise them as much in Britain. To the Spaniards it would be extremely advantageous, as it would enable them to purchase the most indispensable necessary of life at so much less than they could otherwise have done; in Britain, however, its effects would be directly opposite. A few more of our heaths and bogs would indeed be cultivated, but every class of persons in the kingdom, landlords alone excepted, would find it more difficult to procure food than before. The higher price of our corn, supposing it not to raise wages and diminish the profits of stock, which it would most unquestionably do, would obviously be of no advantage to the public.—IV. p. 334.

Here is presented a distinct vision of a rise of price in England, accompanied with benefit to the landlords, and with the cultivation of a few more heaths and bogs, which the landlords will not fail to hold forth as matter of national exultation; but at the same time attended with a removal of corn, to a much greater amount than the produce of the said heaths and bogs, and an increased difficulty of procuring food, to everybody except the landlords. The sums the landlords gain, somebody else loses; and there is a loss to the community besides, of precisely the quantity of production, business, and employment, which would have been created by the expenditure of these sums in their proper places. And the same processes may be traced point by point in the case of a tax on importation.—It will not fail to be observed, that the insertions in italics are foreign to the author's text; and that the points therein controverted do not affect the final argument.

The commentator's statement of the operation of the English Corn Laws, is that the loss sustained by the public 'may be fairly and moderately estimated at from *nineteen to twenty millions*' a year, of which scarcely *one-fifth* 'finds its way into the pockets of the landlords' after all; the rest being 'absolutely and totally lost to the country, without contributing in the smallest degree to increase the comforts or enjoyments of any individual whatever.' There certainly has been no instance in history, where two-thirds of a population, not avowedly slaves and under physical restraint accordingly, have submitted to such an infliction, to please the remaining third. The process will be brief, and ought to be. Either the fund-holders and the church will join with the commercial interests and the rest of the public in putting down the enormity by legislation; or their possessions will be taken in the first instance either by the operation of legislation or otherwise, and afterwards will begin the attack on all property, hard enough upon the innocent, but the inevitable consequence of the prodigious provocation. The outrageous injustice of the landlords is the key to the public danger, the spigot that confines the fermenting contents of the

national beer-barrel, which must speedily burst if not relieved. If this were taken away, not all at once but by a moderately rapid progression, the debt and taxation would be made a flea-bite, not by removing them, but by increasing the ability to bear them, which comes to the same thing. The public irritation would fall, as the fierceness of a den of hungry savages might be lulled by the application of joints of meat; and there would be a great calm. It seems impossible that before the mischief goes much further, a government should not arise, possessing about as much prudence and decision as might be competent to the regulation of a regimental hospital, and by speaking the truth and rallying the parties concerned, cut off the progress of the evil by cutting off its source. In which hope, the policy at present would seem to be, to endeavour to accelerate the crisis; as surgeons promote inflammation which is to terminate in cure.

The 'Navigation Laws' were the restrictive fallacy applied to shipping. To please the English ship-owners, the consumer of a foreign commodity was to lose all the difference between their inferior skill in their craft, and the skill of anybody else who might be superior; and some class of English traders with whom the difference would have been spent, was to lose the amount over again besides. They were an Act to enable ship-owners to put twenty shillings into their own pocket by taking forty from the community. It is grievous to think, they should have been invented by republicans; but it is some consolation, that the dynasty of harlots which succeeded was no wiser.

The only plea which in the present day could hold an hour against the examination of reasonable men, is that which maintained they were for *Defence*. The representation was, that the object was to increase the number of mercantile sailors, and that the sailors were essential to the safety of the country. The answer to this is, first, that a sailor, like everything else, may be bought too dear; and secondly, that the practice of making the defence of the country habitually dependent on the accumulation of merchant seamen at double their commercial value, is as rude and inartificial, as it would be to enact that every horse should have two drivers, for the purpose of securing the power of increasing the corps of artillery-drivers with men expert in the vocation. The folly may not be so glaring; but it is of the same kind. If the artillery were to propose such an enactment, they would be told to train drivers for themselves. But it is easier for an aristocratically governed navy, to kidnap sailors than to make them; and like other kidnappers, they prefer that their game should be thick. Nothing but the con-

temptible inability of the English people to preserve themselves from gross personal oppression on the part of the aristocracy, could have continued the brutal practice of impressment. A sailor, too, acts at a disadvantage compared with other men. He is insulated by his vocation, and may be oppressed with comparative safety; while if the proposal were made to oppress bricklayer's labourers, it would cause a general appeal to the only substantial security a people has against an aristocracy, resistance. The bricklayer has the advantage of being a land-animal; and the consequence is, that sailors are subjected, not only to the privation of the personal freedom of which their countrymen make their sneaking boast, but to an abiding state of misgovernment in the ordinary pursuit of their vocation, of which nobody that has not seen it can form a competent idea. Now and then some tyrant who to ordinary wickedness unites extraordinary folly, finds his way into the newspapers in spite of all that can be done for his assistance; and this is nearly all the redress a sailor has.

The whole of the Note on 'Impressment' may be taken as a text-book by any person wishing to be master of the subject. Its conclusion is particularly forcible and true. Unless means are previously taken to remove the cause of complaint, the sailors if they are wise, will on the first breaking out of war, go over to America in a body; and it has been avowed that an understanding to that effect has been extensively circulated among them. The first principle of a free government, is that oppression cancels all duties; and it is the first principle, because to this alone the existence of any freedom upon earth is traceable.

Of the 'Colonial System' the only remains, since the alterations in the Navigation Laws, consist in the duties levied on goods of the same kind as produced in the favoured colonies, from foreign countries, and sometimes from dependencies of the same country. Of the first kind is the tax on Norway deals; of the second is the degrading tax on sugar, imposed for the abstract love of slavery felt by the gone-by government, and the interest acknowledged in maintaining it for its reflex effects on the community at home. A people that pays a poll-tax for the support of slavery, is manifestly but a remove from slavery itself; it is therefore nothing surprising, that a government whose basis was the public wrong, should have supported the outpost of slavery in the colonies at all hazards. For all that is thus given to the slave-holders, it is clear the people of England pay twice; once in the loss to the consumers, and once more in the loss to the traders on whom the difference in

a state of freedom would be spent. It is not a proposition to be minced, but one to be brought forward with the gravity of a theorem in Euclid,—that if the West Indies were by a convulsion of nature to sink into the sea, the commercial and political advantages to the British community would be enormous, incalculable; and the gain in a moral and domestic point of view, would be that of the cessation of a tribute, in comparison of which any that was ever paid by a nation to a conqueror, was honour and positive renown. No man has a right to demand of another, that he shall degrade himself by pretending ignorance, that if such a consummation should be in the page of destiny, all the employment to trade, navigation, or manufactures of any kind, which might thereby be caused to cease, would be replaced by a *greater* extent of trade, navigation, or manufactures, arising with the country whose cheaper produce is now prohibited by the delegates of the slaveholders in the House of Commons;—with the single reservation, that places should be lacking in the world from which the same supply could be procured. But this reservation can have no bearing on the effects of removing from us the present slavery-tax on sugar. Either such removal will cause the whole supply of sugar to be increased, or it will not. If it does, there is an end of the threat of an insufficient supply. If it does not, the public will be where it is, and will be under the necessity of giving the same prices for sugars of all kinds as at present; and so the West-Indians will go on. The pretence, therefore, that the public would lack a supply of sugar, is only for knaves to frighten children with. The truth is, the government has loved slavery and the support of slave-holders; and for this predilection of the government, we the slaves at second-hand, must pay.

The Note on the 'Commercial Treaty with France in 1786,' has the appearance of having been written some time since, and having received the benefit of the author's later knowledge, without all the expressions being removed which have the air of running counter to it. Thus it talks of a 'fair principle of reciprocity,' and 'all really beneficial commercial transactions being founded on a fair principle of reciprocity,' as if the author believed 'reciprocity' had anything to do with the common-sense of the affair. Yet nothing can be clearer than the paragraph in which he puts down the foolish fallacy that we should wait for reciprocity.

'The disinclination of foreign governments to enter into commercial treaties on a footing of reciprocity, has sometimes been urged as a reason why we should not admit the commodities of their subjects into our markets. But a regard to their own interest will always

induce those who consider the matter dispassionately to purchase whatever commodities they want in the cheapest and best market. It is true that the French government have, by an unwise and most impolitic regulation, prevented the introduction of English cottons and hardware into France; and have thus forced their own subjects to misemploy a large proportion of their capital, and to purchase inferior articles at a higher price than that for which they might otherwise obtain them. But this is a line of conduct that ought to be carefully avoided, not followed. The fact that a foreign government has done an injury to its subjects by making them pay an artificially enhanced price for their cottons and hardware, can be no apology for the government of this country injuring those entitled to its protection by making them pay an enhanced price for their wines, brandies, and silks. To act thus, is not to retaliate on the French, but on ourselves.—IV. p. 417.

The 'Petition of the Merchants of London for a Free Trade' in 1820, is a consoling document; particularly when connected with the subsequent virtual abrogation of the Navigation Laws. It is consoling because it gives a high idea of what has been accomplished, and an earnest of the future.

On the subject of 'Commercial Revulsions,' it is important to notice, that by far the greater part of the phenomenon arises out of the system of protection. Men are supported in a trade by making other men pay for what they do not want, and when the wretched system fails, as fail it must, there is proclaimed to be a Commercial Revulsion. If the system of protection had never been, honest commerce would have taken its course silently, and capital and employment would have been attracted to one trade and drawn off gradually from another, as the changes in the world and human wants required. And another point still more urgent in the actual condition of things, is the insisting on the principle, that if any of the artificially cockered interests give substantial evidence of suffering from physical want, *the evil should be met by a direct gift of money on the part of the community*, and not in a way which levies the sum twice over, once from the consumers and once over again from some other class of British traders with whom those consumers would have spent the money. Every class which presents itself with a demand for relief through the medium of 'protection,' ought to be considered as saying, 'Forasmuch as nobody wants the goods we make, we beg that some other class of traders may be robbed to serve us, and the consumers over again besides.'

The case of the 'Herring Fishery' is reducible to the same principle as other commercial frauds. To put an extra price into the pockets of certain herring-fishers and the capitalists

who employ them, we take it twice over, first from the eaters of herrings, and secondly from those traders with whom the money would have been expended. The argument of ancestral wisdom is, that neither the eaters nor the traders form a compact mass. The principle therefore is like one which should allow the herring-fishers to raise a sum by collecting halfpence on the highway, with the additional special condition that half the halfpence should be thrown into the sea.

The Note on the 'Disposal of Property by Will' is too favourable to what it calls 'the custom of primogeniture.' It omits the principal circumstance connected with its effects in this country; which is, that it makes part of a regularly organized system, for concentrating the wealth of the family in the senior member, with the view of making it an engine in his hands for effecting the maintenance of the junior branches through the medium of the public wrong.

Of the 'Government, Revenue, and Commerce of India' as at present conducted, with its adjunct the China Trade, the principal feature may be stated to be, that it is a commercial fraud of the same nature as the Herring Fishery; except that the plunder instead of being collected from old women who eat herrings, is collected from old women who drink tea, and that the enjoyers sail in twelve-hundred-ton ships instead of herring-busses, and go to India to fetch it. In both cases the amount gained is taken twice over from somebody else; once from the old women, and once more from the people who would have had their custom if it had not been laid out where it is.

In the Note on 'Taxes on the Rent of Land,' the charge against Adam Smith amounts to his having said that taxes on Rent would fall on the landlords, without noting that such taxes could not sweep away the portion of the rent of a farm which consists of the interest of capital expended on improvements or buildings. The answer to which appears to be, that Adam Smith would have called one Rent, and the other the Interest of Capital.

The Note on 'Taxes on Profits' declares that Adam Smith is wrong in saying such taxes fall ultimately on the consumers; and that this is only true when the tax is laid on the profits of 'one or a few businesses.' A presumption of the inaccuracy of this, is in the difficulty of assigning the point where 'a few businesses' are to merge into enough to produce the general effect. The error may be suspected to lie in the reasoning about the 'real value;' the truth apparently being, that when a tax is imposed on the profits of any particular business or species of capital, the parties concerned reduce the *quantity* of their

business or capital, till what is left pays them the ordinary rate of profits as before. If any of them remove capital to other employments, they will either not succeed in establishing it, or drive out a corresponding quantity of the capital of less able and fortunate dealers somewhere else. And the same process will be repeated, if the tax be extended to *all* profits. The final consequence of which will be, that in addition to the tax being ultimately paid by the consumers, there will be a reduction to the amount of the tax, of the commodities sold and consumed within the country*.

From this results the very important proposition, that a tax on manufactured goods, is analogous in impolicy to the attempt at raising money for a favoured class by restrictions; and for the same reason, namely that there is a *double incidence*, or the amount is lost twice over. The tax is paid once by the consumers, and there is a gratuitous loss to an equal amount on the capitalists and labourers besides; this last gratuitous loss being measured by, and in fact identical with, the losses arising to the manufacturing capitalists and labourers from the diminution of the extent of their business. This fact will make a powerful demand on the public attention, whenever the public has got through a few of the subjects whose pressure is more immediate.

The Note on 'Taxes on Wages' is exposed to the same objections as that on Taxes on Profits. The cases of Wages and of Profits are in fact the same; profits being only the wages of a particular kind of labour, and the absolute magnitude of both being settled in the same way, by the opinion and habits of society.

The Note on 'Taxes on Raw Produce' exhibits a retreating from the Ricardo fallacy on Tithes. It in fact gives up the general assertion 'that tithes fall on the consumer,' which was precisely the point where the error of what was put forward as the new theory of rent became distinctly ostensible by the consequences; and confines itself to contending that the opponents of that opinion have not assigned sufficient magnitude to the loss which they maintained to fall on the consumer in consequence of the existence of different qualities of soil.

The Note on 'Taxes on Commodities' sets out with a clear insight into the very point that was defective in the case of taxes on profits,—namely, the certainty that the dealers in the article taxed will be 'forced to contract their business, and by

* For an extended examination of this, see 'True Theory of Rent,' Ninth Edition, p. 18.

lessening the supply, raise the price to such as will yield the common and ordinary rate of profit.' But it is followed by an effort to confine this to the case of *luxuries*. What are luxuries? Salt is a luxury, to the man who is obliged to eat his potatoes without. This part of the argument is in fact a portion of the principles formerly contested in the cases of Taxes on Profits and on Wages. The truth with respect to taxes on commodities not produced under a monopoly, whether luxuries or not, and whether the duty be laid *ad valorem* on all or in any other manner, appears to be that the price is raised till the tax is paid by the consumers, but there is at the same time a diminution of the whole production, consumption, and employment of the community, to the amount of the tax over again.

The researches on the 'Funding System' point mainly to the conclusion, that when all a nation's disposable income has been absorbed by the interest of debt, the only chance left is to outgrow the debt by removing checks upon the industry of the community, if it is lucky enough to have any. Of luck of this description, our own has no deficiency.

The 'Additional Note on Rent' is amusing by the *bonhomie* of the assertion, extracted from a writer of as early date as 1801, that 'Rent is, in fact, nothing else than a simple and ingenious contrivance, for equalising the profits to be drawn from fields of different degrees of fertility.' Nevertheless the same writer's ideas are not far from the truth on the nature of effective demand, and its connexion with the price. It is not exactly that men say 'We must and will have such a quantity of corn whatever we may pay for it.' But they raise the price which they will bid for corn, and at the same time economize its use in all the ways they can discover, till at last they agree upon a division which will make the existing supply hold out; the increase of price encourages increase of supply in future, and by the repetition of the process and its opposite, the price and the supply are made continually to meet. With the exception, however, of the odd imagination alluded to, the extract is far from being a bad account of the origin of Rent.

It is very clear on the whole, that the commentator has got at least half-way out of the Ricardo fallacy on Rent; but he is loth to acknowledge the fact, and tries all turns to persuade the reader that he was never so far wrong as might be thought. He would do better to apply his influence and his talents, to display the full extent of the mistake. Another request which may reasonably be urged, is, that after having let down the question of Absenteeism by advancing a demonstration before parliament which burst in the proof, he would either support

what others have produced in the way of a *probes aliter* on the same point, or put forward something better of his own.

ART. II.—*A Narrative of a Nine Months Residence in New Zealand, in 1827; together with a Journal of a Residence in Tristan d'Acunha, an Island situated between South America and the Cape of Good Hope.* By Augustus Earle, Draughtsman to his Majesty's Surveying Ship 'the Beagle.'—London. Longman and Co. 1832. 8vo. pp. 371.

INTELLIGENCE respecting New Zealand has hitherto been scanty, and it now arrives from an unexpected source. We have here an instructive and amusing book from the pen of a wandering artist; the last person that might be expected to go to New Zealand, and one of the first that should do so, for in that country is a *studio* far preferable to either the Vatican or the Louvre. Painters travel to study pictures instead of nature, and thus become ingenious fabricators of copies, instead of originals themselves. Art springs out of peculiar native circumstances; the Greeks were sculptors, because they ran and wrestled naked. Our sculptors and historical painters, instead of ransacking effete Italy, should seek the rudiments of their art in the South Seas. In New Zealand, more especially, the finest and most athletic forms may be found exhibited under every effort of the frame, and under every modification of feeling, both in individuals and in groupes, in the midst, too, of scenes of great picturesqueness and beauty. But artists prefer the ease and security of the grand tour, and go on following the same round of subjects, till art degenerates, and in time will be worn out, like perpetually intermarrying families. In the mean while let us turn to Augustus Earle, a wanderer in many lands and over many seas, and now for his reward wandering on as draughtsman to a surveying-ship at present pursuing its pathless way on a four years voyage.

It was time that something was understood about the New Zealanders. The catastrophes that had taken place on this coast, the fearful and treacherous massacres of crews that trusted in their good disposition, and the horrible stories of their cannibalism, seemed to put them out of the pale of humanity and the hope of civilization. In the mean time, however, it was heard that some portion of the two islands called New Zealand, had become constantly frequented by our whalers and merchantmen, that missionaries had been stationed in various parts without molestation, and that even dock-yards of white men had

been established in several places, and vessels had arrived in distant ports built in the country, and laden with its merchandize. All this bespoke a very considerable change from the time of the murder of Marion Du Fresne and the massacre of the Boyd, and it became desirable to learn how it had taken place, and to what extent.

Very satisfactory answers to these inquiries may be had from Mr. Earle's book. In geographical information, our stores of knowledge are not much increased. It happens, by some fatality or other, that we learn nothing, save of the very northernmost part of the northern island; of the southern island there is nothing but a marine survey of the coasts at all known,—and of the interior of the other, a confined portion of its northern division. Mr. Marsden, the missionary, had crossed the country from the Bay of Islands on the east, to the river E. O. Ke Anga on the west; the only one of the Europeans that had published any account of the country, that did so. Mr. Earle has now crossed in his turn, but it was unluckily by the same track. Every where that a report has been made, the country is composed of grand features, thickly covered with wood, well watered, and where cultivation has disclosed the character of the soil, it appears extremely rich and fertile; the climate is favourable to every species of vegetation; of the natural productions of the soil, flax is the most abundant and most useful, and is applied by the natives to almost every purpose of clothing, building, packing, or wherever ligamentary structure can be turned to account. New Zealand was originally destitute of quadrupeds, and nearly, with the exception of a few birds, of the greater part of the more obvious portions of the animal kingdom. Fish is found in abundance on the coast, but of edibles whether animal or vegetable on land in a state of nature, there is a wonderful scarcity. In the utter absence of grass, it did not seem an easy task to introduce pasturing animals; the hog, the most thorough of cosmopolitans, however, speedily thrived, and now exists in great numbers; dogs now overrun the inhabited parts, and it appears that cattle feed and thrive upon the fern in such a manner, as to render it probable that they will multiply to a most beneficial extent. Fern every where abounds. The merchant and fishing vessels that put into the bays and harbours of New Zealand at present, have many inducements besides the convenience of its position and the excellence of its anchorage, and these inducements are every day increasing. It is off their coasts that the whalers often complete their cargo, and, in case of its failing, spars of very considerable value supply the deficiency. Tortoiseshell is pointed out by Mr.

Earle as one of the most valuable objects of merchandize. And now that cultivation is carried on to a considerable extent, supplies of sweet potatoes, Indian corn, fruit, and other vegetable products, together with fish and hogs, may be had in abundance. These are qualities which make the islands places of importance to our commerce, and as such, deserving of general attention. New Zealand has, however, other claims. The inhabitants of this country are the noblest savages that have been found to exist. In figure and form, in courage and manliness, in ingenuity and curiosity, they bear away the palm both from the Sandwich islander of Polynesia, and the Red Indian of North America. One foul stain alone degrades their character below that of the vulgar savage. The New Zealander feeds upon his kind. This is a dreadful exception to his virtues, and a horrible addition to the catalogue of his vices. It practically entails a host of evils on his race. The individual who views his like, as a butcher eyes a well-fed ox or sheep, has a motive to slaughter beyond the natural ferocity and cruelty of man. In the struggle between the killed and killer, is created a ravenous lust for slaughter; the passion of revenge is carried beyond the outpouring of blood and the infliction of death; quarter becomes unknown—mercy takes wing—for the prisoner is a prey as well as a prize. Cannibalism has another effect, as has been observed in New Zealand. Life falls in value—the taking of human life, viewed in all civilized communities as an event of so much magnitude, comes to be regarded with the utmost indifference—it is taken when the master is either angry or hungry—so that life, the dearest property a man is born to enjoy, is depreciated in his hands to a possession held almost in contempt.

The vices of the New Zealand character are closely connected with this melancholy habit. The massacres of ships crews have sometimes, in all probability, been as much induced by appetite, as by injury and insult. The cruelty used towards their slaves, or rather the draconism of their slave laws, has the same source; the slightest offence is visited with the deprivation of life—a stroke of the eternal hatchet settles the matter—the oven is prepared, and the crime of the servant furnishes forth a feast for the master. The prisoner, in like manner, is devoured on the field of battle, with the exception of a few of the more epicurean morsels, which are saved for favourites at home, or the heads of chiefs, which are preserved by a process peculiar to this people, and which seems to be even more artful than the embalmment of the Egyptians. The grand distinction of the New Zealander's character—his love of war—may arise from the

same source. 'Talk to him,' said a native New Zealander, 'of work, and he grows sleepy; but speak of war, and he opens his eyes as wide as a tea-cup.' The New Zealander's passion for war, and the extent of its indulgence, is unrivalled in any part of the world. A temple of Janus in New Zealand would never be closed for a moment; war seems the natural state, peace an unnatural and contemptible repose. The only manner in which it is understood one man can excel another, is in the art of destruction. It is the sole object of education—the sole success—the sole triumph. Perhaps the reason at the bottom of this extravagant passion is, that more appetites than one are gratified by the result of strife. A field of battle is a Smithfield as well as a Waterloo.

The virtues of the New Zealander have a connexion with his vices. He is thoroughly brave, active, generous, confiding; he is unwearied in obliging, he is faithful and laborious. Unlike all other savages, the New Zealander is industrious. Possessed of a muscular frame admirably adapted for energetic exertion, the New Zealander engages in the most laborious pursuits with perseverance and industry. No men make better sailors—no men work the pumps of a leaky vessel with more enduring vigour—no men are so useful in the dock-yard or the forge; and such is their delight at being admitted to view the fabrication of any thing useful, that they will ply the hammer or the bellows, carry burthens or undertake any task, in order to be admitted to the arcana of a workshop. At this moment, the pride of a New Zealand chieftain is to have a connexion with the Europeans; and if he may have a dock-yard, or an oar and plank manufactory on his domains, he is gratified in the highest degree, and will venture life and limb in their preservation.

The way to civilization is through wants. No other savage has ever wanted anything from civilized man but finery, liquor, or some of the most obvious tools; but the New Zealander wants precisely those things which an Englishman would want had he not been born to them. Mr. Babbage himself does not take more interest in the manufactures of Birmingham, than did Atoi the New Zealander; and in his native land the outcry is for the useful iron in all its shapes, and above all for the musquet and its soul—gunpowder. The passion for war formerly so dangerous to the European visitor, now lays the New Zealander at his feet. The White Man's ships, are the purveyors of the sinews of war—not money but musquets—and the reigning passion for the instruments of death forbids the New Zealander to molest, or even to revenge himself upon, the source of his supplies.

It is well understood among the South Sea Whalers and others who have occasion to harbour in New Zealand, that there is no currency there but powder and shot. And it is extraordinary, that the great supply of the very means of destruction, has in part put a stop to destruction itself, and may possibly prove the instrument of extensive civilization. As long as the only weapon of offence which the New Zealander possessed, was the club he had carved and carried in his hand, so long did a battle assume the aspect of a field of Troy; every man singled out his enemy, and proceeded to the indulgence of his deadliest feelings of vengeance. But now, and we are indebted to Mr. Earle for the information, they begin to count musquets, and owing to the enumeration being pretty nearly equal, did it occur in the year 1827, for the first time since New Zealand existed, that a series of bloody campaigns was stopped *in limine*, by a council or congress of hostile chiefs. The tendency of modern warfare by means of the musquet, is to pit mass against mass, and to destroy the personality of a battle. This effect among the quick-witted New Zealanders has been rapidly spread. In one of their late *mêlées*, a powerful chieftain named Shulitea was killed; it was expected that his death would be as usual the signal for universal warfare; but the musquets were counted, and thousand told against thousand; the thing ended, as in European affairs, in long speeches, for no parliamentary man could hope to excel a New Zealander, either in the extent or the vehemence of his oratory. In point of audience, the New Zealander carries it by an immense advantage, for neither cheers, nor coughs, nor scrapes, are known in this primitive land. In this congress of chieftains, the race of diplomatists made its first appearance at the Antipodes; and though we are here intolerant enough of Talleyrands and Metternichs, it is a good thing to hear that by the very force of musquetry, our savage friends have been drawn to protocols instead of gunpowder. By some remarkable accident or other, bayonets do not seem to have been imported into New Zealand; the Brummagem articles which have been sent out, were probably destitute of that appendage or moveable affixation, as Sir Charles Wetherell would call it, and lucky it is that things so happened. The bayonet gives point to the musquet in every sense of the word. Had the merchant-men's musquets possessed bayonets, heroism would have been still encouraged in this island of *athletæ*, and the horrors of war been simply transferred from a New Zealand flint club to a Birmingham triangular steel bayonet. It is not so,—and what is most delightful to think of, the deathly instrument which has stopped the progress of war in this savage

country, is by fortuitous circumstances in every way rendered innocuous. It has been seen, that by the accidental omission of bayonets, and by the fact that musquets tell only in a volley, the sting has been taken out of their hostile application. The next turn, however, that the ingenuity of human kind will give them, will be that of the sharp-shooter. It is not, however, every day, that a rifle has a man for its aim: in America, where the rifle is carried to the greatest possible perfection, the use of it is contemporaneous with the imbibation of the alphabet; boys go out 'a-gunning of' squirrels; when somewhat older, they try birds and bears, and when at their best, they kill the squirrel with ball without touching his skin, but simply by dexterously driving off the bark on which the animal stands, and thus produce death by concussion. But in New Zealand there is no practice; there are no animals to shoot at, save a few birds not worth the shot. The consequence is, the New Zealander is one of the worst shots in the world; he always handles a gun as if he were afraid of it, and usually discharges it before he gets it to his shoulder. Thus are the most warlike people on the face of the earth, reduced to imbecility by putting a musquet into their hands and a shot-belt over their shoulders. Surely this is an answer to the outcry that was made against Perkins's engine of death. The more expeditious and independent of human will the destruction of a given body of men becomes, the sooner will mankind cease to be made the victims of its power. If the annihilation of armies could be made to depend upon the pointing of a single great gun by the Emperor Nicholas or the Emperor Francis in any particular direction, whether from Schœnbrunn or the North Pole, no army in the world would stand such Imperial manœuvring; whole nations would be seen standing up as one man, protesting against being made imperial nine-pins, and warfare would cease to be a royal game. In the present imperfect state of warfare, however, individual feelings of courage, glory, and honour, are permitted to interfere; and thus is a grand delusion kept up. Each captain, colonel, and private, is made to believe that the affair is a personal one—that it is his own fame that is at stake—and that, if he should fail to expose life and limb daily, all would be lost. The farce is kept up by rank, by orders, by crosses and medals, by praise, least of all by money, for it is the scarcest at the fountains of honour. Be this as it may, musquets are the current coin of the New Zealander. As is well known to every merchant or whaler trading in its seas, a musquet is worth five score of hogs according to the rate of prices in those parts, and five score in New Zealand means one hundred and

ten, for this singular people use an undecimal arithmetic. This being the price of a gun, it may readily be supposed that there is no want of supply; hogs are bred, and sweet potatoes sown, with this sole view; there is no self-denial a New Zealander will not practise, no privation he will not bear, in order to become possessed of this grand object of his existence. The consequence is, that there are many thousand stand of arms in this savage land. Hitherto the country has been in a state of perpetual confusion; the intervals of repose seem to have occurred solely for the purpose of cultivating some merchantable article which they may exchange with the vessels for arms. It is this very desire for weapons of offence, which has caused the grand reformation in their conduct towards Europeans; before they established a trade, they were too ready to take umbrage at what was often unintentional slight. Now it is almost impossible to offend them: the white man is so necessary to the principal chiefs, and his value now so generally understood, that in few civilized countries is the visitor less in danger, unless indeed he becomes involved in some of the native broils. Mr. Earle seems to have been in some danger in this way more than once; but he ran less risk than he would have done perhaps in any other field of war. He was sedulously protected by a chieftain near whom he took up his abode, and several others were anxious to have the honour of being his guardians.

Mr. Earle's adventures form the best materials for studying the New Zealander. Having been taken off the nearly desert isle of Tristan d'Acunha by a vessel bound to Van Diemen's Land, he was glad to accompany it, though in a direction different from that he had designed to pursue. When in Van Diemen's Land, his curiosity and activity first led him to New South Wales, and thence to New Zealand. Having persuaded a friend to accompany him, he embarked at Sydney the 20th October 1827 on board the brig Governor Macquarie, Captain Kent. On the ninth day New Zealand was in sight. The northern part of the island was approached on the western side, opposite a river seen only by Captain Cook, and of which very little was known till lately, when it was visited twice by the Rev. Mr. Marsden, and also by Captain Dillon during his search after the remains of Perouse. It has been called Shukeanga, but Mr. Earle names it E. O. Ke Anga, an apparent difference reconcileable by the fact that the natives prefix to all words beginning with two vowels, the sound *sh*. It is only some twelve or fourteen years since the bar to the harbour formed by the mouth of the E. O. Ke Anga was first crossed by a small vessel attendant on the store-ships the Dromedary and Coromandel.

Soundings were taken and buoys laid down ; but the commanders of these vessels did not venture in. The commander of the *Dromedary* was Captain Cruise, to whom we are indebted for a book on New Zealand ; in a review of which, only a few years ago, the *Quarterly Review* took pains to prove, in despite of the most incontrovertible evidence, that cannibalism did not and never had existed in this country. The bar to which we have alluded, and which prevents this bay from being one of the finest in the world, was however crossed during Mr. Earle's residence there by two large vessels, which recrossed heavily laden ; one, the *Harmony of London*, of four hundred tons burthen, the other the *Elizabeth of Sydney* of nearly equal tonnage. Yet to show the treacherous nature of these bars, it may be mentioned that a few months afterwards two schooners of exceedingly light draught were lost, though they were both commanded by men who perfectly well knew the channel through the bar. Both vessels had been built in New Zealand ; one, the *Herald*, a small and beautiful craft, by the church missionaries.

'The morning of the 30th was foggy and unfavourable, but it suddenly cleared up, and exhibited the entrance of E. O. Ke Anga right before us ; and a light breeze came to our aid to carry us in. The entrance to this river is very remarkable, and can never be mistaken by mariners. On the north side, for many miles, are hills of sand, white, bleak, and barren, ending abruptly at the entrance of the river, which is about a quarter of a mile across. Where the south head rises abrupt, craggy, and black, the land all around is covered with verdure ; thus at the first glimpse of these heads from the sea, one is white, the other black.'

'The only difficulty attending the entrance (and indeed the only thing which prevents E. O. Ke Anga from being one of the finest harbours in the world), is the bar. This lies two miles from the mouth of the river, its head enveloped in breakers and foam, bidding defiance and threatening destruction to all large ships which may attempt the passage. However, we fortunately slipped over its sandy sides undamaged, in three fathom water.'

'After crossing the bar, no other obstacle lay in our way ; and floating gradually into a beautiful river, we soon lost sight of the sea, and were sailing up a spacious sheet of water, which became considerably wider after entering it ; while majestic hills rose on each side, covered with verdure to their very summits. Looking up the river, we beheld various headlands stretching into the water, and gradually contracting its width, till they became fainter and fainter in the distance, and all was lost in the azure of the horizon. The excitement occasioned by contemplating these beautiful scenes was soon interrupted by the hurried approach of canoes, and the extraordinary noises made by the natives who were in them.'

'As the arrival of a ship is always a profitable occurrence, great exertions are made to be first on board. There were several canoes pulling towards us, and from them a number of muskets were fired, a compliment we returned with our swivels; one of the canoes soon came alongside, and an old chief came on board, who rubbed noses with Captain Kent, whom he recognised as an old acquaintance; he then went round and shook hands with all the strangers, after which he squatted himself down upon the deck, seeming very much to enjoy the triumph of being the first on board. But others very soon coming up with us, our decks were crowded with them, some boarding us at the gang-way, others climbing up the chains and bows, and finding entrances where they could. All were in perfect good humour, and pleasure beamed in all their countenances.'

'I had heard a great deal respecting the splendid race of men I was going to visit, and the few specimens I had occasionally met with at Sydney so much pleased me, that I was extremely anxious to see a number of them together, to judge whether (as a nation) they were finer in their proportions than the English, or whether it was mere accident that brought some of the tallest and finest proportioned men before me.'

'I examined these savages, as they crowded round our decks, with the critical eye of an artist; they were generally taller and larger men than ourselves; those of middle height were broad-chested and muscular, and their limbs as sinewy as though they had been occupied all their lives in laborious employments. Their colour is lighter than that of the American Indian, their features small and regular, their hair is in a profusion of beautiful curls: whereas that of the Indian is strait and lank. The disposition of the New Zealander appears to be full of fun and gaiety, while the Indian is dull, shy, and suspicious.'

—p. 5.

Each of these savages was armed with a good musquet, and most of them had a cartridge-box buckled round their waists, filled with ball cartridges, and those who had fired their pieces from the canoes carefully cleaned the pans, covered the locks over with a piece of dry rag, and put them into a secure place in the canoes. Indeed musquets are too much an object of reverential respect to be useful to them; they were at first inclined to worship them as gods, and familiarity has not yet bred any want of reverence; they are perpetually taking them to pieces and cleaning them, so that screws soon become loose, and the spring of the lock relaxed; they then say the gun is sick, and tease every European they approach to cure it, imagining that every white man is necessarily a gunsmith, just as in Persia it is taken for granted that every Frank is a doctor.

'As we sailed up the river very slowly, the throng of savages increased to such a degree, that we could scarcely move, and to add to our confusion, they gave us "a dance of welcome," standing on one

spot, and stamping so furiously, that I really feared they would have stove in the decks, which our lady passengers were obliged to leave, as when the dance began, each man proceeded to strip himself naked, a custom indispensable among themselves.'

'We came to an anchor off a native village called Parkuneigh, where two chiefs of consequence came on board, who soon cleared our decks of a considerable number. We paid great attention to these chiefs, admitting them into the cabin, &c., and it had the effect of lessening the noise, and bringing about some kind of order amongst those who still continued on deck. The names of these chiefs were Moortara, and A Kaeigh, and they were the heads of the village opposite to which we had anchored. They were well known to our captain, who spoke their language. They were accustomed to the society of Europeans, also to transact business with them; and as they were flax, timber, and hog merchants, they and the captain talked over the state of the markets during the evening. They were clothed in mats, called Kaka-hoos. The ladies joined our party at supper, and we spent a very cheerful time with our savage visitors, who both behaved in as polite and respectful a manner as the best educated gentlemen could have done; their pleasing manners so ingratiated them into the good opinion of the ladies, that they all declared, "they would be really very handsome men if their faces were not tattooed."—p. 11.

The first stroll Mr. Earle took on shore, he came across an object that forcibly reminded him, in spite of other objects of a contrary tendency, of the state of civilization in the country he came to visit. He stumbled upon the remains of a human being that had been roasted, and a number of hogs and dogs were snarling round it and feasting upon it. On the night of the arrival of the vessel, a chief had set one of his kookies or slaves to watch a piece of ground planted with the kumera, or sweet potato, in order to prevent the hogs from committing depredations upon it. The poor lad delighted with the appearance of the ship sailing into the harbour, was more intent upon observing her come to an anchor than upon guarding his property, and suffered the hogs to ramble into the plantation, where they soon made dreadful havock. In the midst of this trespass the master arrived. The result was according to the manners of New Zealand; he instantly killed the unfortunate boy with a blow on the head with his stone hatchet, then ordered a fire to be made and the body to be dragged to it, when it was roasted and consumed. On the return to the vessel, the ladies, passengers on board the *Macquarie*, were carried on the shoulders of the natives over the mud to the boat. One of the gallant carriers was the murderer of the boy: the females however had not been made acquainted with the transaction, and Mr. Earle remarks it would have been difficult to make them believe that such a noble-look-

ing and good-natured fellow had so lately imbrued his hands in the blood of a fellow creature. The contrast presented in the manners and appearance of the same person at different times is most remarkable. While unexcited the New Zealander is gay, good-humoured, gentle and even tender in his little attentions; but the instant he is roused, a demon seems to take possession of his frame, and the traits of his quieter state are no longer recognizable. The habit of drinking has no share in producing this excitement; for they alone of savage tribes have refused to submit to the degrading power of liquor. They have the utmost aversion to every kind of 'wine or strong drink,' and very often take the Europeans to task for indulging in a propensity to them so extraordinary. 'Why will you make yourselves mad' they ask. It must be somewhat humiliating to be tutored by a New Zealander on a point of morals.

On this occasion Mr. Earle remarks that there was scarcely any thieving practised by the crowds of savages that visited the brig in harbour. This is another grand change worked on the natives by a keen sense of their own interests. They have seen, says Mr. Earle, the detestation that theft is held in by Europeans, and the injury it does to trade, and have in consequence nearly left it off. None, he adds, but the meanest slave will now practise it, and they do so at the risk of their lives, for if caught in the fact, or the charge is proved against them, their heads are cut off, or broken.

On November 3, a party visited a village called Par or Fort Finneigh, lying round the base of a conical hill about three hundred feet high, with a fortification on the top. It will be interesting to describe the aspect of the country as seen from hence. The view is by no means savage.

'To the right of this swamp is a beautiful valley, in a very high state of cultivation. At the time I stood viewing it from the hill, I was charmed with the scene of industry and bustle it presented; all the inhabitants of the village having gone forth to plant their potatoes, kumeras, and Indian corn. In the rear, and forming a fine bold background, is an immense chain of high and rugged hills, covered to their summits with thick forests, and forming, as it were, a natural barrier and protection to this smiling and fruitful valley, while from their wooded sides issue innumerable small streams of clear water, which, meeting at the base, form beautiful rivulets, and after meandering through the valley, and serving all the purposes of irrigation, they empty themselves into the E. O. Ke'Anga river.'

'Standing on the spot from which I have described the above prospect, I felt fully convinced of the frugality and industry of these savages. The regularity of their plantations, and the order with

which they carry on their various works, differ greatly from most of their brethren in the South Seas, as here the chiefs and their families set the example of labour; and when that is the case, none can refuse to toil. Round the village of Par Kuncigh, at one glance is to be seen above 200 acres of cultivated land, and that not slightly turned up, but well worked and cleared; and when the badness of their tools is considered, together with their limited knowledge of agriculture, their persevering industry I look upon as truly astonishing.—p. 17.

Painting and sculpture are both arts greatly admired by this people. Every house of consequence is ornamented and embellished, and their canoes have the most minute and elaborate workmanship bestowed upon them. Their food is always eaten out of little baskets rudely woven of green flax (*Phormium tenax*) which grows in great abundance in the island; and as they generally leave some for the next meal, they hang their baskets on sticks or props, till they are ready to eat again. Thus a village presents a very singular appearance, as it is stuck full of sticks, with various kinds of baskets hanging from them.

The passengers on board the brig which carried Mr. Earle to New Zealand were chiefly a party of Wesleyan missionaries whose intention it was to settle an establishment in an island. They fixed upon a spot some miles up the river for their residence, and here they were landed by the brig, which sailed up the river for that object. The stream was found navigable for twenty miles.

'The shores on each side this noble river are composed of hills gradually rising behind each other, most of them covered with wood to the water's edge. Not a vestige of a habitation is to be seen, and if it had not been for the occasional sight of a canoe, we might have imagined the country to be totally uninhabited. Opposite a small island, or rather sand-bank, the vessel grounded, and had to remain till the next tide floated her off. It was a curious and interesting spot, being a native par and depôt, and was entirely covered with store-houses for provisions and ammunition. The centre was so contrived that all assailants might be cut off before they could effect a landing; and we were all much gratified by the judgment and forethought displayed in this little military work. The next morning we got off, but could not proceed far as the shoals were becoming so numerous as to render the navigation dangerous. But here we beheld, with both surprise and satisfaction, a most unexpected sight; namely, a snug little colony of our own countrymen, comfortably settled and usefully employed in this savage and unexplored country. Some enterprising merchants of Port Jackson have established here a dockyard and a number of sawpits. Several vessels have been laden with timber and spars; one vessel has been built, launched, and sent to sea from this spot; and another of a hundred and fifty tons burthen, was then upon the stocks!'

' On landing at this establishment at E. O. Racky, or, as the Englishmen have called it, "Deptford," I was greatly delighted with the appearance of order, bustle, and industry it presented. Here were storehouses, dwelling-houses, and various offices for the mechanics; and every department seemed as well filled as it could have been in a civilised country. To me the most interesting circumstance was to notice the great delight of the natives, and the pleasure they seemed to take in observing the progress of the various works. All were officious to "lend a hand," and each seemed eager to be employed. This feeling corresponds with my idea of the best method of civilising a savage. Nothing can more completely show the importance of the useful arts than a dockyard. In it are practised nearly all the mechanical trades; and these present to the busy enquiring mind of a New Zealander a practical encyclopædia of knowledge. When he sees the combined exertions of the smith and carpenter create so huge a fabric as a ship, his mind is filled with wonder and delight; and when he witnesses the moulding of iron at the anvil, it excites his astonishment and emulation.'

' The people of the dockyard informed me, that although it was constantly crowded with natives, scarcely any thing had ever been stolen, and all the chiefs in the neighbourhood took so great an interest in the work, that any annoyance offered to those employed would immediately be revenged as a personal affront.'—p. 24.

At this spot, the Deptford of New Zealand, the brig remained to unload her cargo, while Mr. Earle and his friends determined to see something more of the interior. The Bay of Islands lies pretty nearly opposite to the mouth of the E. O. Ke Anga on the eastern side of the river, and thither the voyagers determined to proceed across the country. They first reached the head of the river in a canoe, and then started on foot. Some miles further up the river they came to another English settlement. This consisted of a party of men who had come out in the *Rosanna*, a vessel employed by the New Zealand Company, and when all idea of settling was abandoned by the officers sent out for that purpose, these men chose rather to remain by themselves than return home, and they were found busily employed in cutting timber, sawing planks, and making oars for the Sydney market.

' As the river became narrower, the habitations of the natives were more numerous. The chief of this district (whose name is Pationi) has a splendid village very near the carpenters' establishment we have just described. He had taken these industrious men under his especial protection, and seemed very proud of having a settlement of that kind in his territories, as it gave him power and consequence among all the neighbouring chiefs, and from the trade he carried on by means of their exertions.'

' Pationi had likewise induced the Wesleyan missionaries to settle

upon his land, about a mile below; so that the head of this river assumed quite the appearance of a civilised colony.'—p. 28.

Mr. Earle was accompanied by a chief who offered his services and those of two slaves to carry the baggage, and as he was joined by several others from the English station, the party became numerous.

'We travelled through a wood so thick that the light of heaven could not penetrate the trees that composed it. They were so large, and so close together, that in many places we had some difficulty to squeeze ourselves through them. To add to our perplexities, innumerable streams intersected this forest, which always brought us Europeans to a complete stand-still. The only bridges which the natives ever think of making are formed by cutting down a tree, and letting it fall across; and over these our bare-legged attendants, loaded as they were, scrambled with all the agility of cats or monkeys; but it was not so with us: for several times they seated one of us on the top of their load, and carried him over. The chief, who accompanied us, made it his particular business to see me safe through every difficulty, and many times he carried me himself over such places as I dared scarcely venture to look down upon.'—p. 29.

The first night of their pedestrian tour was spent at a village belonging to the chief Patoni and occupied by his son. The manner in which it was passed appears to have been more agreeable to Mr. Earle's feelings as an artist than as a man.

'Here we saw the son of Patoni, accompanied by thirty or forty young savages, sitting or lying all around us. All were exceedingly handsome, notwithstanding the wildness of their appearance and the ferocity of their looks. Let the reader picture to himself this savage group, handling every thing they saw, each one armed with a musket, loaded with ball, a cartouch-box buckled round his waist, and a stone patoo-patoo, or hatchet, in his hand, while human bones were hung round each neck by way of ornament; let the scene and situation be taken into consideration, and he will acknowledge it was calculated to make the young traveller wish himself safe at home: but, when I suspected, I wronged them; for after admiring every thing we had brought with us, (more especially our fowling pieces, which were very beautiful ones,) they begged a little tobacco, then retired to a distance from the hut which had been prepared for our reception, and left us to take our supper uninterrupted; after which they placed all our baggage in the hut, that we might be assured of its safety.'

'It proved a rainy, miserable night; and we were a large party, crowded into a small smoky hut, with a fire lighted in the middle; as, after our supper, the natives, in order to have as much of our company as possible, crowded in till it was literally crammed. However annoying this might be, still I was recompensed by the novelty and picturesque appearance of the scene. *Salvator Rosa* could not have

conceived a finer study of the horrible. A dozen men, of the largest and most athletic forms, their cakahoos (or mat-dresses) laid aside, and their huge limbs exposed to the red glare of the fire; their faces rendered hideous by being tattooed all over, showing by the fire-light quite a bright blue; their eyes, which are remarkable for their fierce expression, all fixed upon us, but with a look of good temper, commingled with intense curiosity. All my fears had by this time subsided, and being master of myself, I had leisure to study and enjoy the scene; we smoked a social pipe with them (for they are all immoderately fond of tobacco), and then I stretched myself down to sleep amidst all their chattering and smoke.'

'But all my attempts at slumber were fruitless. I underwent a simultaneous attack of vermin of all descriptions; fleas, musketoes, and sand-flies, which, besides their depredations on my person, made such a buzzing noise, that even the chattering of the natives could not drown it, or the smoke from the fire or pipes drive them away.'—p. 33.

The next day from an eminence the travellers beheld the Bay of Islands, and at sunset they arrived at the head of Kiddy-Kiddy river, which empties itself into the bay. Here there is a missionary establishment which presented an extraordinary contrast to the wild country in its neighbourhood by its appearance of comfort and cultivation.

'Occasionally we met groups of naked men, trotting along under immense loads, and screaming their barbarous songs of recognition; sometimes we beheld an uncouthly carved figure, daubed over with red ochre, and fixed in the ground, to give notice that one side of the road was tabooed. An extraordinary contrast was now presented to our view, for we came suddenly in front of a complete little English village. Wreaths of white smoke were rising from the chimneys, of neat weather-boarded houses. The glazed windows reflected the brilliant glow from the rays of the setting sun, while herds of fat cattle were winding down the hills, lowing as they leisurely bent their steps towards the farm-yard. It is impossible for me to describe what I felt on contemplating a scene so similar to those I had left behind me.'—p. 38.

In the morning, two vessels were found to be in the harbour; the one a London whaler, and the other an East India Company's ship, which had just returned from cruising in search of the wreck of La Perouse's vessel.

'The Bay of Islands is surrounded by lofty and picturesque hills, and is secured from all winds. It is full of lovely coves, and a safe anchorage is to be found nearly all over it; added to this, a number of navigable rivers are for ever emptying themselves into the Bay, which is spotted with innumerable romantic islands all covered with perpetual verdure.'—p. 41.

Here Mr. Earle found that a friend, the captain of an English

whaler, had taken up his residence, and here he determined himself to stay until the *Macquarie* had completed an extensive voyage on which she was originally bound, and returned to the Island. He consequently went back by the same route he had come, in order to make his arrangements for a permanent removal. When the chiefs on that side understood his intention, he had great difficulty in prevailing upon them to let him leave them. They were all eager for his presence, and would have been proud to retain a white man under their protection. 'Is not our country as good as theirs?' they exclaimed: 'are you not as safe amongst us? are we not as willing and as capable of protecting you as Shulitea?' Their importunities were only to be overcome by pleading the residence of a white friend at the Bay of Islands, who was building a house for him. This argument was understood and yielded to, but with reluctance.

The second time Mr. Earle crossed the island, in order to take up his abode with his friend, he returned on foot accompanied only by a boy to carry his baggage, and expresses himself as proceeding with a full sense of security. The appearance of the country indicates strongly that agriculture is making rapid progress.

'At mid-day we arrived at what in New Zealand is considered a town of great size and importance, called Ty-a-my. It is situated on the sides of a beautiful hill, the top surmounted by a par, in the midst of a lonely and extensive plain, covered with plantations of Indian corn, camera, and potatoes. This is the principal inland settlement, and, in point of quiet beauty and fertility, it equalled any place I had ever seen in the various countries I have visited. Its situation brought forcibly to my remembrance the scenery around Canterbury.'

'We found the village totally deserted, all the inhabitants being employed in their various plantations; they shouted to us as we passed, thus bidding us welcome, but did not leave their occupations to receive us. To view the cultivated parts of this country from an eminence, a person might easily imagine himself in a civilised land; for miles around the village of Ty-a-my nothing but beautiful green fields present themselves to the eye. The exact rows in which they plant their Indian corn would do credit to a first-rate English farmer, and the way in which they prepare the soil is admirable. The greatest deficiency which I observed in the country around me was the total absence of fences; and this defect occasions the natives a great deal of trouble, which might very easily be avoided. Hogs are the principal part of their wealth, with which, at all times, they can traffic with vessels touching at their ports. These animals, consequently, are of the utmost importance to them; but during the growth of their crops, the constant watching the hogs require to keep them out of the plantations, consumes more time than would effectually fence in their whole country; but I have no doubt, as they already begin to follow our

advice and adopt our plans, they will soon see the utility of fencing in their land. I have at various times held many conversations with different chiefs on this subject, all of whom have acknowledged the propriety of so doing.'—p. 84.

The natives are in the habit of fencing round their houses and gardens with very neat palings, so that if they have not already protected their fields, it is from no want of skill. They quickly acquire the carpenter's art, and that of the sculptor in wood seems indigenous among them. Their carvings on canoes, on 'tabooed' buildings, and in images, are in the highest degree curious and elaborate, Shungie the great warrior, who visited George IV and to whom George IV presented a coat of mail and a doublebarrelled gun, succeeded in stocking one of his musquets in a very elegant manner. There must however be various shrubs in this fertile country which would serve for natural hedges, and an example or two on the part of the missionaries would be quickly followed. The readiness with which the natives adopt both disagreeable and laborious occupations under the motives of gain, that is to say, take to pursuits of honest industry, is highly encouraging to those who hope for the conversion of these turbulent savages into peaceful citizens.

'While we lay here, the ship "Harmony," of London, Captain Middleton, arrived from Sydney for a cargo of spars. So large a vessel entering the port put the whole district into commotion; and when the chiefs understood the nature of her wants, and had seen the fine double-barrelled guns and store of powder to be given as payment for the wished-for freight, they hastened to the woods, and the axe was soon laid to the roots of the trees. I saw them pursuing their laborious employ with alacrity. In a few days a sufficient number of fine logs came floating down the river to load the ship, and they were all cleared in a workmanlike manner, ready to stow away. The chief things to induce these people to work are fire-arms and powder: these are two stimulants to their industry which never fail.'—p. 77.

If, observes Mr. Earle in another part of his work, 'our government should determine to colonize any part of New Zealand, they would find the natives hardy and willing assistants and very different from the natives of New Holland.' The idea of a settlement on the coasts has already been the subject of discussion, and it has been understood, on the authority, we believe, chiefly of the Missionaries, that the natives would be jealous of and hostile to any such attempt. Mr. Earle's testimony, however, goes in direct contradiction of this opinion. The truth seems to be, that the chiefs of the neighbourhood would consider such an establishment as a great distinction, and would readily cede both land and labour, to forward such a

project. Be this as it may, the time is arrived for the appointment of a commercial agent of the government at the port of the Bay of Islands: the advantages derivable by our vessels who find it convenient to put in there would be enormous, and by acting as a controller and censurer of the somewhat lawless crews of the whalers and other vessels touching there, he might obviate many misunderstandings which now arise, and appease quarrels which might even still be attended with serious results*. On this important subject, we will once more quote the report of Mr. Earle.

'Two South Sea whalers were at this time lying in the bay: the "Anne," from London, a full ship; and the "Lynx," from Sydney. Since I have been living here, five vessels of this description have visited us; and many others would have touched here but for the want of proper regulations, and a dread of the dispositions of the natives. There being here no representative of the British Government, the crews of whalers are often involved in disputes with the natives. This want of Government support has also frightened other vessels away; their commanders preferring going on to Port Jackson, where they half ruin themselves by the unavoidable expenses they incur. Even when their vessels have anchored here, the thoughtlessness and eccentricity of this class of men, when they are under no restraint or control, has sometimes not only led to disputes with the natives, but with each other, which eventually have proved equally detrimental. In short, New Zealand is a place of such vast importance to so many lucrative branches of British trade, that it must be well worthy the speedy attention of our Government at home.'

'We spoke frequently to our friend George, as well as to several other of their powerful chiefs, respecting the erection of a small fort with a British garrison, and of permanently hoisting the English flag. They always expressed the utmost delight at the idea; and, from all I have seen of them, I feel convinced it would prove a most politic measure. George (who had visited Port Jackson) said, "This country is finer than Port Jackson; yet the English go and settle there. Our people are much better than the black natives of New South Wales; and yet you English live amongst them in preference to us."

'The ship "Anne," Captain Gray, was out three years, and during that period she never entered a civilised port. She had touched twice at this bay, and had cruized four months on the coast of Japan, off Timor, through the Sandwich and Friendly Islands, and passed several times over the Pacific Ocean, in order to obtain a cargo of sperm oil, which she at length accomplished; and was at this time here to refit for her voyage home to England round Cape Horn, having picked up most of her cargo off this port.'

'For twelve years past, notwithstanding all the disadvantages, this has been the favourite resort for ships in the above-mentioned trade.

* Since this was written, a resident has been sent to the Bay of Islands.

Here, surrounded with savages and cannibals, they heave down their vessels, land the cargoes and stores, and carry on work, both on board and on shore, in tolerable security. The safety of the harbour, the facility of wooding and watering, the supplies of pigs and potatoes, tempt them to run the risk of placing themselves in the power of capricious and barbarous people.—p. 199.

Mr. Earle's testimony on the subject of cannibalism is scattered over many parts of his volume. It may, however, be due to the doubts that have been entertained on the subject, to quote at least one of the incidents which establish the fact. It is a gloomy and horrible narrative.

'One morning, about eleven o'clock, after I had just returned from a long walk, Captain Duke informed me he had heard, from very good authority, (though the natives wished it to be kept a profound secret,) that in the adjoining village a female slave, named Matowe, had been put to death, and that the people were at that very time preparing her flesh for cooking. At the same time he reminded me of a circumstance which had taken place the evening before. Atoi had been paying us a visit, and, when going away, he recognised a girl whom he said was a slave that had run away from him; he immediately seized hold of her, and gave her in charge to some of his people. The girl had been employed in carrying wood for us; Atoi's laying claim to her had caused us no alarm for her life, and we had thought no more on the subject; but now, to my surprise and horror, I heard this poor girl was the victim they were preparing for the oven! Captain Duke and myself were resolved to witness this dreadful scene. We therefore kept our information as secret as possible, well knowing that if we had manifested our wishes they would have denied the whole affair. We set out, taking a circuitous route towards the village; and, being well acquainted with the road, we came upon them suddenly, and found them in the midst of their abominable ceremonies.'

'On a spot of rising ground, just outside the village, we saw a man preparing a native oven, which is done in the following simple manner:—A hole is made in the ground, and hot stones are put within it, and then all is covered up close. As we approached, we saw evident signs of the murder which had been perpetrated; bloody mats were strewed around, and a boy was standing by them actually laughing: he put his finger to his head, and then pointed towards a bush. I approached the bush, and there discovered a human head. My feelings of horror may be imagined as I recognized the features of the unfortunate girl I had seen forced from our village the preceding evening!'

'We ran towards the fire, and there stood a man occupied in a way few would wish to see. He was preparing the four quarters of a human body for a feast; the large bones, having been taken out, were thrown aside, and the flesh being compressed, he was in the act of forcing it into the oven. While we stood transfixed by this terrible sight, a large dog, which lay before the fire, rose up, seized the bloody head, and walked off with it into the bushes; no doubt to hide it there for another meal!'

The man completed his task with the most perfect composure, telling us, at the same time, that the repast would not be ready for some hours !'

'Here stood Captain Duke and myself, both witnesses of a scene which many travellers have related, and their relations have invariably been treated with contempt; indeed, the veracity of those who had the temerity to relate such incredible events has been every where questioned. In this instance it was no warrior's flesh to be eaten; there was no enemy's blood to drink, in order to infuriate them. 'They had no revenge to gratify; no plea could they make of their passions having been roused by battle, nor the excuse that they eat their enemies to perfect their triumph. This was an action of unjustifiable cannibalism. Atoi, the chief, who had given orders for this cruel feast, had only the night before sold us four pigs for a few pounds of powder; so he had not even the excuse of want of food. After Captain Duke and myself had consulted with each other, we walked into the village, determining to charge Atoi with his brutality.'

'Atoi received us in his usual manner; and his handsome open countenance could not be imagined to belong to so savage a monster as he had proved himself to be. I shuddered at beholding the unusual quantity of potatoes his slaves were preparing to eat with this infernal banquet. We talked coolly with him on the subject; for as we could not prevent what had taken place, we were resolved to learn (if possible) the whole particulars. Atoi at first tried to make us believe he knew nothing about it, and that it was only a meal for his slaves; but we had ascertained it was for himself and his favourite companions. After various endeavours to conceal the fact, Atoi frankly owned that he was only waiting till the cooking was completed to partake of it. He added, that, knowing the horror we Europeans held these feasts in, the natives were always most anxious to conceal them from us, and he was very angry that it had come to our knowledge; but, as he had acknowledged the fact, he had no objection to talk about it. He told us that human flesh required a greater number of hours to cook than any other; that if not done enough, it was very tough, but when sufficiently cooked it was as tender as paper. He held in his hand a piece of paper, which he tore in illustration of his remark. He said the flesh then preparing would not be ready till next morning; but one of his sisters whispered in my ear that her brother was deceiving us, as they intended feasting at sunset.'

'We enquired why and how he had murdered the poor girl. He replied, that running away from him to her own relations was her only crime. He then took us outside his village, and showed us the post to which she had been tied, and laughed to think how he had cheated her:—"For," said he, "I told her I only intended to give her a flogging; but I fired, and shot her through the heart!" My blood ran cold at this relation, and I looked with feelings of horror at the savage while he related it. Shall I be credited when I again affirm, that he was not only a handsome young man; but mild and gentle in his demeanour? He was a man we had admitted to our table, and was a general favourite with us all; and the poor victim to his bloody cruelty was a pretty girl of about sixteen years of age!'

'While listening to this frightful detail, we felt sick almost to fainting. We left Atoi, and again strolled towards the spot where this disgusting mess was cooking. Not a native was now near it: a hot fetid steam kept occasionally bursting from the smothered mass; and the same dog we had seen with the head, now crept from beneath the bushes, and sneaked towards the village: to add to the gloominess of the whole, a large hawk rose heavily from the very spot where the poor victim had been cut in pieces. My friend and I sat gazing on this melancholy place; it was a lowering gusty day, and the moaning of the wind through the bushes, as it swept round the hill on which we were, seemed in unison with our feelings.'

'After some time spent in contemplating the miserable scene before us, during which we gave full vent to the most passionate exclamations of disgust, we determined to spoil this intended feast: this resolution formed, we rose to execute it. I ran off to our beach, leaving Duke on guard, and, collecting all the white men I could, I informed them of what had happened, and asked them if they would assist in destroying the oven, and burying the remains of the girl: they consented, and each having provided himself with a shovel or a pickaxe, we repaired in a body to the spot. Atoi and his friends had by some means been informed of our intention, and they came out to prevent it. He used various threats to deter us, and seemed highly indignant; but as none of his followers appeared willing to come to blows, and seemed ashamed that such a transaction should have been discovered by us, we were permitted by them to do as we chose. We accordingly dug a tolerably deep grave; then we resolutely attacked the oven. On removing the earth and leaves, the shocking spectacle was presented to our view,—the four quarters of a human body half roasted. During our work clouds of steam enveloped us, and the disgust created by our task was almost overpowering. We collected all the parts we could recognise; the heart was placed separately, we supposed, as a savoury morsel for the chief himself. We placed the whole in the grave, which we filled up as well as we could, and then broke and scattered the oven.'

'By this time the natives from both villages had assembled; and a scene similar to this was never before witnessed in New Zealand. Six unarmed men, quite unprotected, (for there was not a single vessel in the harbour, nor had there been for a month,) had attacked and destroyed all the preparations of the natives for what they consider a national feast; and this was done in the presence of a great body of armed chiefs, who had assembled to partake of it. After having finished this exploit, and our passion and disgust had somewhat subsided, I could not help feeling that we had acted very imprudently in thus tempting the fury of these savages, and interfering in an affair that certainly was no concern of ours; but as no harm accrued to any of our party, it plainly shows the influence "the white men" have already obtained over them: had the offence we committed been done by any hostile tribe, hundreds of lives would have been sacrificed.'

'The next day our old friend King George paid us a long visit, and we talked over the affair very calmly. He highly disapproved of our

conduct. "In the first place," said he, "you did a foolish thing, which might have cost you your lives; and yet did not accomplish your purpose after all, as you merely succeeded in burying the flesh near the spot on which you found it. After you went away, it was again taken up, and every bit was eaten;" a fact I afterwards ascertained by examining the grave, and finding it empty. King George further said, "It was an old custom, which their fathers practised before them; and you had no right to interfere with their ceremonies. I myself," added he, "have left off eating human flesh, out of compliment to you white men; but you have no reason to expect the same compliance from all the other chiefs. What punishment have you in England for thieves and runaways?" We answered, "After trial, flogging or hanging."—"Then," he replied, "the only difference in our laws is, you flog and hang, but we shoot and eat."

'After thus reproving us, he became very communicative on the subject of cannibalism. He said, he recollected the time prior to pigs and potatoes being introduced into the island (an epoch of great importance to the New Zealanders); and stated, that he was born and reared in an inland district; and the only food they then had, consisted of fern roots and kumera; fish they never saw; and the only flesh he then partook of was human. But I will no longer dwell on this humiliating subject. Most white men who have visited the island have been sceptical on this point; I myself was, before I had "ocular proof." Consequently, I availed myself of the first opportunity to convince myself of the fact. I have reflected upon the subject, and am thoroughly satisfied that nothing will cure the natives of this dreadful propensity but the introduction of many varieties of animals, both wild and tame, and all would be sure to thrive in so mild and fine a climate.'—p. 112.

After the expiration of some six or seven months, the *Macquarie* again made her appearance. The time had passed, with some occasional exceptions such as native broils and threatenings of war between hostile tribes, pleasantly and profitably to the author. He had gratified his curiosity by visiting the neighbourhood, by studying the customs and characters of the people, and had greatly enriched his sketch-book by drawings of native dances, native assemblies, native debates, portraits and landscapes. He was about crossing the island once more to meet the brig, which had left the Bay of Islands, and had gone round to the O. E. Ke Anga river for a cargo, when an event happened that threw the whole of this part of the island into a state of horrible confusion. This was the death of Shulitea who was killed in an attempt to mediate between some hostile chiefs, who were going to war on account of the murder of another chief the head of a tribe, and the nephew of this Shulitea. It was on this occasion, that after very considerable agitation, a sort of Amphictyonic council was held, and it was decided there should be no blood shed. In the midst of this

confusion, however, Mr. Earle contrived to get himself and his baggage across the island without accident; and finally re-embarked on board the *Macquarie* and returned to Sidney, leaving, as he avers, these people with deep feelings of regret.

'On the 21st, a fair wind and smooth sea favoured our departure. Early in the morning, the natives who were on board assured us every thing would facilitate our passing over the bar with safety; and they prepared to leave the ship. When the moment of separation came, it caused a great deal of emotion on both sides. I must confess I felt much affected when I came to rub noses, shake hands, and say "Farewell" to these kind-hearted people. I saw them go over the ship's side, and reflected that I should never behold them more. There is always something repugnant to our feelings in the idea of separating from any being for ever; and as, in this instance, I felt assured that this was our last time of meeting, it cast a gloom over the pleasure the fair wind and smooth sea would otherwise have afforded me. As we fell down towards the river's mouth, and, indeed, as long as their canoes were to be seen, they kept waving their hands towards us.'

'Thus terminated my visit to the islands of New Zealand. I had arrived with feelings of fear and disgust; and was merely induced to take up a temporary residence amongst the natives, in hopes of finding something new for my pencil in their peculiar and picturesque style of life. I left them with opinions, in many respects, very favourable towards them. It is true, they are cunning and over-reaching in trade, and filthy in their persons. In regard to the former, we Europeans, I fear, set them a bad example; of the latter, they will gradually amend. Our short visit to *Ko-ro-ra-di-ka* greatly improved them in that particular. All took great pains to come as clean as possible, when they attended our "evening tea-parties." In my opinion, their sprightly, free, and independent deportment, together with their kindness and attention to strangers, compensate for many defects.'

'On looking round upon their country, an Englishman cannot fail to feel gratified, when he beholds the good already resulting to these poor savages from their intercourse with his countrymen; and they themselves are fully sensible of, and truly grateful for, every mark of kindness manifested towards them. They have stores full of the finest Indian corn, which they consider a great luxury, a food which requires little trouble in preparing, keeps well, and is very nutritious. It is but a few years since this useful grain was introduced amongst them; and I sincerely hope this introduction may be followed up, not only by our sending out to them seeds of vegetables and fruits, but by our forwarding to them every variety of quadruped which can be used for food. Abundance of the finest water-melons are daily brought alongside vessels entering their ports: these, in point of flavour, are superior to any I ever met with. I have no doubt every variety of European produce essential to the support of life would thrive equally well; and as food became abundant, and luxuries were introduced, their disgusting feasts on human flesh would soon be discontinued altogether.—p. 270.

Mr. Earle's journal of his residence in Tristan d'Acunha where he was left behind by accident, which occupies the remainder of the volume, also forms a very curious narrative, the interest of which however is of a very different description. The charm of New Zealand is in the character of its numerous natives; of Tristan d'Acunha in its utter desertion and loneliness. 'Placed far amid the melancholy main,' tenanted only by a few invalids, goats, and sea birds, it presents one of the completest inhabited solitudes on the face of the globe. The pursuits and character of Governor Glass an old private of artillery-drivers, and his comrades in this lone island, and Mr. Earle's own feelings of anxiety and hope constantly excited and as often disappointed by the passage of vessels out of reach of or inattentive to his signals, form altogether a very romantic chapter of the author's adventurous life.

ART. III.—1. *La Morale appliquée à la Politique.* Par E. Jouy, Membre de l'Institut.—Paris. 2 Tom. 8vo. 1825.

2. *Memorials of the Public Life and Character of the Right Hon. James Oswald, of Dunnikier.* Contained in a Correspondence with some of the most distinguished Men of the last Century.—Edinburgh. 8vo. 1825.

MONTAIGNE says, in his usual spirit, in an Essay upon honour and expediency, that some members of society (the ambitious in politics, and the less respected although often not less respectable agents of police), must be permitted to sacrifice conscience, as ancient heroes devoted their lives, for the public good; while less daring individuals in private life, may wisely resign the trade of treachery to the supple and the false*. He pursues this irony in a manner that proves the extent to which wrong compliances, and the sure effect of wrong compliance, evil practices, were carried by public men in his time. Upon some of the points which he discusses, the world is improved. In most civilized countries, moralists like Montaigne, have no longer cause to be 'indignant at seeing judges hold out fraudulently hopes of favour to the accused, and so trick them into confession.' If instruments can still be found for the vilest purposes,—and if the virtue of the Polish prince is not yet general, who thought the innocent should not, as executioners, put even condemned criminals to death; nevertheless hack executioners have long

* *Essais de Montaigne, lib. iii. ch. 1.*

held a hated office, and men are arrived at a thorough appreciation of the worthlessness of hack politicians. The standard of political integrity is rising, and honesty seems likely to be hereafter as constant a requisite in public life as ability. At least, new guarantees for probity in public men are more at the command of the people in an extension of the elective trust, and in the increasing publicity which must henceforward be given to state affairs; and it will be matter of deep reproach to the new electors, if the men of their choice do not discharge their duties with a degree of integrity, of which history is far from being without examples, although not hitherto sufficiently common. When Boethius became the victim of slander for faithfully resisting misrule, he vindicated his honour by attributing his assumption of office to the purest motives, and by submitting the purity of his official conduct to the strictest proof. Plato, he says, had taught him, that the honest and enlightened should come forward to serve their country, in order to put knaves aside; and that they should carry into public employment the good morals which they had learned from philosophy. He earnestly declares, that the public welfare had ever been the object of his pursuit; and that the contentions into which he had been forced, arose from the just resistance which he offered to the powerful, when they transgressed the law. The oppressor of the poor and weak, the corrupt dispenser of public treasure, the profligate minister of the crown, the misruler of the colonies, the grinding and fraudulent contractor, equally found an opposer in Boethius. To save the innocent from slander, he exposed himself to the wiles of the slanderer; and gave no countenance to party intrigues, even in order to add to his own beneficent influence*. If such a man fell under the attacks of the treacherous, and if he was compelled to seek in philosophical retirement that consolation which an unjust world refused him, the admiration which his works excited in our Saxon King Alfred, proves that his great example was not lost to mankind. The royal translator of Boethius must have profited by his precepts; and from the study of them, he doubtless derived much of that moral excellence of character, which bore him with equal honour through the extremes of adverse and prosperous events. The necessity of corruption in the management of human affairs, was not admitted by Alfred, Boethius, and Montaigne; and if the practical corruption of the last century led to the advocacy of disgraceful theories on the subject in England, a new day it may be hoped has risen.

* *Boethii de Consolatione Philosophiæ, lib. i. prosa iv.*

The old duty of parliament to check corruption in the executive departments of state, being about to be extensively revived, it may be useful to consider upon what principles these departments ought to be administered; what guarantees for their due administration exist by the antient laws of the country; and what new guarantees for that purpose the favourable circumstances of the times may invite. Such inquiries will be eminently entitled to the character of practical, under the good influence of the reform of the House of Commons which must not be allowed to become an unused instrument, and of the general call for other reforms which must not end in barren speculations. Upon this subject, the public agree in opinion with the young Earl of Chichester, 'who considered it to be his duty to support reform upon the broad basis of justice; believing it would prove the destruction of many indefensible abuses. These were,' he truly said, 'no new principles; they had existed in the earliest days of history; and however they had been debased in succeeding years, they must eventually blast a system of corruption under which the people had too long groaned. He could not but blush for his country, when he recollected the abuses which had crept into the constitution.'—[*Speech of the Earl of Chichester at the Sussex County Meeting, 4th November, 1831.*] With frank avowals of this kind from the sons of the great supporters of Mr. Pitt, who did not scruple to hold office in the face of his own confession that without a reformed parliament no English Minister could be honest, the reform of the House of Commons can scarcely fail to lead to an extensive vindication of better principles. If failure be threatened from the ennobled, the honesty of the people must make up for the deficiencies of the government or legislature; and thus the popular parts of the constitution, which have survived the barefaced corruptions of the Whig Walpole, and the not less immoral practices of his Tory successors, will prove inexhaustible means of political regeneration. Attempts have been made to deny that Mr. Pitt expressed himself to the foregoing effect; but it is plain that, before parliament could have reached the degree of baseness which has forced on the present reform, the government which bribed the parliament must have been more base than the parliament which was bribed. The employer of an assassin is ever a greater criminal than the miserable bravo employed to commit the murder. What, however, Mr. Pitt may have said, is not worth a contest. The corruption which in deed he practised, is notorious; and few persons will be found to dissent from the opinions of such corruption expressed a little coarsely in Mr. Oswald's correspondence.

‘The best man on earth, when in a certain office, is under a physical necessity of being the most immoral. A Secretary of State may be saved as a private person, but go to hell as an officer of the Crown.’—p. 235. The volume, as will be seen, is a curious exposition of the manner in which a corrupt functionary in London is combined with corrupt connexions in the remotest parts of the empire.

Mr. Oswald was a Scot, who owed his moderate elevation to other means than to his talents; and some unwise friend has here exhibited him, the cynosure of Northern eyes, in no very lofty character. Mr. Oswald is a fair instance of the official men of the last century. At the ripe age of 26, on the strength of his local interest in Scotland, he obtained a seat in Parliament, which he seems to have very early begun to turn to the usual account. Alluding to a friend to whom he was solicited to be ‘*useful*,’ he says, ‘I shall now be able to assert with confidence, if necessary, what I must otherwise have urged with the utmost diffidence.’ ‘The real merit of a case is less important, as all the world knows, than that the party should find a member of the House of Commons willing to ‘make a point of pressing it.’ In a few days after this opening, Mr. Oswald declares to his friend, upon the occasion of the Report of Sir Robert Walpole in 1742, that ‘a virtuous ministry is, and always must be, a chance,’—p. 17; and, in the same year, the young expectant of office speaks of a member of the House of Commons who had ratted, or whom ‘the state of his private affairs had forced to accept of a place,’—in the following terms; ‘You know what construction will be put upon this. But whatever may be said in the way of party—and, no doubt, as a party man, this is a wrong step—yet I can’t see that a man does wrong to his country, who being unable to serve as he ought, only accepts an office to make room for another [in parliament], when there is a moral certainty that he who succeeds will be able to act a more independent part.’—p. 28.

The way of his own speedy acceptance of office is thus told. Can any man doubt upon what manors Mr. Gaît has in his time been foraging?

‘But, as in the late hurry and transaction, I have been named to an office, you will no doubt expect, at least, that I should give some account of myself. I begin with assuring you, that I have not had the smallest share in the whole negotiation and transaction, which in some things I approve, in some disapprove; but these must be reserved for conversation But, to quit reflections, you will believe, in this situation, a place was not my ambition. In any situation, my pride would have kept me from asking it. Named I was,

by whom I can't tell; nor do I guess it to have been by any particular friend. The person who spoke to me did it with compliments (you may imagine them) for the occasion. I made no difficulty in saying I would accept along with those proposed at the same time, and the good will of the whole. Difficulties might have showed an air of importance. But the negotiation would not have stopped for my refusal, and it was as easy to go out as to come in. I hope I need not assure you that my principles (those of a real Whig) ever are, and will be, the same; my conduct never will vary.—p. 36.

With so much tenderness as is above exhibited for the seceding patriot, and with this facility in adopting and anticipating separation from his party, it is little surprising to find Mr. Oswald, with all his whiggism, rapidly settling down into a Commissioner of the Navy, a Lord of Trade and Plantations, a Lord of the Treasury, Treasurer of Ireland, and a Member of his Majesty's most Honourable Privy Council, with Tory patent offices in *esse* and *posse* to the second generation.—See *Preface*, xx. XXI.

The use made of his influence may be inferred from the following specimens of what his correspondents required from him.

'Having done you a favour, as above, I expect a return . . . The case, in short, is, I have a nephew to whom I must be a father, because his own father is dead Being not yet twenty, I choose not yet to trust him with any small stock he is entitled to. Anything, therefore, for bread for some years. . . . I suppose there may be little offices in your own Board, or in others where you have interest. If it will engage your attention, I assure you I have the thing much at heart.—Yours, most devoutly,

HENRY HOME.—p. 43.

'Our President cannot last long. Can you do anything for me to prevent repeated disgraces? . . . But I shall think it a bitter pill, to have the Advocate put over my head. Nor, at any rate, will this measure answer, for he will ruin the Court. He has neither temper nor law to do any good. I would not, however, be a burden upon your shoulders. Rather than give you much trouble, I would drop all pretensions.

HENRY HOME.—p. 49.

'My Essay on the fundamental principles of Morality shall be sent to my son George, so soon as it is writ out fair; and I shall order him to deliver you a copy, in order that you may judge for yourself, whether, in a year or two, it may not be of service to your son. In the mean time, I have ordered George to wait on you, that you may also judge whether he may not be worthy of the grant I petitioned for. You'll find him bashful, but your remarkable easiness of access is the best remedy for that disease.—Yours obsequiously,

HENRY HOME.—p. 53.

This is Lord Kames. We then find David Hume in difficulties on account of his half-pay as a deputy judge-advocate; and instead of depending on the justice of his claims, he relies on his 'interest.' He writes to Mr. Oswald—'Pray, whom does the affair now depend on? Is it the Secretary at War? who is he, and who does he belong to? If I knew his connections, I might probably be able by some means to facilitate your application.'—p. 79. Lord Elibank prefaces the request of a ship for one to whose father he 'owes obligations,' with—'Tis dangerous to oblige importunate men;—the more you comply, the more they demand;' &c. &c.; and His Lordship soon after verifies the remark, by a third request of a place for one of his family 'who has all manner of negative merit;' and who 'wants to go out to the West Indies, in any station can give him bread.'—p. 168. The Earl of Leven we find entreating the favour of information from Mr. Oswald, when a place shall fall vacant; that his *interest* with the minister may be well timed for himself, a peer of the realm—p. 178. The Earl of Findlater calls for his interest with the East-India Company to obtain the post of fourth mate for Rob Ross—p. 204. Lord Cathcart seeks his interposition for a custom-house officer found out in taking a bribe—p. 182; and Lord Eglintoune entreats him to save a smuggling merchant from the ruin of a conviction—p. 187. The Earl of Findlater again, explains something of the objects of prudent men in making connexions. 'I wish him [your son] to be acquainted with Lord Hope, who, I am sure, both you and he would like. . . . I think a connexion with my Lord Hopetoun and Lord Hope would be agreeable to you and your son. Any favour you may do them, they may possibly be able to repay in life upon an after occasion'—p. 207. The sanctity of courts of justice is not spared the working of this system. 'I ask you ten thousand pardons,' says Mr. Baron Maule of the Exchequer, 'for being so long of acknowledging the favour of yours of the 22nd October; but I delayed it till I should know my brethren's mind about the tack of the teinds. . . . However we had it upon the carpet t'other day, where I did not fail to show my inclinations to Mr. Paterson, whom you recommended to me; and I think three of us, who are his friends, will be able to get it for him even this term, if a delay is not urged upon the account of our chief's absence. This may occasion the postponing of it till next term; but he must prevail then, as I believe none of us will alter.'—p. 223.

What mocking devil can tempt men to commit such things to paper, and their friends to publish them?

From New York, Mr. Peter Blair entreats Mr. Oswald's 'influence' in his favour, to obtain an appointment under the famous Stamp Act; and such an applicant was listened to when he declared, that many of the most sensible of the colonists, and those of the greatest property, were thoroughly convinced of the necessity of complying with the law, which 'must enforce itself.' This wise and disinterested witness adds to his intelligence thus conveyed to a subaltern of the home government, that the commissioners of the different provinces, met at New York to consider of the interest of the colonies, were jealous of each other; and he supposed they would 'do very little, if any thing.'—p. 232.

These are specimens of a thick volume of letters to and from one who, in the estimation of a Scottish writer of some note, Lord Woodhouselee, 'can never be too strongly recommended as a model of a virtuous and enlightened statesman.'

The mean insolence of office is an old topic. Its falsehood is little less notorious. 'It appears,' said Lord Charles Somerset, the late governor of the Cape of Good Hope, 'that a total disregard for truth is the surest way to succeed at a Public Office.' [*Extract of a Letter from Lord C. Somerset to Lieut. Col. Bird, dated 13th March 1822. From 'Observations on the Letter addressed by Sir R. Donkin to Earl Bathurst,' By Lieutenant-Colonel Bird. Published at Cape Town, 1827.*] This is the dregs of that immorality which prevailed almost everywhere in the public law of Europe, down to the period of the sixteenth century; when there was no reliance upon the word and honour of men in power. The authority of Grotius testifies to the truth of this. He found the sentiment universally prevalent, not only among the vulgar but among men of reputed wisdom and learning, that no commonwealth could be governed without injustice. Many persons who were friends to justice in private life, made no account of it in a whole nation; and did not consider it applicable to rulers*. Sully says with the utmost coolness, of his intercourse with Lord Southampton and Lord Sidney, 'I appeared obliged to both, but gave the preference to Sidney; that is to say, the former received false news, the latter nothing farther than general intelligence of but little consequence.'—Memoirs Book XIV. Of King James, he says, 'his Majesty's dissimulation which his followers complimented in him as a virtue, had always consisted in giving hopes to all, but accomplishing none. It was his maxim.'—*ib.* And the base

* Grotius Proleg. de Jure Belli et Pacis, quoted in Chancellor Kent's Commentaries, i. 9.

Essay on simulation and dissimulation, in which Lord Bacon commends the Spanish advice. 'Tell a lie and find a truth,' has the following honest set of conclusions, 'The best temper-ature is, to have openness in fame and opinion; secrecy in habit; dissimulation in seasonable use; and a power to feign, if there be no remedy.'

M. Jouy earnestly remonstrates against official falsehood. 'Frankness,' says he, 'in a minister, is not only a virtue, it is a duty to others: the unfounded hopes and fears which he excites, are so many ruinous snares for the weak, the honourable, and the confiding: the private man who perverts truth is but a cheat; a falsifying secretary of state adds malignity to his lies.'—vol. 1. p. 130. The responsibility of all public functionaries in England, is well contrasted by M. Jouy with the slight responsibility of those of France. The French constitution, says he, punishes a minister only in case of treason or extortion;—

'Must we then consider these two offences as the only crimes which a minister can commit? Montesquieu holds every minister guilty of treason who gives despotic counsel to his king, because the extension of his power endangers his security: Montesquieu goes even further; he maintains, that every minister ought to be punished who gives bad advice to the king; the English are of the same opinion, and wisely, for every good system of law being founded on morality, whatever wounds good morals injures the system and ought to be restrained. In England, the House of Commons may impeach not only ministers, but military and naval commanders, judges, and every class of public officers whom the ministers might be inclined to screen. Such functionaries are liable to impeachment for every act they may have done contrary to the public good, and contrary to the duties of their posts. The law of England also protects and justifies those who discreetly and honourably withstand the improper commands of their superior; for the courage of a functionary has often need of such support. The result is, that the morality of English functionaries is a little more elevated than of those of the continent. Montesquieu thought that this would be seen at some time in the negociations of combined Europe; as in our day it has been seen in the eagerness with which Lords Liverpool and Castlereagh disclaimed some of the designs of the Holy Alliance. If we in France would share this somewhat higher morality, we must extend the responsibility of ministers.'—*Morale appliquee à la Politique*. vol. i. p. 154.

But M. Jouy should have gone further. Not only may the parliament impeach delinquent functionaries, but a jury may indict them even at the prosecution of any private individual; and if well-founded charges are laid before the government, the minister himself is bound to carry on the prosecution, unless special circumstances can be adduced to justify refusal.

The tenure of office is not, by law, simply dependent upon the arbitrary pleasure of the king, or upon the vague discretion of a chief minister. He who does his duty in a public employment, is as much entitled to consideration and permanence in it, as if he depended on the justice of the country in any other matter. We stand greatly in need of guarantees to this rule, but of its existence there is no doubt.

The presumption that the prerogative of the crown on this head will always be fairly and wisely exercised, is undeniably a presumption at variance with experience; and as the progress of good government has gradually narrowed the prerogative in many other respects, so in this, a judicious reform is much to be desired.

The task of supplying fit functionaries for the public service was well considered by President Jefferson. 'Of the various executive duties, no one excites more anxious concern than that of placing the interests of our fellow-citizens in the hands of honest men, with understandings sufficient for their stations. No duty, at the same time, is more difficult to fulfil. The knowledge of character possessed by a single individual is, of necessity, limited. To seek out the best through the whole Union, we must resort to other information, which, from the best of men, acting disinterestedly and with the purest motives, is sometimes incorrect.'

In reply to a case of removal complained of, the President says, 'When it is considered that, during the late administration, those who were not of a particular sect of politics were excluded from all office; when, by a steady pursuit of this measure, nearly the whole offices of the United States were monopolized by that sect; when the public sentiment at length declared itself, and burst open the doors of honour and confidence to those whose opinions they more approved, was it to be imagined that this monopoly of office was still to be continued in the hands of the minority? Does it violate their equal rights to assert some rights in the majority also? Is it political intolerance to claim a proportionate share in the direction of public affairs? If the will of the nation, manifested by their various elections, calls for an administration of the government according with the opinions of those elected; if a due participation of office is matter of right, how are vacancies to be obtained? Those by death are few; by resignation none. Can any other mode than that of removal be proposed? This is a painful office; but it is made my duty, and I meet it as such; I proceed in the operation with inquiry and deliberation, that it may injure the best men least, and effect the purposes of justice and public

utility with the least private distress; that it may be thrown, as much as possible, on delinquency, on oppression, on intolerance, on anti-revolutionary adherence to our enemies. The remonstrance laments that a change in the administration must produce a change in the subordinate officers; in other words, that it should be deemed necessary for all officers to think with their principal; but on whom does this imputation bear? On those who have excluded from office every shade of opinion which was not theirs, or on those who have been so excluded? I lament sincerely that unessential differences of opinion should ever have been deemed sufficient to interdict half the society from the rights and the blessings of self-government—to proscribe them as unworthy of every trust. It would have been to me a circumstance of great relief had I found a moderate participation of office in the hands of the minority. I would gladly have left to time and accident to raise them to their just share; but their total exclusion calls for prompt correction. I shall correct the procedure; but that done, return with joy to that state of things, when the only questions concerning a candidate shall be—Is he honest? is he capable? is he faithful to the constitution?*

It will perhaps be one of the good fruits of the various exposures made in the last few years by public men of themselves, that the people will be rescued from that master vice in politics, the principle of party. Fidelity to engagements, due consistency of thought and conduct, respect for the useful institutions of the country, and personal honour, are all sacri-

* In the spirit of these principles, Mr. Jefferson, in old age, expressed strong satisfaction at his own course on this head—a course which affords a noble contrast to the wretched nepotism practised in other countries;—‘In the trusts I have exercised through life, with powers of appointment, I can say, with truth, and with unspeakable comfort, that I never did appoint a relation to office, and that merely because I never saw the case in which some one did not offer or occur better qualified.’ And in a still more important passage on this subject, he also said, ‘I have never removed a man merely because he was a federalist; I have never wished them to give a vote at an election but according to their own wishes; but as no government could discharge its duties to the best advantage of its citizens, if its agents were in a regular course of thwarting, instead of executing, all its measures, and were employing the patronage and influence of their offices against the government and its measures, I have only requested they would be quiet, and they should be safe; that if their conscience urges them to take an active and zealous part in opposition, it ought also to urge them to retire from posts which they could not conscientiously conduct with fidelity to their trusts; and, on failure to retire, I have removed those who maintained an active and zealous opposition to the government.’—*President Jefferson’s Life*, quoted in *Howard Hinton’s America*, vol. 1. p. 332.

ficed by the true party man ; and there is not a single advantage arrived at through party views which better motives will not secure. It was a mark of the degeneracy of the times, when the sublime sentiment that an honest man is the noblest work of God, was paraphrased into the falsehood, that 'a party man' is not the meanest. Happily old parties are now so shaken to their darkest foundations, that mere connexion, will no longer be a recognised ground of co-operation. And unless the people leave the great work of the time incomplete, capacity and a desire to seek the public good must soon become the general characteristics of all who hope for public confidence and respect.

That this idea of the constitution is not mere romance, may be easily proved. So early as in the fourteenth century, a law was passed to enforce the first of the foregoing positions, namely, the statute of 12 Richard II, which prohibits the ministers of the crown from making any public officer whatever 'for gift, or brokerage, favor, or affection,' and which also disqualifies from office all who should *pursue* appointments privily or openly ; being merely a declaration of the common law. The same statute clearly determines the true constitutional rule of appointments, in the injunction to the King's ministers to select public officers 'of the best and most lawful, and sufficient men in their judgments and knowledge.' This law is justly declared by Sir Edward Coke to be worthy of being written in letters of gold, but more worthy to be put in due execution ; as in the reign of Queen Anne, it was vindicated by the conviction of Lord Macclesfield and his condemnation to pay thirty thousand pounds for a breach of its enactments. In Sir Edward Coke's time, an order in council was made against reversionary grants, for the following sound reason. 'Places' it was stated, 'closely and covertly passed, as reversions are, the persons are not for the most part so able and fitted to the duties thereof, as when there is choice out of many public pretenders, which commonly occur when the places actually fall void by death.' This order contains the germ of excellent reforms ; and the sincerity of a ministry which has declared its hostility to patronage, will be well proved, by adopting something of its spirit as the future rule for appointments in the civil service of the country. There is also preserved amongst the manuscripts in the British Museum a document, of less official weight indeed than the foregoing, but the writer of it, Sir Julius Cæsar, was a person of considerable credit. In this document, which is dated in the year 1604, the rule respecting public appointments is expressed as follows : 'Offices vacant are to be referred to the chief

officer, under whom the party to be preferred must serve; viz. the Lord Chancellor for the Chancery, the Lord Treasurer for the Exchequer, the Lord Admiral for the Admiralty, and so forth in the rest, to examine and certify the sufficiency of the suitors for the places sued for, that unfit men may not be preferred to places of service.' With respect to the Colonies, the like rule was well signified in the commission of King William III, given in 1696 to the Board which then discharged the functions of the present Colonial Secretary of State. The commissioners, of whom two were Lord Somers and Locke, were 'to consider of proper persons to be governors, or to be of the councils, or the King's counsel at law, or secretaries in the plantations, in order to present their names to the King in council.'

From these few authorities it is apparent, that official patronage, however resorted to in vicious practice, is no part of the law and constitution of England. If Johnson justly penned his definition of a patron, that he is commonly a wretch who supports with insolence, and is repaid with flattery, it remains for those who live in better times to remove from the public service of the country, all occasions for a like reproach. This may be done by the ministers of the crown conforming more and more to the antient law; especially by their personal example proving that law to be practicable under honest men, even in times of difficulty like the present. On the other hand the people will find their only safeguard against continued aggression, by opposing to ostentatious pretension that rigorous *distrust* which Demosthenes* truly calls the best defence of the many against the few.

ART. IV.—*The Music of Nature; or, An Attempt to prove that what is passionate and pleasing in the Art of Singing, Speaking, and Performing upon Musical Instruments, is derived from the Sounds of the Animated World. With curious and interesting Illustrations: By William Gardiner.*—London; Longman. Leicester; Combe and Son, Cockshaw. 1832. 8vo. pp. 530.

THIS is the common-place-book of an amateur who rejoices in the recollection of having played a violin at the Commemoration of Handel in 1784. In a musical sense it is *de omni*

* Φυλακτήριον, ὃ πᾶσι μὲν ἐστὶν ἀγαθὸν καὶ σωτήριον, μάλιστα δὲ τοῖς πλήθει πρὸς τοὺς τυράννους· τί οὖν ἐστὶ τοῦτο; ἀπιστία.—
 'A defence which is good and safe for everybody, but above all things for communities against misgovernors. And what is that?—*Trusting nobody.*'—
 Second Oration against Philip.

scibili, cum quibusdam aliis; and the intention here is to go through it in the same disorderly order as it is written, for the chance of making any remarks that may tend to promote 'the greatest happiness' in the department of sweet sounds.

And first,

'There is a marked distinction between noise and musical sound.'
—p. 12.

What the origin of the difference may be, it is useful to try to ascertain. The author has probably aimed at the right place in saying that 'noise is a confused mixture of sounds;' though that it is 'produced by the concussion of non-elastic bodies,' may require to be explained away. It is difficult to understand how any sound can be produced from non-elastic bodies. *Musical* sound is manifestly the result of equable vibrations; and in proportion as these vibrations are unmixed, is the clearness of the tone. A certain degree of prolongation is also necessary to musical effect; for if the sound is rapidly put an end to, the consciousness of its musical tone is at all events greatly diminished. Hence the probability is that unmusical sound arises principally from two causes, speedy cessation producing the effect of abruptness, and mixture. If all the keys of a pianoforte are struck at once, something is produced very much like a crash; and if the notes were increased in number and diminished in interval, and moreover the whole made abruptly to cease, it is probable that any degree of approximation to the most unmusical sound in existence, might be attained that could reasonably be desired. The use of all which, if it be true, is to establish the simplicity of nature, and pull down anything like blind astonishment at the existence of musical sounds.

Nevertheless the circumstances which affect the quality of musical sound, are often such as it is difficult to account for. The following observations will be interesting to the utilitarians in violins.

'The violins made at Cremona about the year 1660 are superior in tone to any of a later date, age seeming to dispossess them of their noisy qualities, and leaving nothing but the pure tone. If a modern violin is played by the side of one of these instruments, it will appear much the loudest of the two, but on receding 100 paces, when compared with the *Amati*, it will be scarcely heard.'

'When Barthelemon led the Opera, connoisseurs would go into the gallery to hear the effect of his Cremona violin, which at this distance predominated greatly above all the other instruments; though in the orchestra it was not perceptibly louder than any of the rest.'—p. 12.

'The violin had its origin in Italy, about the year 1600; but those

which are esteemed of the greatest value were made at a later period, about 1650, at Cremona, by the family of A. and J. Amati, and their contemporary Stradivari, of the same place. These instruments are found to be very much superior to any that have been made since that time, which acknowledged excellence is chiefly attributed to their age. The Amati is rather smaller in size than the violins of the present day, and is easily recognised by its peculiar sweetness of tone. The Stradivari is larger and louder; and is so highly esteemed, that many have been sold for the sum of two hundred guineas.—p. 205.

Since *tone* is so highly paid for, it is strange that greater efforts have not been made for its improvement. A guitar that was fitted with a tail-piece in the manner of a violin, had its tone entirely ruined; which may be supposed attributable to the weight and volume of the incumbance. When the strings were fastened to pegs at the back of the instrument, the strength of tone was greatly increased*; but there arose the inconvenience, that in consequence of the elasticity of the parts behind the bridge, the strings were never steady in tune. Possibly on the violin the advantage might be obtained without the evil, by fastening each string to a piece of hardened steel wire which should reach from the back of the instrument to near the bridge. Col. Macdonald, in his treatise cited in a former article, (No. XXXII. p. 476) has suggested the removal of the tail-piece, but has not noticed the evil which ensued.

It is remarkable that the following observations on the language of the modern Greeks, should make their appearance *viâ* America and a book on music.

'Mr. Pinkerton, in an essay on this subject, in the Memoirs of the American Academy, observes, that he had formerly adopted the very prevalent opinion, that the pronunciation of the modern Greeks was grossly corrupt; but that in the investigation of the subject, which he was led to make in consequence of conversations with individuals of the nation, he had found strong reasons for changing his opinion. He now thinks it in the highest degree probable, that the Greeks of the present day pronounce very nearly as their ancestors did, as early as the commencement of the Christian era.—*North American Review*, No. LVII.—*Music of Nature*, p. 36.

How far 'the true principles of musical taste and expression' depend on imitation, is a question which, as the

* It was observable that the tone was further improved by putting a piece of leather between the strings and the edge of the back on which they pressed. This probably acted by checking some vibration in the strings behind the bridge; as may be concluded to be the object of the strip of cloth interlaced among the strings, behind the bridge, in pianofortes.

author has admitted in his Preface, 'may excite much controversy.' The inference from a general view perhaps is, that it is partially true, and only partially; and that it is not in zeal for imitation, that the actual music is deficient. Few people have listened to much music, without being invited to the exercise of laughter, by the matter-of-fact manner in which musicians apply themselves, now to hum as flies, anon to murmur as waters, and afterwards to whisper as the evening breeze. And equally few have failed to come to the conclusion, that these were coarse and inefficient efforts,—rude practical attempts at effect, like his who brought seven fatherless children on the stage by way of forming the pathetic;—and that music is in reality something more subtle, or at all events less mechanical than this. The 'Battle of Prague' is imitative; but the 'Battle of Prague' is not of a high order of music. The earliest impressions made on children by music, are probably in a great proportion of cases received either from the warbling of nurses, or the services of the cathedral or conventicle; and it may fairly be asserted that the effect is not produced because what is heard is *like* anything in heaven or earth. That in after life there is some connexion between the sounds of music and the tones in which human beings, and perhaps other animals, express certain feelings, is also not to be denied; there is some community of source. But the community after all is only remote; and there is more danger of making too much of it, than too little. If a Swiss soldier is moved to a rapture of desertion by an imitation of a cow-horn, it is not because it is music, but because it is like a cow-horn. A miller recruit might be roused to the same feeling by the imitation of a mill-clack. All attempts at improving music by the gross imitation of material objects, have been failures; from the piping nightingale of the stage, to the idea of Napoleon's band-master of a discharge of cannon for a military *fortissimo*. The efforts of practical musicians to obtain effect by accumulation of noise, have been equally unsuccessful. It is probable that the elderly gentlemen who fell into fits at the Commemoration of Handel, would have done the same on a saluting-day at Spithead. Music is not noise but 'concord of sweet sounds,' If anybody insists on prying into the materials out of which the result is made, it may be proved that as a living Venus is made up of certain proportions of skin and bone and muscle, so musical effect is dependent on certain proportions between the velocities with which different substances vibrate. Why the combinations or sequences of certain sounds should excite particular emotions in the hearer, is a question of the same kind as why certain arrange-

ments of lips and eyes should produce beauty. It is much easier to ascertain the fact, than the immediate cause. But in neither case does the effect seem to depend mainly, if at all, on imitation. There may possibly be instances in which a reference to early associations in a certain degree affects the decision; but no reason is shown for believing that this is either the whole, or an important fraction, of the cause.

The human voice is undoubtedly the most perfect of musical instruments; not *merely* because it can imitate the tones of ordinary life, though this may go for something,—but because a good specimen of the human voice combines more varieties of power than any other instrument, aided by the fact that there is much more immediate and delicate connexion with the will of the performer, than can be achieved in any modification of wood, or wire, or reed, or catgut. The ostensible difference between singing and speaking, is that the first proceeds by the intervals produced by dividing a string in the simple ratios, and the other does not. The grace called a Slide or *portamento* introduces an occasional approximation to what takes place in speaking, and speakers do undoubtedly frequently rest upon musical intervals; but neither of these seems to destroy the main fact, that we may have all our lives discoursed in *portamento* and sung in intervals.

It is not to be doubted, that there have been good vocal performers. But there is nothing incredible in the surmise, that posterity may look back on the present time, in something the same manner that the present looks back on the stage as it stood before Garrick's reformation. It is difficult, if not impossible, to imagine anything more powerful than Mrs. Siddons's representation of Lady Macbeth. It is very easy to imagine something more powerful than Madame Pasta's execution of *Deh! calma Ociel*, though the composer has contributed all the materials for scenic effect. It may be heresy, but all the good in the world comes by heresy;—there will be a new style, which shall give to serious singing, exactly what constituted the difference between the tragedy of Siddons or of Talma, and the tragedy which occupied the place before those suns had risen. Trills too, and bravuras, will be shelved with Mandane's hoop and Alexander's wig; the coming age will as lief see a performer try how long he can hold his head in a pail of water, as either.

There appears room for profitable inquiry, on the subject of 'Accent.' One of the writers on music in the Encyclopædias, in general individuals of eminence in their art, has fallen into the error of speaking slightly of the performers on that ancient and stirring instrument the drum, for talking of performing

'sonatas' on what in the commendable pride of their hearts some of the fraternity have termed their 'parchment fiddle.' Now the fact was a thing to be thankful for, and not to mock at; for what the drummers had done, was to exert themselves to display the powers of a particular branch of musical expression, and demonstrate them stripped of connexion with the rest, in the same manner as anatomical plates exhibit the muscles by sets, till they arrive at the skeleton which is the sustainer of the whole. Instead of mocking, a musical philosopher should have caught at the opportunity to authenticate the degree in which accent unassisted by either melody or harmony can be the source of musical effects; with a view to ascertain and improve its application in aid of the others. And the tendency of such an inquiry would be to prove, that Music may claim Accent as the instrument of at least *quinta pars sui nectaris*, and that light may be thrown on the anatomy of its construction.

And here there may be a dispute in the outset, on the application of terms. What is the precise term for the quality by which a drummer,—and more markedly still, a native beating 'many a winding bout' in the stillness of an African night though his machinery be only a board and two sticks,—excites the idea of measure and of music? It is not merely the succession of sounds at particular intervals; a principal part of the effect arises from the cunning increasing or diminishing of the strength of sounds in particular places of the general rhythm. To this it is that the term 'variety of accent' seems to be properly applied; and as words have generally one or two secondary meanings slightly removed from the primary, so Accent is sometimes used to denote the whole system of what is more rigidly expressed by 'variety of accent,' and sometimes for those particular portions of the system to which the loudest sound is given, or on which in the language of the author a 'stress or force is put.'

'In the following strain, the character and meaning of the music will entirely depend upon which note the stress or accent falls [on]. By being placed upon the first of every four, the movement is thrown into common time; but when placed upon the first of every three, into triple; although the notes are precisely the same. [Here follow two lines of notes, which, through mistake it must be supposed, are not the same]. The ear takes no pleasure in listening to a succession of unaccented or monotonous sounds: so far from stimulating its attention, it tires and grows weary with the uniformity. From the peculiar structure of the ear, we learn that the different degrees of loud and soft constitute one of its greatest pleasures, and that it is unfitted to receive two sounds of equal force in succession. [It would probably have been better to say, that two such sounds, in ordinary circumstances, produce no pleasing effect]. An accented sound invariably

robs the following one of its energy; and this is natural,—for after the weight of voice has been thrown upon the accented note, the following is uttered under a degree of exhaustion, and consequently is rendered weaker. [*Something better might have been said than this. The note which has less force is as important and meritorious a member as that which has more.*] When the accent is removed from the first note of the bar to the second or fourth, it is called a *false accent*. This, by disturbing the rhythm, imparts a peculiar movement to the strain, upon which depend its leading features and character, as instanced in national airs, the polonaise, and the waltz, &c. Haydn, by this means, will convert a few bars of triple time into common, in the middle of a movement, with a capricious effect.'

'It has been observed that the walking pace of a man is in common time, and that armies are always moved in this measure. [*Nature decreed it when she made man's two legs of the same length. A cripple moves in $\frac{6}{8}$ time.*] But in Venice, where the people are constantly moving upon the water, the motion of the boat [*or rather, the sound of the oars, which say distinctly 'One—Two—Three—' with a different tone and accent upon each,*] suggests the flowing ease of triple time, in which all their celebrated airs and barcarolles are written. Rousseau informs us, that these airs are composed and sung by the gondoliers, and have so much melody and an accent so pleasing, that there is no musician in Italy but piques himself on knowing and singing them. The liberty that the gondoliers have of visiting all the theatres gratis, gives them an opportunity of forming an ear to all the niceties of music and a correct taste.'—p, 184.

As the preservation of measure or time is one great source of musical pleasure, so the undulation of sounds in different degrees of strength, especially when also connected with measure, is found to be another. The undulation of sounds in musical time, is an improvement and enhancement of the pleasure received from musical time *simpliciter*; the last is the outline, and the other the portrait filled up.

The most palpable distinctions of time are into *even* and *triple*; or those where the bar or marked division of the measure is divisible into *two* members, and into *three*. It is not impossible to imagine music composed of five, or seven, notes of equal length in the bar; and it is believed that some such has been written, at least of the first kind. On experiment it is not difficult to form notes in such a metre into something like a wild waltz; and by joining several of the notes into one, an effect is produced which is not unfamiliar in the practice of the trumpet and bugle. But the great reason why metres of this kind are not used, is probably because they produce no very marked result, or none that is not as well produced by employing the multiples of two or of three. All the multiples of either of these, by itself or by the other, may be said to be in use; though they

are considered, not perhaps with perfect accuracy, as all included in the two classes of *even* and *triple* time.

The first remark that may be made on these species of time, is that in even time each bar, however multitudinous the notes that may be inserted in it, is divisible into two portions of very distinguishable degrees of force or loudness, and in triple time into three. It may be a question whether the divisions may not be more; but in the first place they certainly are these. In common time the first and last portions of the bar have the respective characters which it is common to describe by the titles of masculine and feminine, as indicative the one of strength and the other of grace; and thus the two halves proceed

‘ Like those sweet birds that fly together,
‘ Link’d by a hook and eye.’

The beginning of the first half is marked by a peculiar degree of what is often exclusively called the ‘accent;’ and there probably is, or ought to be, an almost imperceptibly small degree of the same on the beginning of the second. In triple time, the bar is divisible with equal distinctness into three portions, each falling below the other in loudness; so that if a stranger should be introduced suddenly into hearing of the sounds, there would be no possibility of his mistaking the beginning of the bar. One consequence of this is, that the triple time is more susceptible of variety than the other; and its superiority in this respect will, it is apprehended, by most hearers be recognized.

But this is only the outline, and the inquiry may be pushed much further in several directions. Whoever has been rocked in a boat upon what in plain prose may be called the ‘ocean waves,’ will have been conscious that besides the petty furrows which lifted its head and stern alternately in a time approaching to the vibrations of a church pendulum, there was a larger swell of which the others were but inconsiderable parts, and even a mightier still, of which this second was but a limb and portion. Something like this appears to be the nature of the undulations of musical notes; there is a great swell and a little one, and both of them contribute to the general effect. The examination may therefore on this principle be conducted in two directions; first, to inquire what quantity of minor undulations may be within the compass of a bar,—and secondly, to ask whether bars themselves may not be fractions of greater undulations, and whether out of these again may not be constituted undulations of higher orders in succession, to an extent that can only be measured by the skill of the performer, and probably also by the cultivated sensitiveness of the hearer,

Any person who will attend critically to the execution of superior instrumental performers, will be surprised to find to what an extent this species of 'linked sweetness' may be traced, and how large a number of bars may be formed into a connected whole, by means of the relations of what is here termed accent. A desire to direct effects of this kind by signs, was evidently the origin of the 'multitudinous *fortes* and *pianos* which present themselves in some old music.

As one of the most reasonable steps towards the attainment of execution is to know the rationale of the effect aimed at, it can hardly be denied that investigations of this nature tend to improvement. At the same time there are always two factions in every art; one which cultivates mystery under the pretence of genius, and the other which resolves mystery into its component parts when able, and trusts to genius for what may resist solution after all.

As is noted by the author of the work, there are sometimes *false accents*, employed for the purpose of imparting a peculiar effect. And there are occasionally passages in which all the notes are brought nearly to an equality in point of accent, producing a result akin to something that may be recognized in trumpet blasts, with a portion of the expression aimed at by the term *maestoso*. Cadences also, which as noted in p. 184 are used to make a break or separation for the purpose of introducing a change of subject, frequently affect a nullity of accent, producing a musical-snuff-box-like effect, highly favourable for leaving the ear unoccupied for any measure which may follow. But all these may be considered as exceptions, and form no objection to the other being the rule.

Attention to such principles of accent, may solve what would otherwise present themselves as musical difficulties. For example, very lame answers are to be found in some works of repute, to the question of what would be the difference between the same music played in what is called *Common time* of four crotchets in a bar, and in what is marked $\frac{3}{4}$. In which the consequence would evidently be, that by the last mode of division the number of leading accents would be doubled; a circumstance either the introduction or omission of which may by possibility have serious effects upon the character of the performance. Again, if it is asked what is the difference between the times marked $\frac{6}{8}$, and $\frac{3}{4}$;—the first is an even time as regards the divisions of the whole bar, but the subdivisions of these are into triple; while in the last the converse is the case. And this may solve a difficulty often felt by beginners, who when they find six quavers joined by one line at top or bottom

in a bar, are at a loss whether they should be accented by threes together, or by twos; of which the solution seems to be, that if the music is written in $\frac{3}{8}$ time they should be accented by threes, and if in $\frac{3}{4}$ by twos. Waltzes, for example, are almost always in $\frac{3}{4}$ time, and jigs in $\frac{6}{8}$; and it does not require much acumen, to be sensible of the difference of character between a waltz and a jig. A further question might be raised, of whether it is not possible for an air, for instance, in Common time (or four crotchets, which is the *commonest* of the even), to have the undulations made by its successive bars, in triple time; or contrarywise, bars in triple time to have their undulations among each other in even. The instance of $\frac{3}{8}$ time, where, as formerly noted, the bar is divisible into two, but these divisions again into three, appears to present an analogy on this point. These however are speculations showing rather what might possibly be reduced to system, than what anybody has done; though it is not unlikely that superior performers take the benefit of the facts without knowing it.

Attempts of this kind at analysing musical effects may be considered trifling, or may be voted mechanical by such as desire to believe every grace 'beyond the reach of art;' but they are advanced here with more confidence, from the certainty that a *quasi* pupil on whom they were experimented, made rapid advances in a branch of musical expression which is generally the result of long practice, and is often considered as the gift of nature rather than of instruction. There is no reason for being afraid there shall not be everywhere enough for nature after all; but it is good to compass a point by instruction where it can.

The concluding paragraph of the author's Section on Accent, is faulty inasmuch as the subject of it is manifestly not accent but *tone* or quality of sound.

The Section on 'Colour' is puzzling. He that can receive it, let him receive it. It is clearly possible for a musician to associate the ideas of particular kinds of tone or quality of sound, with particular colours, and to communicate these associations to others. And further, it is not impossible, that these associations when they become common stock, may be conveniently employed to express the presence or absence of certain of the qualities in question. For example, if it be determined to call the Trombone deep red, and the Oboe yellow, there is no difficulty in conceiving that the Clarionet may be described as orange, or the Bassoon, which is a gruff oboe, as deep yellow. It may perhaps be more natural to call the Flute sky-blue, than the Double Bass; but there is still something

visionary in the comparison. There may be a gentle colour and a gentle sound ; but after all, the resemblance is like the river at Monmouth and river in Macedon, which had 'salmons in both.' A lady who read this Section, declared that in childhood she always strongly attached the idea of colour to *names*, and could never think of Anne but as pink, Elizabeth purple, and Lucy light blue. Charles she thought was red, Thomas blue, William yellowish green, Edward brown, Francis the colour of red hair, and Peter pepper-and-salt. Associations of this nature appear to be characteristic of tender age, and may be held to be of the kind which it is rather the office of philosophy to dissolve than to impress.

The illustration taken from the *sinfonia* in the *Creation* (p. 191) is resolvable into other elements than colour. There is as strong an analogy as can well exist among things not absolutely homogeneous, between a succession of sounds beginning with the scarcely discernible, and receiving gradual accessions till they arrive at the greatest fullness of which they are capable,—and the self-same process, *mutatis mutandis*, transferred to rays of light. It is certain that the sun has risen nightly at Covent Garden for many years, to a symphony where this analogy is distinctly perceptible. It is not known with clearness whether it is the precise *sinfonia* mentioned above ; but it is rather believed it is.

Where did Madame De Staël get her information, that crocodiles imitate the cry of children so perfectly, as to allure and entrap their mothers? Stories of crocodiles are from Egypt ; and the Egyptian crocodile entraps nobody. The French army were in the water every day, and there was no instance of a soldier being molested by a crocodile. Possibly it was before the march of intellect reached crocodiles ; which in our days has made 'dogs in this country bark more and fight less than formerly' (p. 199). It is certain that dogs are a reformed generation ; but it may be doubted whether it has not been principally brought about, by sending the recusants *à la lanterne*.

The author is perhaps the first musical writer, that has remarked the horrible notes of the mule. They undeniably are sufficient warrant for the Levitical prohibition. He begins with an attempt to bray, like the father that begat him ; when all his mother comes into his throat, and he dwindles into as awful a caricature of neighing, as Frankenstein's man was of humanity. The two parents seem to divide his larynx, with most unfortunate precision.

The Note on the Violin in p. 205 falls into an error on the subject of the Guitar.

'The frets upon a viol were narrow ridges of wood, just raised above the finger-board, crossing it at right angles, and were so placed, that the finger casually falling between the frets, the string was stopped in tune. *In the guitar they still remain as a guide to ignorance, and an impediment to taste and expression*'

Now the fact is, that the guitar being intended for the most part to play a trio and often a sextett, the frets are essential to the execution of these purposes. The way to settle the question, would be to try how much could be executed on a guitar without frets. The objection therefore seems as untenable, as to blame an organist for having his pipes of fixed tones, instead of tuning each as he goes, by the action of his hands, in the manner of the tube of a sacbut. But as the guitar was the oldest instrument, its frets were naturally enough in the first instance transferred to the viol and its kindred; though the necessity for them was not the same, inasmuch as all idea of sounding more than at the utmost two notes at once, was given up by the introduction of the bow.

It is rather hard that after commemorating every thing that squeaks, or squalls, or hums through the nose, no other mention should have been made of the descendant of the cithara of the ancients, the lute of our well-favoured ancestresses. A murrain on the man who hath no leaning towards gentle antiquity! If instruments were estimated by their effect divided by their magnitude, the guitar with its hundred tones would hold considerable rank. But musicians love to come forth, and call upon their gods; and think scorn to commune with an instrument that brings an orchestra to every man's hearth for about the cost of an alderman's dinner. It is true its scale is not absolutely the purest; for it is that division of the octave into twelve equal intervals, which was the subject of great expectation with musicians while it was thought difficult and rare*.

* The way in which the guitar-maker divides the scale of an instrument whatever be the size, is of extreme simplicity. He uses what he calls a *compass of division*, being a pair of compasses of wood, but with the legs prolonged on the other side of the pivot, as would be done to make a pair of pincers, and the four points are tipped with iron. The two short legs are each an inch long, and the others (to the nearest sixteenth) seventeen inches and thirteen-sixteenths; (the true proportion, to five places of decimals, being that of 17·81718 to 1). He takes the distance from the nut to the bridge, in the long legs of his compasses, and then with the short legs marks off from the nut the place of the first fret, he takes the distance from this fret to the bridge, in the long legs as before, and with the short ones marks the distance from the first fret to the second, and so on. On being asked how he secured the exact proportion of the legs, he said he rubbed the iron points upon a stone, till the compasses came exactly to the middle of a string at twelve leaps.

But this is of small import in an age which finds beauties in untuneableness, and believes exact intonation would be an evil and a loss. Its intonation is in some keys inferior to the pianoforte's; but the pianoforte cannot warble, or articulate, or sigh, or wail, or tremble like the human voice under emotion, as the guitar; it cannot effect that oblivion of worldly ills, which a philosopher said was produced on him by a moonlight night, and Lord —— by Vestris' ankle. It may be assumed that in every instrument, the power of expression will be in proportion to the immediateness of the contact between the sounding materials and the performer. Hence of all wind instruments the bagpipe is the least sentimental; and strings are fully conscious of the difference, between being touched by a maiden's fingers, and by the intervention of a stick. None but the lute can have the *vox humana* tones,—the distinct soprano, mezzo, contr' alto, and tenor voices,—which reside about the middle of the thinner strings, and the miniature Dragonetti that lurks within the thickest, interchangeable at will with the cumbersome alacrity of the bassoon. The forte of the lute kind is imitation,—not of beasts or birds or things material, but of musical expressions;—the conjuring up of all recollections that hang by sounds, from a simple melody, to the triumphant 'Orquesta' of the Spanish cadet that forsook Ferdinand and a lieutenancy for love—of his guitar. Of all dulcet sounds none can surpass a duet of Huerta's on the middle of the second and third strings, emerging from a wilderness of notes, deficient indeed in noise, but giving the liveliest idea in miniature of an overture by a full band*. It is Lord Byron's image for sweet things,—

* The lines presented to the *guitarrista* by Madame Emile Girardin, better known in England as Mademoiselle Delphine Gay, will be recognized as drawn from the living subject.

L'avez-vous entendu ce troubadour d'Espagne
 Qu'un art mélodieux aux combats accompagne ?
 Sur la guitarrre il chante et soupire à la fois ;
 Ses doigts ont un accent, ses cordes une voix.
 Son chant est un poème harmonieux sans rime,
 Tout ce qu'on éprouve, ce qu'on rêve il l'exprime.
 Les cœurs à ses accords se sentent rajeunir ;
 La beauté qui l'écoute, heureuse en souvenir,
 S'émeut, sourit et pleure, et croit encore entendre
 Ce qu'on lui dit jamais de plus doux, de plus tendre.
 Sa guitarrre, en vibrant, vous parle tour-à-tour
 Le langage d'esprit, le langage d'amour :
 Chacun y reconnaît l'instrument qui l'inspire ;
 Pour le compositeur c'est un orchestre entier ;
 C'est le tambour léger pour le Basque en délire ;
 C'est le clairon pour le guerrier,
 Pour le poète c'est la lyre !

'the voice of girls.' Or the same frail machine can produce a *retraite*, that would draw two souls out of one adjutant,—an old soldier may positively see the little drum-boy straddle, or stir his barrack fire and think upon the dew-drop pendent at the bugler's nose;—varied on the harmonics with a *ran plan plan* worthy of him who at midnight musters the spectre Guard, with the palpable flavour of parchment as it would come from his marrowless knuckles across the ghastly heath. And then can come pipes, and reeds, and oaten stops, and distant choirs, priests chanting merrily, or mass, or requiem, and poor lost Italy,—curse on all traitors and *justes milieus* of the earth,—and fair romantic Spain, and floating forms, and dark mantillas, and castanets that turn the air to rhythm. All these cannot be had from a spinet. But they require some husbandry,—a parlour twilight, or a turret lone, when gabbling boys are fast abed; and there is one peculiar tone, whatever be the cause, is never brought out but in the small hours of the morning. Above all, these things are hid from simpletons who seek them in a crowded theatre, and then declare they nothing heard. They might as well line the stage with miniatures, and view them from the upper boxes. But he has missed the strangest effect of music, who has not heard the 'Carnival of Venice' in the long gallery that leads down to the tombs of the Pharaohs. Organs would have been pompous mockeries; but the small voice of the guitar said 'All flesh is grass,' in a way there was no resisting. It was as if the *domus exilis Plutonia* was piping the joys and cares, that four thousand years have swept into eternity. Nothing ever gave a man such a vehement desire to cry;—not even the little duck-tails of Signor Passalacqua's nankin jacket could break the charm. It is hard the author could tell no story of the guitar. Did he never hear of the Portuguese army—would it were Miguel's—that fled and left eleven thousand guitars upon the field? Or of the surprise of quarters in the Succession war in Spain,—where the foremost cavalier found the enemy's vedette tuning his guitar as he sat on horseback, and perceiving he did it ill, took it from his hands and returned it saying *Ahora es templada**, and passed on. There must be some inward grace, where there are so many outward signs. Men have not so forgotten themselves in peace and war, without there being something that twined about their souls, in a way that 'kists full o' whistles' or of hammers have not surpassed.

A description of the first impressions from Paganini's per-

* 'Now it is in tune.'

formance on the violin (p. 218), has been very extensively quoted for its liveliness and force ; though it is not quite clear whether the author means to deliver it as his own. But on one point (peace be with the describer) it will at some period give a strange idea of the state of theoretic knowledge in this country. It says of Paganini's performance, 'The highest notes (contrary to every thing we have learnt) are produced as the hand recedes from the bridge, overturning all our previous notions of the art.' Posterity will smile to think, that in almost the middle of the 19th century, the simplest phenomenon of the harmonic sounds should have excited the same surprise as a magic lantern, a magnetic swan, or a phosphorus-box, might have done in the dark ages ;— a phenomenon too, practically familiar to every foreign peasant that tinkles a guitar*. Truly our dilettanti pay tithe of anise and cummin, and omit the weightier matters of the law.

* There can be no reasonable doubt that the allusion in the description is to the harmonic notes ; in which Paganini (the difficulty of his execution is another question) has that theoretic knowledge, which may be communicated to any intelligent child in a quarter of an hour. A string touched lightly with the finger in a peculiar manner at the distance of any aliquot part from the bridge—that is to say, at the half, third, fourth, fifth, sixth, seventh, &c. and so on without definite limit,—produces the sound which the string would produce if stopped at the same point in the usual way. And what is more, it equally produces the same sound if touched at any other of the points of division into the aliquot parts,—saving always those which merge into some simpler division, as for instance two-sixths which can only be the same as one-third, three-sixths as one half, &c. Hence in all cases, the sound made by touching at the aliquot part nearest the head, must be the same as at the aliquot part nearest the bridge ; and consequently it must increase in shrillness as this aliquot part is smaller or approaches to the head. The whole of which is of every day familiarity to players on the guitar.

If the cause of this phenomenon be demanded, it may probably be found in the fact, that the kind of touch employed does not check all motion above it as when a string is pressed down to the neck in the common way, but allows the agitation to be communicated to the upper part ; yet at the same time prevents any vibrations from being permanently kept up, except such as are formed by the string's dividing itself into the aliquot parts, the points of division being kept at rest (for only so the thing is possible) by the movements of the string on the two sides of each, being in opposite directions at the same instant of time. That the points of division all remain at rest, is palpable from the experiment of placing any small body on them, which will not be thrown off. For further matter on the harmonic sounds, see the Article on the *Enharmonic of the Ancients* in No. XXXII for April 1832, pp. 456, 476 and elsewhere.

It may be a further question whether Paganini has not the art of touching the harmonics upon stopped strings, as well as open. His reported length of finger is favourable to it ; and it is clearly possible to stop any note on a string with one finger of the left hand, and by touching at the proper point with another finger of the same hand, cause the bow to bring out a harmonic Octave, Fifth, or as the case may be. It is even conceivable that this might be done on two strings at once, by employing the alternate

An amusing idea of the progress of the executive branch of music is given by the anecdote on the Violin.

In the time of Lully, scarcely a note was struck out of the fixed position of the hand, as it was not uncommon, when the note C above the lines occurred, for the leader to cry out '*Gare l'ut*,' (mind the C,) as a difficulty which required an effort to overcome.—p. 223.

When the Prince of Wales laid before Giardini at Carlton House the first set of Pleyel's quartetts (then just published), Giardini shut the book and declared they were too difficult for any person to perform. (p. 224.)

That cuckoos in Leicestershire sing (if that be the right word) in the key of D, and all the owls in the neighbourhood of Selborne hoot in B flat; that flies and honey-bees buzz in F, while the large humble-bee performs the same note an octave lower, and the drowsy cock-chaffer an octave lower still; that crickets chirp in B, and gnats trumpet in A, while the male and female death-watch tick responsive in B flat and G; are mainly resolvable into the fact that each of these classes of creatures has a common note; a thing in itself not stranger than that they should have a common size, or shape, or colour. For no part of the wonder consists in the sound's being exactly of the pitch that is called by a certain musical name; inasmuch as 'the pitch has long been known to be rising through the two last centuries' (p. 234), and to have risen gradually and fairly a Minor Third (p. 273). If cuckoos therefore sing now in the key of D, their ancestors in the time of the Civil Wars sang in the key of F, and in all intermediate pitches at intermediate periods; always understanding thereby, that the cuckoo's note is eternal, but what musicians take for the pitch is altered. Why the musicians should be continually raising the pitch of their instruments, it is not easy to define; but probably it has kept pace with improvements in fiddle-strings, inasmuch as there is a constant temptation to screw up the strings to the utmost they will bear without breaking, for the sake of increased clearness of tone.

Of the Pianoforte, it may be noted, that no performer seems yet to have made it a *sostenuto* instrument to the extent of which it is capable. The story is well known, of the brilliant green on the top of a chapel, which was discovered to be formed by a chequer-work of blue and yellow. In something like the

fingers. By such an arrangement, the theoretic power of producing any given notes in harmonic sounds, is unlimited. The *practical* difficulty, as said before, is another affair.

It has been understood that Paganini's performances on the guitar are still more wonderful than on the violin.

same manner, brief sounds may be repeated and compounded so as to produce the effect of one *sostenuto* chord. An exercise well known by the name of Steibelt's Storm, is an example of approach to the effects meant.

When the knowledge of the theory of music has made more progress, it is apprehended the pianoforte will not be considered 'of all instruments pre-eminently the best for the accompaniment of the voice.' It may be hoped the time is approaching, when neither singer nor violinist will be tolerant of a tempered instrument. Singers sing to the pianoforte because they have bad ears; and they have bad ears because they sing to the pianoforte.

The Eighteenth Chapter complains that vocalists sing out of tune. And how should it be otherwise, when if they do not, it must be in defiance of what they are taught and not by means of it? A third of a comma is considered as the limit of what ordinary hearers do not recognize as out of tune; and the education of singers and other performers, as now conducted, is directed to making them gulp down errors of a whole comma, or three times the quantity that makes untuneableness, under the various titles of temperament, defectiveness of scale, and quality of keys. The first step towards executing, is to know; and the musicians do not know, and cannot write down and assign within three times the difference that makes untuneableness, what is in tune and what is not. A man is very likely to have all the music-masters in the country on his back for saying this; for they mortally dread anything that should shake established notions of perfection. But it is true for all that. The fault is not *cantorum* but *musicorum* here; and as such may be set off against the monkish verse.

There is a simpler explanation of the peculiar sounds of thunder than referring them to 'distant echoes.' It is proved from the evidence of the eye, that the electric spark in thunderstorms passes through very considerable distances; and, from the same evidence and that of other experiments, it is known that its passage is what may be denominated instantaneous. Hence, as the progress of sound is only at the rate of 1142 feet per second, the ear must receive the sound which proceeds from different points in the track of the spark, successively and not all at once. If a line of soldiers a mile long, should all discharge their musquets together on a visual signal as for instance the dropping of a flag, an ear near one of the flanks must hear a prolonged roll for nearly five seconds, diminishing in strength; if near the middle, it must hear the roll for about two seconds and a half, but doubled in strength, though on the whole *dimi-*

nuendo as before ; if at a fifth of the way from one flank to the other, it must hear one second of double strength, followed by three seconds of inferior force, each severally *diminuendo**. But if in the middle of the line there should be formed a zig-zag, it is clear that it might be so situated as instead of the reports of one or two musquets, to bring to the ear at once the reports of four or five ; this therefore is competent to cause a *crescendo*, and by increasing the number and extent of the zig-zags it may be varied in an indefinite number of ways. Now if the course of lightning may be judged of by the eye, it assumes precisely this form of zig-zags. Again, if the ear should be placed in the perpendicular to the middle of the line of soldiers and at a considerable distance, the effect of the discharge would approach to that of a single report ; an effect sometimes heard at sea, where thunder has been taken for the guns of a distant action. When the sound of thunder is very loud and brief, like the explosion of a near cannon, it is probable the discharge has taken place into some neighbouring body on the earth's surface, and from a cloud at a short distance ; for happily it seems to require a nearer approach to produce the electric discharge into the earth, than from cloud to cloud. And in cases of accident by lightning, the near witnesses seldom fail to describe this species of sound. In this manner all the phenomena of the sound of thunder may be considered as accounted for.

On the Organ, used as it is for grave and severe compositions, the most desirable improvement would be the obtaining correct harmony by substituting a diversity of pipes and finger-boards for a portion of the useless stops. This in fact is nothing but what is done on the Clarionet and other instruments ; and while every performer in a band of wind music is seen carrying three different instruments in different keys, nobody has made an organ capable of performing with correctness in the three related keys of most ordinary demand, as for instance those of C, F, and A †.

* This phenomenon of successive sound may be observed in a single battalion by a hearer placed near a flank, on the pieces being struck on the ground together in the last motion of 'Order Arms' by signal from the bugleman.

† A writer in the weekly paper *The United Kingdom*, April 15, 1832, has failed to understand what was said on this subject in the Article on the *Enharmonic of the Ancients* in the *Westminster Review* for April 1832. There was no mistake ; and the writer's misapprehension probably arose from not seeing the extract where the subject was more amply treated of in p. 466 and following. An organ has from 500 to 5000 pipes, for the purpose of making from 6 to 60 distinct organs of different qualities of

On the subject of the Clarionet it may be observed, that if the object of providing different clarionets is to play in the related keys, they should be in the keys of C, F, and A; and not as stated, C, B flat, and A. If this were done, it would be a reason for fixing improved keyed instruments to those particular keys, for the sake of taking advantage of the analogy.

tone; and the proposal was, that instead of making so many organs of merely different qualities of tone, some should be made to play correctly in different keys, as for instance one organ in the key of C, another in the key of F, and another in the key of A; which, as stated above, is nothing but what takes place every day in military bands in the case of the Clarionet. The question whether the same pipe might not be made to serve in different keys when its sound happens to be found in both, was a merely subsidiary question of economy.

The fact alluded to as having been first mentioned by Huygens, is apprehended to be something very different from continuing the scale four or five times upwards and downwards again from a given sound. What is intended is supposed to be the circumstance, that if, for instance, the notes C, F, D, G, C, are sounded in the key of C, the D, which is a Dissonance, cannot make a perfect Minor Third with the F which precedes, and also a perfect Fourth with the G which follows; and if a perfect Minor Third and Fourth be made in these places, then the G is not the Fifth, but a sound lower by a comma than the Fifth; and consequently if the final C be made a perfect Fifth below this last sound, it must needs be a comma lower than the C begun with, and if the whole of this was repeated eight or nine times, the C must end by being a whole Tone lower than was set out with, and so on without limit.

There can be nothing wonderful in the G being a comma too low for the Fifth, when it is purposely and of determination forethought taken with an interval from the preceding sound D, of a comma less than is the interval from that sound to the Fifth. The puzzle lies only in the fact, that no sound can make the interval of a Minor Third below the Fourth, and also the interval of a Fourth below the Fifth,—for this plain reason, that taking the interval of a Minor Third below the Fourth, and the interval of a Fourth below the Fifth, does not come to the same place or sound, but to places that differ by a comma. It is, as if two towns should be taken, one *nine* miles South from the other, and from the southernmost a traveller should proceed *fourteen* miles South, and then *twenty-two* North, and wonder he had not arrived at his northern town; the whole mystery being in the circumstance, that nine and fourteen do not make twenty-two. If any man insists on taking a Minor Third from F to D, and then a Fourth from that D to G; he does not take the intervals in the scale, but the intervals that are *not* in the scale, and consequently cannot complain of the results. History might be looked through, without another instance of a marvel raised on such a simple cause. The sensible inference is only, that the Dissonances are *double*, or have two forms differing by a comma; of which one or the other must be taken, according as the Dissonance happens to be most strongly connected with the Fourth or with the Fifth by the accent, or other peculiarity of the musical phrase. The whole of which, instead of being far to seek, was to be found scattered in various parts of the extracts given; though it appeared in a more collected form in the work quoted from, in a note attached to the end of the first extract from p. 7.

The Trombone, or as it ought to make a point of honour of calling itself, the Sacbut *, has the advantage of being the only instrument besides the voice and Violin kind, which has perfect command over its intonation, and is consequently capable of executing correct harmony in any succession of keys. For this reason, it may be assumed that the sacbut will some day enact a higher rôle than at present. If the statement is correct of the instruments in actual use having been fashioned after a specimen found in Herculaneum and presented by the King of Naples to George III, it is the best consequence known to have arisen from the connexion between the two Courts. At the same time it may be noted that the sacbut, besides being known to the translators of the bible †, is lively portrayed in Mersennus; which is all anterior to George III.

That the sound of a string should be a compound of three sounds, is one of the musical facts which wait for explanation. It is suspected the author's account of it is not exact; and that instead of the sounds being the primitive, 5th, and 10th, they are the primitive, 12th, and Major 17th, which makes great difference in any attempt to explain. The assumption that from this fact the principles of music are to be derived, though very common, may be held to be gratuitous. There can be no doubt of there being a community of cause; but there is no evidence of anything else.

The 12th and Major 17th are the sounds of the *third* and *fifth parts* of the string. However difficult therefore it may be to conceive, there is the evidence of the ear that while something is vibrating in the period that produces the primitive sound, something else is vibrating *three* times as fast, and some other thing *five*. And the most feasible surmise would seem to be, that a third part of the string may be vibrating at one end and a fifth part at the other, while the remainder, including the two interior points which limit the vibrations of the extreme portions, vibrates in the period appropriate to the whole string. But why do the ends take no proportions but these? Is it that an odd number of vibrations in the period of one vibration of the whole string, is necessary to make the vibrations after commencing together in one direction, commence together in the other also? And if so, why does not the string divide itself into a third at each end? Is it perchance that thirds vibrating together at each end would be too powerful for the remaining third in the middle, but that a third and a fifth part do not produce the same effect, inasmuch

* From the French *Sacquebute*; which again is from the Spanish *Sacabuche*, from *sacar* to draw out, and *buche* throat or stomach.

† Dan. iii. 5.

as their vibrations in great measure cross and counteract each other? And if it is established that the division into third and fifth is the only one that can take place consistently with the motion of the remainder of the string,—why does the string divide itself at all, and not vibrate *simpliciter* through its whole length? Is it that when struck, it is not affected in all its particles at once, and so the *vis inertiae* of the particles successively acted upon, causes the vibrations to commence in some or other of the divisions, before a vibratory motion is communicated to the whole? Finally, has anybody ever heard the sound of any other portion of the string? For if this can be heard, it overturns the theory of the two ends.

'Modulation' does not appear to be well defined. Instead of 'a progression of chords, or mixed sounds,' it is *passing from one key to another*; a change of key being defineable as consisting in taking a new portion of the string to begin with in the calculation of the harmonical divisions.

The *complexions*, as the author styles them (p. 438), of the different keys, constitute a *veraxa questio* which has no appearance of being speedily settled. Any difference in the effect of the same music arranged in different keys, can only arise from some of four causes; First, a difference in pitch; as for instance, if a violin should produce a marked alteration in the effect of the same tune or air, by screwing up or letting down the strings through a given interval; Secondly, an alteration in the quality of tone of a given instrument, by taking the same notes in one part of the instrument instead of another; as the self-same written notes and at precisely the same pitch and without any difference in the intervals, may produce a different effect on a guitar from being sounded by stopping near the middle of the thicker strings, instead of near the extremities of the thinner; Thirdly, a difference in the practical execution in different keys; as for instance playing an air on the black keys of the pianoforte or with a great admixture of them, will give a different fingering from playing it in the key of C or on the white, and this may produce some difference of effect either directly or through acting on the imagination of the performer; Fourthly, an alteration in the degree in which the notes on a fixed instrument severally approximate to the true sounds, when the scale is begun on any particular one for the key-note. It may be conceded at once, that the three first causes may in certain cases produce a certain degree of effect; but the last is the point to which most importance attaches. And the first question that suggests itself hereon is, *Who* are the foremost in asserting the difference of keys? Are they the singers

and violinists; or are they the organists and pianofortists? If they are the latter, then the whole may be suspected to be an innocent partiality, a branch of the *polypus Hagna*, for turning the defects of their instrument into beauties. There are some points which want settling also, before issue can fairly be joined. If the key of F is 'rich, mild, sober, and contemplative,' and G 'gay and sprightly;'—when F was G, as it was a hundred years ago, was F 'gay and sprightly,' or 'rich, mild, sober, and contemplative'? And if some sprite should shift the whole strings of a pianoforte an inch to the right, so that the string which before fell under the hammer of F should now fall under the hammer of G, would the key of G still be 'gay and sprightly,' or would it be turned into 'sober and contemplative'? If these were exactly settled, it would be easier to debate the subject than at present. But in the mean time the vehement presumption is, that so far as the different character of keys has any real foundation in the construction of the intervals, it will be found to depend on their comparative approximation to correct harmony in different circumstances, and not on their departure from it. The fact long practically known to musicians though not carried into its consequences, of the *duplicity of the Dissonances*,—and the sharpness and vigour given by making the distinction between the Great and Small Tone in this and other places,—are more than sufficient to account for any variety. A comma is about one-third of the smallest simple interval in the scale, which is that between the Major and Minor Thirds, Sixths, &c.; and if an engraver were to maintain that rubbing down the prominences of his engraving by a third part in one place or in another was a matter of indifference, he would do what in their dread of puzzle is done by the musicians.

In p.455 on 'Tuning' appears another miraculous instance of the state of musical science as respects first principles.

'If we stop a violin string mid-way between the nut and the bridge, either half of the string will sound the octave above to the whole string; and if we vibrate two-thirds of the string, this portion will sound the fifth above to the whole string. The same law applies to wind instruments and all sounding bodies.—Upon such simple facts we might have supposed the musical scale to be founded; but when we come to tune a pianoforte, and raise the fifths one upon another, to our surprise we find the last note C, too sharp for the C we set out with. *This inexplicable difficulty no one has attempted to solve; the Deity seems to have left it in an unfinished state, to show his inscrutable power.*'—p. 455.

Will it be readily believed a century hence, that this 'inexplicable difficulty,' this '*dignus vindice nodus*' which the Deity

is introduced to settle,—was nothing more than the fact that $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ of $\frac{2}{3}$ (a school-boy's question in vulgar fractions), is not equal to $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$ of $\frac{1}{2}$; or as an algebraist would more briefly state it, $\left(\frac{2}{3}\right)^{12}$ is not equal to $\left(\frac{1}{2}\right)^7$? Why should it? Would not the wonder have been if it had? Is it any more wonderful than that twice three is not five? We take two-thirds of a string and of its remainder, twelve times over; and then halve the same string seven times over; and finally call on the Deity to show the reason, why we have not arrived at the same point. This comes of instruments with keys. When the attention has been directed from youth up, to the black and white keys of a pianoforte, the thing appears incomprehensible; yet the whole question resolves itself into whether the Fifth be really seven-twelfths of the Octave,—which it is not. If a pianoforte is tuned to an equable division like the guitar,—in which the Fifth is not a Fifth but only something like it,—then twelve such Fifths will come to the same sound as seven Octaves; and if not, not. As it is, the musicians are in a state of high quarrel with Providence, for not having made $\left(\frac{2}{3}\right)^{12}$ equal to $\left(\frac{1}{2}\right)^7$. They wonder and fret, and want to have the constitution of arithmetic altered, to save the band's-men of the Guards from carrying three clarionets; for this is what it comes to. They are not content to inquire what is harmony, but they are anxious to impress on the Creator what they could have wished should have been harmony; and the particular object of their desires, is that $\left(\frac{2}{3}\right)^{12}$ should have been equal to $\left(\frac{1}{2}\right)^7$.

But there is no need to confine the wonder to the Fifth. If a Fourth be taken twelve times, it will fail to coincide with five Octaves, by the same quantity as the Fifth; only instead of something more than a comma too much, it will be too little. A Major Third taken three times, will fall short of the Octave by about *two* commas; and a Minor Sixth, will exceed two Octaves by the same. A Minor Third taken four times, will exceed the Octave by about *three* commas, or on a rough estimate the difference between a note and its flat or sharp; and a Major Sixth, will fall short of three Octaves by the same. A mystery is a less mystery, when it is only one of half-a-dozen. And what does it all prove, but that the true intervals do not divide the octave into equal parts, and consequently they are not interchangeable, as musicians might have found convenient?

The author's way of ever and anon dropping an octave, has a tendency to obscure the calculations, and is attended with no

benefit but that of keeping certain notes within certain lines.

If any interest has been excited on points connected with musical knowledge, the writer of this Article may boast of having co-operated with the author of 'The Music of Nature.'

ART. V.—1. *System of Penal Law prepared for the State of Louisiana.*
By Edward Livingston.

2. *Webster's Crimes Act.* Washington, 1825.

3. *The Duty of Justices of the Peace.* By Daniel Davis, Solicitor General of Massachusetts. Second Edition, 8vo. Boston. 1829.

4. *Precedents of Indictments, with a concise Treatise on the Duties of Grand Jurors.* By Daniel Davis. Boston. 1831.

THE criminal laws of the United States of North America, although reformed in various important points, resemble the laws of England to even a greater degree than their civil laws. Both branches of American jurisprudence spring indeed from the same source, and if any future English lawyer shall be as successful as Emmett was, in attracting clients in New York or Washington, he may plead for them with equal facility upon his old stock of learning. Great improvements, however, have been made in the laws of the United States; and the result has been that criminal law has become more efficacious in the United States than in England. For the infliction of the milder punishments upon offenders, under penitentiary systems of imprisonment, is tending to accomplish the diminution of crime, and the reformation of the punished culprit. This, with many more improvements, is to be attributed to the fact that the administration of criminal law in the United States, in every stage, is more advantageously influenced by the people at large than in England. Hence the law itself is invested with an unusual degree of authority over the excesses of popular violence and political dissensions, by the chief judges being, with perfect safety to the public, made thoroughly independent in their posts, except in cases of proved misconduct. Hence, also, other judicial functionaries of inferior rank, are with convenience, and without ill effects, entrusted with the summary powers, which in England give occasion to much discontent, when exercised by justices of the peace; and this salutary popular influence also permits the prosecution as well as the pursuit of criminals, to be satisfactorily left, for the most part, to public law officers.

The general result already is, that the number of criminals is reduced far below the average of other countries.

If it be said, that the facility of subsistence afforded in a new country must be the main cause of this comparative absence of

crime, and not the mildness or the good administration of the law, the reply is obvious, that in America itself, and under the same circumstances in other respects, differences from time to time in the same states, and differences at the same time in different states, occur according to the steadiness with which the improved systems are fostered. In Pennsylvania, where the subject has been long studied with great care, occasional fluctuations in the amount of criminals have been most instructively connected with the more or less extensive adoption of certain principles. New Hampshire has only half the number of criminals, although as numerous, and more densely, peopled, and with even *more paupers* than the state of Vermont; but in New Hampshire the laws are more mild, and the penitentiaries are better managed than in the state of Vermont. In the particular class of crimes, too, arising from vehement passion, as in murders of the second degree, the mitigation of the severity of the law, and the improvement of the prisons in which the mitigated punishment has been inflicted, have been of singular benefit in lessening the number of offenders; while in that class to which public opinion has not yet allowed the extension of the new principles, namely, murders in the first degree, the number of culprits has increased.

The founders of the republic did not leave this principle of mildness in the law unnoticed in their earliest legislative efforts. Towards political offences it is distinctly traceable in the letter of their Statute-book, and it has yet more distinctly influenced the executive government upon the very few occasions on which political offences have been committed. It is an express point in the constitution, that no bill of attainder shall be passed; and while in England, there are more than thirty cases in which men may commit capital treasons, from levying war against the King, down to hiding any implements for coining money of the realm, or to altering a sixpence, the same crime against the United States consists only in the three heads, of levying war, adhering to their enemies, or giving their enemies aid. The punishment of even this great offence is, in Pennsylvania, only imprisonment for limited terms; and in the one or two cases in which, in other States, death might have been inflicted upon the few parties who have committed treason in fifty years, life was spared. All forfeitures, and corruption of blood, whether in treason, in suicide, or other felonies, are abolished, and the spirit is daily fostered, which in Catholic Maryland, in 1776, dictated the fourteenth article of a new constitution in these words:—‘That sanguinary laws ought to be avoided, as far as is consistent with

the safety of the state; and no law to inflict cruel and unusual pains and penalties ought to be made in any case.' In the constitution of Pennsylvania framed in the same year, it was declared, that the penal laws should be reformed as soon as might be, and that punishments should be made in some cases less sanguinary, and in general more proportionate to the crimes [Art. 38]; and last year it was a just ground of congratulation to the few surviving members of a Society, established soon after 1776 to carry these principles into effect, that, with the single exception of the punishment of death for murder in the first degree, every sanguinary penalty, and all the other cruel and degrading inflictions of the ancient criminal law have been abolished in Pennsylvania, mainly through the exertions of that Society*. Even desertion in the army is no longer a capital offence in the United States in time of peace.—*Acts of Congress, 1829, 30.*

The principle of mitigation was, as may be collected from these references, far from being confined to the punishment of death. It was perceived that the human heart is never well affected, either for amendment or in the terror of example, by undue personal severities, such as mutilations, brandings, whippings, excessive imprisonment, excessive fines, personal exposure, or loss of life; and gradually all these modes of punishing criminals have been found noxious to society at large, as well as cruel to the sufferers. Accordingly, they are all rapidly giving place to moderate fines in money, or in personal labour for the benefit of the injured party, or to well-considered systems of penitentiary imprisonment. In Massachusetts whipping, and elsewhere exposure in the pillory and on the gallows, have been lately abolished. In Rhode Island, however, the pillory, slitting the ears, branding, exposure in a cart, and with a rope round the neck on a gallows, are said to be still adhered to; but with the striking coincidence that the inhabitants of Rhode Island are distinguished from the rest of their countrymen for turbulence and tendency to crime. Although different penalties are annexed to the same crimes in different States, in a manner that cannot fail to produce ill effects, and although certain States are less enlightened than others upon the subject, nevertheless, throughout the Union, the actual law, to a very great extent, exhibits the foregoing character; and great exertions are making to render it universal. In a code drawn for Louisiana, by Mr. Livingston, at present Secretary of State at Washington,

* 'Letter of Roberts Vaux to Bishop White, and to other surviving members of the Philadelphia Prison Society. *Journal of Law, 1831, p. 121. Philadelphia.*

finer and penitentiary imprisonment were proposed to be substituted for death in all cases, and for all other vindictive punishments; and were adopted with the exception of cases of murder of the first degree of atrocity. And in March of the present year, a bill was brought into the House of Assembly of New York upon the same extensively mitigating principle with Mr. Livingston's code. An important exception occurred in 1825, a period of false views on many great points throughout the civilized world. In that year a statute was passed by Congress, in the nature, to a certain extent, of a criminal code. It was skilfully drawn by Mr. Webster, of Massachusetts, whose name it bears, and who obtained deserved praise for the manner in which his draft supplied numerous omissions, and simplified many intricacies in the previous laws. Unfortunately, about that time, considerable failures had taken place in the anticipated success of penitentiaries*, and in the new bill, Mr. Webster introduced the old sanguinary principles precipitately, and in an alarming degree. After much debating, in which Mr. Livingston bore a distinguished part, the bill was passed, with some modification, but enacting capital punishment for various offences against public property, although in most of the States the milder system had long been proved to be attended by the best consequences upon the same subject matter. But even by this act of Congress, forgery of the great variety of instruments connected with public business, which in England is either treasonable or a capital felony, is made liable only to fine and imprisonment.

Penitentiaries, which form the subject of the second head of the American improvements to be now considered, are distinctly recommended in Mr. Webster's Crimes Act of 1825, although powerful opposition to them had then arisen. Subsequent experience for six years upon a very extensive scale, has produced abundant proofs of their value under judicious regulations; and the success of the new systems has even extended to the remarkable result of making the labours of prisoners profitable to the public.

The details of these systems form a redeeming part of Captain Basil Hall's Travels in North America, and a committee of the House of Commons, whose inquiries into secondary punishments have been continued from October, 1831 until late into the present

* In consequence of mistakes in the application of the principles of the system, the public was disappointed, and 'in more than one State it was a question whether they should not return to sanguinary and infamous punishments.' *Livingston*. 1827. p. 12

year, has obtained from that gentleman, and from others, very satisfactory testimony respecting American penitentiaries. The eighth report of the Prison Discipline Society, and the seventh number of 'The Jurist,' and other works published recently, enter largely into the same subject. Instead, then, of repeating statements readily accessible to all who feel interested in those details, it may be more useful to adduce the confirmation of their value given, in January last, in the speech of the Governor to the legislature of New York. 'Our State prison discipline,' says this eminent person, 'is continued with the same results which have given to the system its high reputation. The two hundred cells, ordered to be built at Sing-Sing, have been completed, and all of them will soon be occupied. That prison now contains one thousand cells; and nine hundred and sixty-three convicts were confined in them on the 19th of December last. If it is intended to persevere in a faithful experiment of our system, it is necessary that our prison room should be immediately enlarged. The number of male convicts at Auburn, on the 17th of December last was six hundred and twenty-two. Of them five hundred and fifty are confined in single cells in the north wing; the rest are kept, two in a cell, in rooms prepared for them in the south wing. The south wing may be so altered as to construct within it separate cells for as many convicts as it will ever be thought proper to confine in that place. I recommend an appropriation for that purpose. It may be proper at the same time to enlarge the prison at Sing-Sing. The reports of the inspectors of both prisons will, I hope, be sufficiently full to enable you to decide at once upon the subject. The earnings of the convicts at Auburn continue to amount to more than enough to defray the expense of that institution; and I am informed by the agent at Sing-Sing, that the prisoners at that place have earned, during the last year, 40,000 dollars, besides building 200 cells, and one wing of a permanent stone shop, 150 feet long by 56 feet wide.' Speaking of the ordinary goals to which the new penitentiary plans have not been extended, the Governor adds: 'To improve the condition of the county prisons should be an ever present care of the representatives of the people. In their present condition they are a prolific source of crime. These prisons should be so arranged and managed as to hinder their inmates from contaminating each other, and to prevent the growth of those parent vices—idleness, gambling, and drunkenness. This subject should not be suffered to rest until a uniform improved system pervades our State.' This recommendation is accompanied by another, which, equally with it, illustrates the operation of the criminal laws in America, and equally concerns the people of

England. 'There is another subject,' says the Governor of New York, 'which deserves to be mentioned in connexion with this—I allude to a penitentiary for females. The female convicts belonging to the prison at Sing-Sing are kept in a department of the Alms-houses in the city of New York, prepared for that purpose, at the great expense of 100 dollars each. Their number was forty-nine on the 19th of December last. The number of female convicts at Auburn, was, on the 17th of December, twenty-nine, who for want of accommodation, are confined together in one room. Among them are some of the most profligate of their sex, mingled with others, who, under proper restraint and instruction, might be reclaimed. The keepers find it beyond their power to preserve order among them. On a late visit there, I noticed the decent demeanour of a female, whose sentence of death for murdering her husband, had been commuted by me to imprisonment for three years, under a belief that she had produced the death by inadvertence, and from representations that she was of good character but ignorant. The keeper informed me that her conduct had been orderly, and that she submitted with patience and gratitude to what she considered punishment administered with justice and great mercy. This is an extreme case of an individual remaining unharmed by that contaminating association; but there is an intermediate class of partially depraved young persons, who cannot escape utter pollution. While I renew the recommendation, that a separate penitentiary be provided for female convicts, I remain of opinion that it should be built at Sing-Sing, so as to be under the superintendence of the officers of that institution. There will be a great saving in the expense of building and managing such a prison at that place; and reasons of a moral nature should influence the choice of a site in the vicinity of the city of New York.'

In the New York penitentiaries the prisoners labour together during the day, but strict silence is enforced; and they are separated at night. In Pennsylvania a more rigorous system of exclusively solitary confinement and solitary labour, except under the visits of keepers and teachers, has been persevered in after great controversy, many persons considering it to be too severe. All parties are agreed, that separation, to a certain extent, is essential; and the general opinion is in favour of the former plan, which is spreading rapidly throughout the Union. In both the labour is compulsory. Mr. Livingston, whose opinion seems to be acquiring more and more weight among his countrymen, expects to derive greater fruit from rendering labour voluntary, by permitting prisoners to find in it an alleviation from solitary con-

finement. His book on prison discipline, which has been republished in this country*, embraces all the branches connected with the subject—the education of the young and ignorant; the disposal of the accused before trial in ‘houses of detention,’ not prisons; a provision for the punished in ‘houses of refuge,’ as essential parts of every good system; but after subjecting prisoners to absolutely solitary confinement, Mr. Livingston would attract them to labour by the relief that labour would afford.

‘To understand,’ says he, ‘the modifications of imprisonment and labour which I offer instead of the Pennsylvania and New York systems, a clear idea must first be given of the place of confinement. It consists of an arched cell for each prisoner, of small dimensions, but well ventilated, and comfortably warmed, communicating with a small court, surrounded with a high wall. The sentence of the law is confinement to the cell, supported by wholesome but coarse food, in sufficient quantity to satisfy hunger, but without occupation, and with no other society than the attendance of those officers who minister to the physical wants of the prisoner, and to his religious instruction. Privation of employment is denounced as a part of the punishment; and this circumstance alone would, with most men, cause it to be considered as an evil, and the experience of its effects will soon cause it to be felt as such: of course, it will be connected with the idea of suffering; and occupation being denied, will, from the propensity to wish for that from which we are expressly debarred, be estimated as a good, and desired with an intensity proportioned to the strictness and length of the privation. To strengthen this natural desire, other inducements are offered. He who labours, lessens the expense of his support; he who works skilfully and diligently, may more than repay it. The advantage of this beneficial result must be felt by the prisoner as well as the state: if the proceeds of his work should not be sufficient to cover his expenses, it yet produces for him a better diet; and if persevered in, and accompanied with good conduct for certain probationary periods of six and twelve months, during which he is permitted in the day to leave his cell and pursue his solitary employment in the court, he is indulged with the privilege of working, and receiving instruction, in a small class, not exceeding ten; but if he acquires such proficiency in his business, as to make the proceeds of his industry exceed the expense of his support, he is allowed the immediate enjoyment of a part to be laid out in books, or such other articles as he may desire. Those of food or drink are excepted, in order to avoid irregularities that would otherwise be unavoidable; and the residue of the surplus is an accumulating fund, to be paid to him

* Introductory Report to the Code of Prison Discipline prepared for the State of Louisiana. By Edward Livingston. London: Miller, Henrietta Street, Covent Garden. 1827.

on his discharge. To give the greater effect to these inducements, they are not offered to the convict on his commitment to the prison. First he must know and feel the unmitigated punishment. His own reflections must be his only companions for a preliminary period, during which he is closely confined to his cell. He must live on the coarse diet allowed to the unemployed prisoner; he must suffer the tedium arising from want of society and of occupation; and when he begins to feel that labour would be an indulgence, it is offered to him as such. It is not threatened as an evil, nor urged upon his acceptance as an advantage to any but to himself; and when he is employed, no stripes, no punishments whatever, are inflicted for want of diligence. If not properly used, the indulgence is withdrawn; and he returns to his solitude and other privations, not to punish him for not labouring, but merely because his conduct shows that he prefers that state to the enjoyment with which employment must always be associated in his mind, in order to produce reformation. If it has been shown that involuntary acts of employment will not produce a lasting habit, then, if there be any such as will not accept these alleviations of their imprisonment, upon them the imprisonment must operate solely as a punishment. But experience shows that these exceptions will, if any, be very few; for employment, even under the lash, is, in most cases, preferred to solitude.'

'It is no unimportant part of this plan, that education and intellectual improvement, as well as mere physical enjoyments, are held out as inducements for the exercise of industry, skill, and good conduct. These are to be rewarded by the use of books combining entertainment with instruction; the instruments and other means of exercising the mind in science, or the hand in the delicate operations of the fine arts; of developing talent or improving skill. Such pursuits offer, perhaps, the most efficient means of reformation; they operate by reconciling the convict to himself, which is the first and most difficult point to be gained. The daily exercise of mental powers, the consciousness of progress in useful knowledge, must raise him in his own estimation: and this honest pride, once set at work, will do more to change the conduct and purify the heart, than any external agency, however constantly or skilfully employed.'

Colonies of convicts have never yet been established by the Americans, with the horrors attendant upon communities of unrestrained men, necessarily disproportioned in number to females, and of dishonest people neither corrected by the system of punishment, nor discountenanced by an ordinary proportion of individuals of good character. It has, however, been lately proposed to form a convict colony, under the very peculiar plan of permitting the convicts to govern themselves uncontrolled, after transportation; the proposal, together with the system of transportation generally, was however rejected after careful examination. About the year 1782, a like plan was half adopted

by the English government; but it was stopped upon an appeal being made against it in the House of Commons; upon which occasion evidence was collected respecting transportation, which ought not to be overlooked by the legislature in its present inquiries into the effects of that system of punishing criminals. [*Journals of the House of Commons*, v. 40.] Captain Basil Hall has afforded valuable testimony upon American penal discipline, to the Committee of the House of Commons upon secondary punishments; but he has taken an *ex parte* view of public opinion in the United States, when he represents transportation to be there thought desirable. The following extract from the Report of the Commissioners on the Penal Code of Pennsylvania of 1828, places the subject in its true light.

'Of the efficacy of transportation in producing the desired effects of Penal Law, we believe the experience of Great Britain does not authorize us to speak favourably. . . . Whatever advantages may attend colonial transportation, they are accompanied with drawbacks and evils which probably counterbalance them. On the score of expense, the system is objectionable. Experience also shews that reformation of the offender is not to be looked for in a community of convicts. Other objections exist to transportation, as practised by the British, of which one only need be mentioned. In point of effect, all distinction of crime is confounded, by the difficulties in the way of the criminals return.'—*Report read in the House of Representatives*, January 4, 1828, p. 10.

The remark sometimes idly made, that convict transportation is proved to be good by its result in the United States, needs no other refutation, than by a denial of a fact involved in the assertion. In comparison with the mass of colonists, a few convicts only ever went to America; and these few were early found to be so mischievous, that the old colonies resisted their importation; Maryland, by a local law in 1692, and other colonies afterwards.

With a Secretary of State for the Home Department in the penman of the foregoing sentiments, in consistency with which Mr. Livingston has led an active public life of forty years, and with State after State conforming the local legislations to the like views, the people of North America have every prospect of a happy result to their labours on this head.

The administration of the criminal law in the United States in every stage, is well calculated to promote the improvements which have been now described; because being directly or indirectly essentially popular, and the people who directly or indirectly control that administration being for the most part

capable by education and practice of appreciating the subject, errors soon meet due correction. And individual interests cannot so easily thwart any reforms which the general good may clearly require, where the functionaries of the law, the constables, gaolers, sheriffs, justices of the peace, public prosecutors, jurymen and judges, are either elected by the people, or are appointed by Assemblies, Governors, Councils, or the President, who are subject to popular election. The extreme fewness of those who commit malversations in office, is a proof of the suitability of the officers thus appointed. The mode of punishment of such official delinquents is impeachment, or indictment. Prosecutions for all capital offences except for wilful murder, are limited to three years after the offence was committed; and for offences less than capital, to two years, except for forgeries, which are also limited to three years, unless the accused flees from justice.

Activity in pursuing offenders is in all the Eastern states much promoted by the discredit which neglect would bring upon the local authorities entrusted with the care of the public peace; and private individuals who suffer from criminals are relieved from inopportune burdens by the appointment of law functionaries paid by the states, and responsible for breach of duty, as well as anxious to secure the public good-will by discharging it. Speedy justice is secured in inconsiderable felonies and misdemeanours, by justices of the peace being empowered to hear and determine such cases; but besides the check upon the justices from general popular control, the accused, when such summary trial is supposed to be bad, may appeal to a jury court. Grand and petit jurors are subject to the same common law* as prevail in England in inquiring and giving their verdicts; but the character of those who are upon jury lists, is guarded by the following popular process; for which the State of Massachusetts is taken for an example.

The select men (a small body elected annually by the people) of each township, are to prepare a list of all well qualified electors of members of the State assembly, under 70 years of age, and being persons of good moral character, except all the public functionaries, and medical men; from which list they are to take a list of one fourth for grand jurors and traverse jurors; and another list of one half the remainder for petit jurors. They are then to lay these lists before the township meeting for

* It is a disgraceful peculiarity to America, that a jurymen may be challenged if he has once been a slave.

revision, confirmation, or correction; and if any person named in the list be shown to have been convicted of any infamous crime, or to be guilty of any gross immorality, his name shall be withdrawn; and the remaining persons shall serve on one of the said juries once in every three years and not oftener. [*Statute of Massachusetts, 12th March 1808*]. And the jurymen are always to be taken as nearly as possible in equal numbers from the different townships, and never more than two grand and two petit jurors from the same town except from necessity.

It is a convenient rule adopted in the States, to authorize the foreman of a grand jury to swear the witnesses examined by them; and in the same spirit of increasing the power of the popular branch of judicature, but in a much higher degree, some of the states have invested petty jurors with the authority of determining the amount of punishment to be inflicted on a culprit. The number of jurymen is generally the same as in England, but the rule has been broken in Connecticut in the case of coroner's inquests, for which three jurymen are now sufficient. The extent of the authority of grand jurors to make presentments has been the occasion of controversy; as some of the less liberal would confine them to matters submitted from the bench. The soundest opinions, and most general practice, are the same that in England, upon great conjunctures, have rendered this body a constitutional means of redressing public grievances of the most important kind.

Ex officio informations are abolished; and in trials for felony, counsel is allowed to the accused. In cases of libel, the truth is allowed to be given in evidence under express modern statutes and state constitutions; as before the revolution of 1776, an able and eloquent American lawyer successfully maintained, that the liberty of the press consists in the right to publish, with impunity, truth with good motives and for justifiable ends, whether it respects government, magistrates, or individuals*.

If the desire to bring redress speedily and close to men's doors has with advantage extended the jurisdiction of justices of peace in America, the same desirableness has been felt there as in England, of early judgment upon higher offenders. An attempt has been made in certain cases to remove the evil of keeping the accused in gaol during many months before trial at the regular assizes, by authorizing the judges to sit upon special occasions, according to their discretion, giving public notice of their intended session. But it is only recently, that even in such a state as Pennsylvania, a call has been addressed to the public, to cause

* State Trials. Zenger's Trial at New York.

the supreme court of judicature to try prisoners accused of great felonies, more than twice a year; and in the speech of the governor of that state of the present year, the call is acknowledged by an announcement of the necessity of revising the arrangement of the courts, so as to meet more fully the exigencies of public business. It will be a new triumph, if the great evil of long imprisonments before trial be removed by the zeal of American philanthropists, and the sagacity or prudence of American legislators.

The due dispensation of the power of pardoning criminals, seems not yet to be secured by any specific system in the United States. The Governors of States and the President exercise this authority; but it is said too leniently for the ends of justice. In the speeches of Governors to the Assemblies annually, a sort of report of the manner in which they have pardoned particular criminals during the preceding year, is sometimes made; but apparently, only by the discretion of the governors; and not so regularly as to constitute a proper corrective to error. In an extract already made from the speech of the Governor of New York in January last, a pardon is incidentally noticed; and in the same speech it is stated, that he had pardoned out of the State prisons during the last year, 73 convicts; and that a great proportion of the cases were brought to his notice without the intervention of friends, for many of them had none; and the claim to pardon in some cases was equitable, on account of the mitigated punishments for similar crimes, prescribed by the revision of the laws. Four cases of conviction for capital crimes were reported to him in the past year, in one of which cases he had felt it his duty to arrest execution, and the punishment of death in that case was commuted to penitentiary imprisonment for seven years.

This casual notice of the capital convictions and pardons in the State of New York*, furnishes a valuable source of comparison with the same convictions and pardons in London and Middlesex, where the population is about the same in amount. The annual

* The statistics of crime are not regularly taken in America. In the speech quoted in the text, it is urgently pressed upon the New York legislature, to make suitable provisions for obtaining exact returns upon the subject. But it is ascertained, that the proportion of felonies committed in the United States, is about 1 to 3,600 people. In England, it is about 1 to 800; and in Ireland, 1 to 500. Many causes doubtless contribute to this state of things; and this speech affords one fact well worth special notice. 'The returns' says the governor, 'shew 508,657 children between the ages of 5 and 16 years; and that of these, 505,943 have been instructed in the schools from which returns have been received. The cost paid to the teachers, is 605,729 dollars.'

average of capital convictions in London and Middlesex, in the last seven years, was 166, the annual average of executions 16. Thus the chance of the punishment awarded by law being inflicted, in America was as three to one against the criminal, and in England as nine and a half to one in his favour. That the exhibition of this mockery in our courts of justice, and of many objects of horror or of commiseration upon the gallows, are not in harmony with the intelligence and the feelings of the age, is perhaps no longer a point of much doubt. Our brethren across the Atlantic are leading the way steadily, in removing from their legislation the few remains of the sanguinary laws which they derived from Europe; and as they wisely and anxiously investigate all that proceeds from England, for the general improvement of jurisprudence, it is to be expected that we shall not be backward to follow them, in the matters in which they happen to have been our predecessors.

ART. VI.—*Second Supplement to the Article on the 'Silk and Glove Trade' in No. XXXII.*

THE 'True Sun' returns to the charge*. He says, that in saying that the tradesman to whom the consumer of the monopoly-priced gloves or stockings would have transferred the shilling may lose custom to that amount, 'but to the same extent, precisely, some other tradesman gains an increase of custom,'—he did not mean the glover or silk-weaver, but he meant the man to whom the glover or silk-weaver would transfer the shilling in the course of trade.

This is a new meaning; but nobody was bound to infer it from the words employed.

It might pass for an answer, to reply, that if the man to whom the glover or silk-weaver would transfer the shilling is to be brought in on one side, the man to whom the tradesman who loses custom would have transferred it must be brought in on the other. If the statement had been that the loss to this last man should have been reckoned and have made *loss the third*, the opponent would not have been a moment in finding out, that it was equally fair to bring in the man to whom the glover or silk-weaver transferred.

But this answer, though perhaps sufficing in point of logic, is not the best that can be given; for it is only parrying one illusive item of an account, by showing that the same rule that admitted

it would admit another that would neutralize it. The fact is, that *both* the items are illusive, and only specimens of the error mentioned before, *of counting the same things over and over*. The shilling to the trade of the glove-maker, includes the gains of the individuals to whom he may transfer any portion of it, and of all others to whom *they* again may transfer any portion, to the end of the process. The shilling is not transferred over and over in the entire; but twopence, it may be, sticks with the glove-maker as his profit, and with his workmen as their wages; and the rest (tenpence) is transferred to different persons, some in the shape of wages and some of profits, and of these portions a part, as perhaps twopence more, sticks with them, and the remainder is transferred to somebody else; and so on, the whole shilling being enjoyed in the end by somebody. If the payment instead of being made with a shilling was made with a peck of wheat, of which the glove-maker and his workmen put a pint into their pot,—and the tradesmen to whom the remainder was made over, put another,—and so on till the whole was eaten; it would be plain that the actual benefits to the trade and all concerned in it, amounted to a peck of wheat, and not to a peck over and over. And for any benefits that may be alleged as arising to the concerned in the wheat trade, it must be the same thing to them in the end whether the peck is procured from them all at once, to be passed in a mass to the glove-maker,—or whether it is procured by twopennyworths at a time by various sets of people. In the trades from which custom is taken, the opposite processes take place. There was a mistake therefore in counting the portions of a shilling over and over.

The next statement is

'That the "robber's gain," and the "gain to the branch of manufacturing industry in which he is presumed to be engaged," ARE two things. For the imaginary individual in question was presumed to have two sources of gain—robbery on the highway, and mercantile pursuits.'

There is a mistake here. The man was never 'presumed to have two sources of gain;' on the contrary it was distinctly stated, that he might have which of the two he liked, but he could not have both. If the robber puts the shilling into his pocket and takes it out again to apply to the benefit of his trade, there is not a gain of a shilling to his trade, and of the same shilling to the robber over again. Putting a shilling into his pocket and taking it out again, is not gain.

The same mistake runs through the statement as repeated;—

'There are two distinct operations in the case. The robber's gain

on the high road, balances the robbed man's loss. This is the first operation. The robber's trade—(a thing quite apart from his dealings on the highway)—is enlarged by the amount of his plunder—while some dealer, to whom his victim would have transferred the money, has his transactions diminished to the same extent. This is the second operation—one, as it appears to us, obviously distinct from the other.'

The error is simply in making the robber's gain balance one thing, and the employment to his trade at the same time balance a second thing; whereas if the shilling is taken to enlarge the robber's trade, the gain to the robber as distinct from the enlargement of his trade, is thereby annihilated and made non-existent.

In what then follows, the 'True Sun' may be held to have overlooked the words—'as distinct from the advantage to his trade;' and the charge of 'jumbling' does not appear to be made out. That the man's success as a robber actually does, in the case supposed, 'exempt him from suffering in the same degree from the effects of monopoly, as those around him do,' contains nothing contrary to the statement advanced. The robber gives three shillings for a pair of gloves, of which he has had the luck to steal one; on the whole therefore he only gives two, or is in the same situation as he would have been if there had been neither robbing nor monopoly. And what was stated was, that if he is obliged to give this shilling to the monopoly he does not gain it. He may be the monopoly himself if he chuses; but the shilling he puts into his left-hand pocket for the monopoly, he does not also keep in his right-hand one for himself.

These objections, at the same time, are highly useful; and have done much towards increasing the clearness of the case.

ART. VII.—1. *Cambrian Superstitions; comprising Ghosts, Omens, Witchcraft, Traditions, &c.; to which are [is] added, a Concise View of the Manners and Customs of the Principality, and some Fugitive Pieces.* By W. Howells. 12mo. 1831.

2. *Cambrian Quarterly Magazine.* Nos. I to IV. 8vo. London. 1829-30.

AMONG the most interesting and instructive peculiarities of a people, may undoubtedly be classed their superstitions. There is frequently so incongruous a mixture of the sublime and the ridiculous, of the absurd and the awful, in the whimsical fantasies which constitute a superstitious creed, that while we are inclined to laugh on the one hand, we are as often urged to reflect and marvel on the other:—we ridicule the anticipated

result, but feel awed at the means used to produce it. It is remarkable, that among all the errors and ignorances which a diffusion of really useful knowledge is capable of discomfiting, the errors of superstition are invariably the last which retain their hold on the human mind. How is this to be accounted for? Not, certainly, by the truth of the opinions in question; because many of the most staunch and sturdy believers themselves, will not attempt to maintain their belief by assertion of the truth of the doctrines they espouse. It is necessary to search deep into the human heart, for the source of that stubborn pertinacity with which so large a portion of mankind cling to the fancies that have from the earliest period of their recollection formed an active and even a predominant portion of their thoughts and feelings.

Mrs. Grant says finely:—‘The lofty visions that show man to be imperishable, and still connected by links of tender recollection with those once loved or esteemed, have in themselves something not only interesting but aggrandizing. Where the mind was deeply though not clearly impressed with the sense of immortality, every thing connected with a being that ceased not to exist, assumed importance. The image once dear and pleasing, became awful and impressive when it was supposed from the passing cloud or rapid whirlwind to look with kindness on those who mourned its departure. To those who had no deep-felt apprehension of futurity, the path of the departed was but as that of a meteor, hurrying past with transient brightness. With the fond enthusiasts, who listened for the whispers of the passing spirit, and caught short glimpses of the dim-seen form, it was far otherwise. They thought of the sacred dead as we do of a benignant planet, which, though beyond our reach, still sheds sweet influence o’er us*.’

A belief in supernatural appearances, however preposterous it may generally be accounted, is one nevertheless which has been entertained with a feeling of intense sincerity by many men of accomplished talent and considerable renown. The apparition of the Genius to Brutus, and of the Fury to Dion, were to them no fables; both saw them, spoke to them, heard them speak, and were convinced. But we need not ransack ancient history for such examples. Dr. Johnson was known to have had faith in the verity of the *Cock Lane Ghost*, and Dr. Pitcairn, Dr. Franklin, and Lord Rochester, saw nothing improbable in the return of the spirits of the deceased. Neither does Dr. Southey, who says,—‘My serious belief amounts to

* Mrs. Grant on the *Highlanders*, vol. ii. p. 98.

this : that preternatural impressions are sometimes communicated to us for wise purposes, and that departed spirits are sometimes permitted to manifest themselves.' But the strongest instance of this belief is contained in a private memoir of Sir James Steuart, the author of the 'Political Economy.' He made a regular compact with an intimate friend, that whichever of them should die first, was, at a certain place, and at a certain time after death, to meet the survivor. The friend died first. Sir James kept his appointment, in the anxious hope of meeting the shade of the departed, and was not a little disappointed at its non-appearance.

In all ages, and amongst all nations, a belief in the visible spirituality of the departed, existed under some form or modification ; but we are indebted to the imaginative ancients for the most numerous and elaborate congregation of supernatural beings. They reduced the whole into a regular system, and by their mythology filled the earth with a superabundance of such visitants. According to the heathen mythology, there was much difficulty in accounting for the creation of the universe ; but it seemed certain, that it had been beyond the power of those who were commonly denominated gods. These were beings whose descents were traced like those of mortals, and who, though they were of natures superior to man, yet resembled him in their intellects, in their appearances, and even in their passions and manners, however loose and immoral these might sometimes have been.

As to the substance of which these immortals were composed, it would have been derogatory to their dignity to have considered them *material* in the ordinary sense of the term ; yet as they were supposed to have been occasionally seen and heard, it was necessary so far to embody them, as to account for these facts ; and, accordingly, Cicero in his treatise *De Naturâ Deorum* (one of the most curious tracts of all antiquity) gravely says—and it is impossible to have better authority—that though they had not *corpora*, or solid bodies, yet they had *quasi corpora*, or bodies of an aerial or shadowy kind. The same general notion was held by our forefathers respecting the superior beings of their belief ; and Ossian tells us, that when the heroes of other times sat on their clouds, listening to the songs of their praise, ' the dim stars twinkled through their forms.' The divinities of the ancient heathen mythology were imagined to pay many visits to men, as all the poets testify. Not only were Iris and Mercury, their general and official messengers, sent constantly on errands to this lower world, but the chief *Calicole*, the great inhabitants of heaven themselves,

frequently visited earth, sometimes with good, sometimes with bad intent.

But not only was the earth thus visited by the natives of heaven, the beings of the highest order in the universe,—it had itself innumerable inhabitants, of natures more than human. For while Neptune with his trident swayed the waves of the ocean, attended by his joyous train of marine deities, Thetis, Melita, Pasithea, Nesæa, Spio, Thalia, Cymodoce, and all the Tritons with their songs and shells, every river had its hoary water-god presiding, with Naiads innumerable, over its streams; while every grove had its Dryads, though only occasionally visible to mortal eye.

In the ancient mythology it does not appear, that the earth was supposed to be troubled with the presence of any great or important evil spirit. The giants, like Satan and his compeers, had reared their daring fronts against the king of heaven; but they were thrust down never to rise again, and were not suffered so far to demean themselves, as like Beelzebub to frighten children, or play bagpipes to dancing hags. Let not the unclassical reader imagine however, that though these rebels were thus sufficiently quelled, all went happily on in the pagan universe. The heart-burning contentions of the divinities themselves abundantly supplied the place of devils. This poor Æneas found to his cost, when he was tossed for years on the sea through the wrath of Juno, notwithstanding all the protection of his mother Venus. Besides the deities, there was another set of supernatural beings, who occasionally visited the ancient world; and these were the manes or shades of departed mortals*. Thus amid the burning of Troy, the pale and trembling ghost of Hector appears to Æneas; but—

‘Hei mihi, qualis erat! quantum mutatus ab illo
Hectore, qui redit exuvias indutus Achillis!’

And the shade of Anchises returned to enjoin his son to meet him for great purposes in the regions below. There were also similar beings of an intermediate nature, the Genii or familiar spirits of men, as that which was supposed to attend Socrates,

* The ancients, with their attachment to methodizing, supposed every man to be possessed of three different ghosts, which, after the dissolution of the body, were differently disposed of. They were distinguished by the names of *Manes*, *Spiritus*, and *Umbra*. The *Manes* they fancied went down into the infernal regions, the *Spiritus* ascended to the skies, and the *Umbra* hovered about the tomb, as being unwilling to quit its old connexions. Thus Dido (*Virg. Æneid* iv. 384) threatens Æneas that after her death, she will haunt him with her *Umbra*, while the news of his torments shall come down to her among the *Manes* below.

and the spectre which appeared so woefully to Brutus before the battle of Philippi.

It is impossible to distinguish with precision, what portion of the opinions of an existing people may have been derived from its connexions with other nations, and how much may be aboriginal and peculiar. The contact between the Britons and the Romans, may have imbued the former with many points of classical belief; and when such are found in common, it is allowable to assume a Roman origin. For the remainder, recourse must be had to a Druidical foundation.

The Welsh, speaking generally, are highly superstitious, living in a most rude and secluded country, and amidst scenery wild and imposing,—rigidly tenacious, moreover, of the traditionary lore inherited from their ancestors,—so that their very being is incorporated with divers strange fantasies, handed down from father to son, preserved with religious veneration, and influencing their imaginations more or less, according to the caprice, the temperament, or the locality of the individual. Like all secluded mountaineers, whose intercourse with the world is limited to the narrow communication necessary for mere existence, they impute natural effects to more than natural causes, and the sunshine and the storm, the whirlwind and the flood, are often attributed to the kind or baneful influence of the good or evil spirit,—of the mischievous elf, or the good-natured fairy. Thus, in the pastoral counties of Caernarvon and Merioneth (and these are now the most secluded districts in the principality) there is scarcely a glen or a wood, a mountain or a dingle, a rock or a ravine, that has not its due quantity of fairies and spirits; and every nook of this rude upland district, which has hitherto been but little accessible to the innovating approaches of civilization, can boast of no scanty number of supernatural inhabitants.

It would be an amusing, and by no means an uninteresting employment, to trace the various superstitions of a people to their sources, with reference to that portion of history which more especially regards the origin of nations. Such an inquiry, when devoted to the elucidation of popular customs and traditions, is of vastly more importance than would upon a mere cursory glance appear probable; for it is to be particularly observed, that whatever variations may occur in the general manners and customs of a nation which possesses any claim to a separate or distinct existence, certain traditions, superstitious ceremonies and pastimes, will be maintained hereditarily from one generation to another, merely as a matter of custom, of pleasure, or of convenience. Now these must derive their origin from some interesting or remarkable circumstances connected—

and intimately connected too—with the history, moral as well as political, of the community by which they are retained; and although it would not always be easy to account for the pertinacious adherence to these rites and customs, still the inquiry might lead to interesting, if not important results. The origin of some would undoubtedly be referred to the period, when the people by whom they were practised, were first organized into a regular and systematic society. Others must be attributed to a later period, and would be found to arise from the regulations which were established for the recreation and amusement of the community; others, again, might be dated from periods still later, and some, unquestionably, from the imperfect and disjointed relics of a confused and mysterious mythology. But even in those which assumed the greatest antiquity, there is much that, when lucidly developed, might cast light on the religion and policy which constituted the character of the nation, as well as its actual condition.

In this point of view the superstitions of the Welsh are especially remarkable; and many an interesting historical hypothesis—hitherto a bone of contention amongst Cambrian antiquaries,—might be elucidated by a careful investigation of the ancient traditions of the Cymry.

Of all the popular superstitions prevalent in Wales, the idea of fairies is perhaps the most poetical, as it is certainly the most ancient. In Wales there are two distinct species of fairies;—the one sort of gentle manners, and well disposed towards the whole human race; the other, maliciously inclined, and full of mischievous sportiveness. The former is denominated *Tylwyth Têg*, or the Fair Family*; the latter, *Ellyllon*, elves, or goblins. The *Tylwyth Têg* are a mild and diminutive race, leading a life completely pastoral, residing in cool caverns, or in the hollows under sunny knolls, and befriending fond lovers, pretty dairy-maids, and hospitable housewives. They are the inspirers of pleasing dreams, the encouragers of virtue and benevolence, and never fail to reward the faithful servant or the affectionate child.

In a country so completely pastoral as Wales, something more than the dull and sage precepts of mere mortal wisdom and experience were necessary to inculcate in the minds of the people the homely but useful virtues adapted to their condition; and thus even superstition was rendered subservient to so salutary a

* Fairies are also called *Y Teulu*, the Family, *Bendith eu mamau*, the blessing of mothers, and *Gwraigedd aneyl*, dear wives; while in Ireland, they are denominated *Dinamagh*, good people.

purpose, in a manner at once mild, persuasive, and impressive. Thus, it is a common opinion in many parts of the principality, that if on retiring to rest the cottage hearth be made clean, the floor swept, and the pails left full of water, the fairies will come at midnight to a spot thus carefully prepared for their reception, continue their sportive revels till day-break, sing the well-known *Can y Tylwyth Têg*, leave a piece of money on the hearth, and disappear*. The suggestions of intellect, and the salutary precautions of prudence are easily discernible under this fiction ;

* Bishop Corbet has a humorous song on the subject of fairies, entitled 'A proper new ballad, called The Fairies' Farewell, or God-a-mercy Will, to be sung or whistled to the tune of the Meadow Brow by the learned, by the unlearned to the tune of Fortune.' The following are some of the verses :—

Farewell rewards and Fairies
 Good housewives now may say,
 For now foul sluts in dairies
 Doe fare as well as they ;
 And they doe sweep their hearths no less
 Than mayds were wont to doe,
 Yet who, of late for cleanliness
 Finds sixpence in her shoe ?

When Tom came home from labour,
 Or Ciss to milking rose,
 Then merrily went their taboure,
 And nimbly went their toes.

Witness those rings and roundelays
 Of theirs, which yet remaine,
 Were footed in Queen Mary's dayes
 On many a grassie playne.
 But since of late Elizabeth,
 And later James came in,
 They never danced on any heath,
 As when the time had been.

By which we note that Fairies
 Were of the old profession—
 Their songs were Ave Maries,
 Their dances were procession.

A tell-tale in their companie
 They never could endure,
 And whoso kept not secretli-
 Their mirth, was punished sure :
 It was a just and Christian deed
 To pinch such black and blue.

a safety from fire in the neatness of the hearth, a provision for its extinction in the replenished pails, and a motive to perseverance and industry in the expected boon.

Like the popular superstitions of Germany, and most other northern nations, there is always more or less of moral in the fairy traditions of the Cymry; and among others, the following narrative, recorded by that superlative fabulist Giraldus Cambrensis, and very respectably authenticated, will afford a good idea of the popular opinion of the 'manners and customs' of the Tylwyth Teg of the twelfth century:—

'A short time before our days, a circumstance worthy of note occurred in those parts (Neath in Glamorganshire), which Elidorus, a priest, most solemnly affirmed had befallen himself. When a youth about twelve years of age, in order to escape from the severity of his preceptor, he ran away, and concealed himself under the hollow bank of a river; and after fasting in that situation for two days, two little men of pigmy stature, (*"homunculi duo staturæ quasi pigmæ"* as the monk calls them) appeared to him, and said:—"If you will go with us, we will lead you into a country full of delights and sports." Assenting, and rising up, he followed his guides, at first through a path subterraneous and dark, into a most beautiful country, murky however, and not illuminated with the full light of the sun. All the days were cloudy, and the nights extremely dark. The boy was brought before the king, and introduced to him in the presence of his court, when, having examined him for a long time to the great admiration of the courtiers, he introduced him to his son, who was then a boy. These people were of the smallest stature, but very well proportioned; fair complexioned, with long hair, particularly the females, who wore it flowing over their shoulders. They had horses and hounds adapted to their size. They ate neither fish nor flesh; but lived for the most part on milk and saffron. As often as they returned from our hemisphere, they reprobated our ambition, infidelities and inconstancies; and although they had no form of public worship, they were, it seems, strict lovers and reverers of truth—for no one was so utterly detested by them as a liar.'

'The boy frequently returned to our world, sometimes by the way he had gone, sometimes by others; at first in company, and afterwards alone,—making himself known only to his mother, to whom he described what he had seen. Being desired by her to bring her a present of gold, with which that country abounded, he stole, while at play with the king's son, a golden ball with which he used to divert himself, and brought it in haste to his mother,—but not unpursued; for as he entered the house, he stumbled at the threshold, let his ball drop, which two pigmies seized, and departed showing the boy every mark of contempt and derision. Notwithstanding every attempt for the space of a whole year, he never could discover the track to the subterraneous passage; but after suffering many misfortunes, he did at length succeed in renewing his intimacy with this mysterious race.

He had, however, previously made himself acquainted with their language, which, observes Giraldus, was very conformable to the Greek idiom. When they asked for water, they said *udor udorum* (*ὕδωρ*) and when they wanted salt, *Halgein* (*ἅλς* vero Græcè *Sal dicitur, et Halen Britannicè*.)

This narration, obscure and fabulous as it is, corresponds very closely with the traditional account of the fairies. Their diminutive stature, their mysterious concealment, their striking peculiarities, and their fear and detestation of discovery, are all illustrated by this fragment.

It is interesting to observe, that a species of sprite very similar to, and perhaps the very prototype of the *Ellyll*, exists at the present day in Sweden. The Swedish *Elf* is to all intents and purposes the cousin-german of the Welsh *Ellyll*, and its mythology is precisely similar. When the Swedish peasant sees a circle marked on the morning grass, he attributes it at once to the midnight revels of the mischievous fairy. With him, as with us,

O'er the dewy green,
By the glow-worm's light,
Dance the elves of night,
Unheard, unseen ;
Yet where their midnight pranks have been,
The circled turf will i' th' morn be seen.

But there is this difference in the Welsh *Ellyll*: while the Tylwyth Têg usually fix their abodes in 'grassy glades,' and on sunny knolls, the Ellyllon frequent the rock and the mountain, the morass and the moor; and woe betide the luckless wight, who encounters these merry and mischievous sprites in a mist. On this occasion, they have a practice of seizing the unwary or adventurous pilgrim, and hurrying him—*nolens volens*—through the air; first, however, giving him the option of travelling above wind, with wind, or under wind. If he chuses the former, he is borne to the region of the clouds; if the latter, he has the full benefit of all the brakes, bogs, and briars, the stunted heath and rough thorn-bush, which diversify the path; his reiterated contact with which seldom fails to terminate in his grievous discomfort. Experienced travellers, therefore, always keep in mind the advice of Apollo to Phaeton, and select the middle course, which ensures them a pleasant journey, equally free from the 'brambles and the clouds, and not unlike in comfort and expedition, to the excursion on the rail road between Liverpool and Manchester. David ab Gwillim, (the British Ovid) who was contemporaneous with Chaucer,

in a description of his own abduction in one of these unlucky mists, says,

‘ Yr ydoedd ym mhob gobant
Ellyllon mingeimion gant.’

There were in every dingle
A hundred grinning goblins—

and then proceeds to detail the mishaps that befell him, all of which he unhesitatingly refers to the mischievous freaks of the Ellyllon. But David was a fervent disciple of Anacreon; and, like many other bards, ancient as well as modern, paid his constant devotions to the shrine of Bacchus as well as to that of Apollo; so that his testimony must be received *cum grano salis*.

In addition to their deluding propensities, the Ellyllon are gifted with all the attributes of other elves*; that is, they milk the cows, when the dairy-maids are lazy; lame the horses, when the grooms are careless; occasionally blight corn, and addle eggs. In short, they are supposed to cause all the numerous mishaps and accidents that occur to the most fortunate and careful from the carelessness of underlings.

Our simple ancestors had reduced all their whimsical notions respecting these fabulous beings, to a system as consistent and as regular as many parts of the heathen mythology; a sufficient proof, if any were wanting, of the extensive influence and high antiquity of the superstition. Mankind indeed, and more especially the common people, could not have been so unanimously agreed concerning these arbitrary notions, had they not prevailed among them for many ages. So ancient in fact is the superstition, that so far as regards its origin among the Saxons, it can only be discovered, that long before this people left their German forests, they believed in a kind of diminutive demons or spirits, which they denominated *Duergan* or dwarfs, and to whom they attributed many wonderful performances far above all human art and capability. These attributes did not degenerate as they floated down the stream of time; and for a long period they were implicitly believed by the simple and untutored peasantry, and are so to the present day to a certain extent. In a fine old song, attributed by Peck to Ben Jonson, although not to be found among that author's collected works, there is a tolerably succinct account of the credited capacities of the fairy tribe.

* The Ellyllon impart their evil name to certain poisonous plants. Thus some *fungi* are called *Bryd Ellyllon*—goblin's meat; and the bells of the *Digitalis*, *Menyg Ellyllon*—goblin's gloves.

Robin Goodfellow (the English Ellyll) loquitur.

More swift than lightning can I fly
 About this aery welkin soone,
 And in a minute's space descry,
 Each thing that's done below the moone.
 There's not a hag
 Or ghost shall wag,
 Or cry—'Ware goblin!' where I go ;
 But Robin I
 Their feates will spye
 And send them home with ho ! ho ! ho !

Whene'er such wanderers I meete,
 As from their night-sportes they trudge home,
 With counterfeiting voice I greeete,
 And call them on with me to roame
 Through woodes, through lakes,
 Through bogges, through brakes ;
 Or else, unseene, with them I go,
 All in the nicke,
 To play some tricke,
 And frolicke it with ho ! ho ! ho !

Sometimes I meete them like a man ;
 Sometimes an ox, sometimes a hound ;
 And to a horse I turne me can,
 To tip and trot about them round :
 But if to ride
 My backe they stride,
 More swift than winde away I go,
 O'er hedge and lands,
 Through pools and ponds,
 I whirry, laughing ho ! ho ! ho !

When lads and lasses merry be,
 With posssets and rich juncates fine,
 Unseene of all the companie
 I eat their cakes, and sip their wine.
 And to make sport
 I puff and snort,
 And out the candle I do blow ;
 The maids I kiss ;
 They shriek—'who's this !
 I answer nought but ho ! ho ! ho !

Yet, now and then, the maids to please,
 At midnight I card up their wool ;
 And while they sleepe, and take their ease,
 With wheel to threads their flax I pull.

I grind at mill
 Their malt up still,
 I dress their hempe, and spin their towe ;
 If any walke,
 And would me talke,
 I wend me, laughing ho ! ho ! ho !

When men do traps and engines set
 In loopholes where the vermines crecpe,
 Who from their fieldes and houses get
 Their ducks, and geese, and lambs, and sheepe ;
 I spy the gin,
 And enter in,
 And seeme a vermine taken so :
 But when they theare
 Approach me neare,
 I leap out laughing, ho ! ho ! ho !

In the earlier ages fairies were undoubtedly subservient to no earthly power ; but as men became more enlightened and the diffusion of knowledge more extensive, the influence of the sorcerer extended in some measure to them as well as to the more vulgar and debased sort of spirits. In the Ashmolean manuscripts in the British Museum, there is a recipe for the conjuration of fairies, which will remind the reader of the cabalistical incantations applied to witches and wizards. It is used by an alchemist, who wanted the fairy to assist him in the grand scheme of transmuting metals. It is as follows :

' An Excellent waie to gett a Faerie.'

' First, gett a broad square christall or Venice glasse, in length and bredthe three inches. Then lay that glasse or christall in the bloude of a white henne, three Wednesdayes or three Fridayes. Then take it out, and wash it with holie aq : and fumigate it. Then take three hazel stickes or wandes of a yeare groth : pill them faire and white ; and make so longe as you write the Spiritt or Faerie's name, which you call three times on everie sticke, being made flat on one side. Then burye them under somme hill, whereas you suppose faeries haunt, the Wednesdaye before you call her. And the Fridaye following take them uppe, and call her at eight or ten or three of the clocke, which be good planetts and houfes for that turne : but when you call, be cleane in life, and turne your face towards the east ; and when you have her binde her to that stone or glasse.'

It has been already observed, that among the Saxons, the origin of fairies was involved in considerable obscurity. Bournes however supposes the superstition to have been handed down by

tradition from the Lamiaæ of antiquity, who were considered so mischievous and cruel as to steal young children and devour them. These he says, together with the fauns, seem to have formed the notion of fairies. Others deduce them from the *lares* and *larvæ* of the Romans; and others again conjecture, that these diminutive aerial people were imported into Europe by the crusaders, from the East, as in some respects they resemble the oriental genii. The Arabs and Persians indeed, whose history and religion abound with relations concerning them, have assigned to them a peculiar country to which they have applied the name of Fairy-land*. But these hypotheses are unsupported by any conclusive or satisfactory evidence, and are merely, the conjectures of a fanciful and fertile imagination.

But, although we cannot, with any degree of accuracy, trace the origin of fairies among the Saxons to any precise or definite period, we may be more fortunate with regard to their origin among the Britons, among whom they were certainly indigenous, and of a very ancient standing. Their existence and attributes are alluded to by the oldest British bards, and Taliessin and Merddin make frequent mention of the two species noticed, the one fixing their abodes in grassy glades and green meadows, the other frequenting dreary mountains and deep woods. That their origin can be derived from the Druids, is more than conjecturable. The fairy customs are so systematic and general, that they evidently indicate the operations of a body of people existing in the kingdom distinct from its own inhabitants, acting in concert, and compelled moreover to live mysteriously. The ancient British hypothesis or rather belief as to their identity, will throw some light upon the subject. Dr. Owen Pughe, whose extensive and accurate knowledge of the old literature of Wales, entitles his opinion to very particular notice, observes that this imaginary race was anciently supposed to be the manes of those Druids who were neither of sufficient purity for a celestial abode, nor of sufficient depravity for the society of the infernals; on which account they remained on earth till the day of final retribution, when they were to be transformed into a higher order of existences. On examining closely the actions and attributes of these little beings, it will be found that they contain indications of a consistent and regular policy, instituted to prevent discovery, as well as to inspire fear of their power and a high opinion of their beneficence. Accordingly tradition intimates, that to

* Brand's Popular Antiquities, vol. ii. p. 327—fourth edition.

attempt to discover them was to incur certain destruction. 'They are fairies;' says the gallant Falstaff, 'he that speaks to them shall die.' They were not to be impeded in egress or ingress; a bowl of milk was to be placed on the hearth for them at night; and in return, they left a small present in money if the house was kept clean—if not, they inflicted some vexatious penalty upon the negligent, which the offenders were obliged to endure unresistingly. Their general habiliments were green, that they might be the better concealed; and as their children might have betrayed their haunts, they were permitted to go out only in the night-time, and then to entertain and exercise themselves by dancing in the moonlight. These dances, like those around the May-pole, were performed round a tree, and on an elevated spot, beneath which was probably their habitation, or its entrance. The older persons mixed as much as they dared with the world; and if at any time they happened to be recognized, the certainty of their vengeance insured their protection.

These fairy residences are numerous scattered through the woods and glens in North Wales. Mr. Pennant mentions one on his own estate at Downing in Flintshire, and has given a plate of the fairy-tree in his 'History of Whiteford and Holywell.' 'In this very century,' he says, writing in 1792, 'a poor cottager, who lived near the spot, had a child, who grew uncommonly peevish. The parents attributed this to the fairies, and imagined that it was a changeling. They took the child, put it in a cradle, and left it all night beneath the tree, in the hope that the Tylwyth Teg or fairy folk would restore their own before the morning. When the morning came, they found the child perfectly quiet, so went away with it, quite confirmed in their belief.' This changing system is one of the oldest attributes of all fairies, and is even now believed by many simple peasants.

'Such men do changelings call, so changed by fairies theft.'

A particular spot on the summit of Cader Idris is believed to have been the scene of many a fairy revel. It is marked by an irregular enclosure of stone, the remains, as it would seem, of some ancient *tumulus* or *carnedd*, and tradition has fondly bestowed upon it the appellation of Bedd Idris, or the grave of Idris*. Since the death of the warlike guardian of this rocky

* Most persons are aware that Idris bears the reputation of having been a giant, and one of such extensive dimensions as to require the whole of this large mountain for his chair or Cader. In honest truth, Idris was a chieftain and warrior of an age so remote that the date is swallowed up

fortress, this lonely spot has become supremely hallowed in the estimation of the neighbouring rustics, by being frequented by fairies, whose nocturnal gambols have been witnessed by more than one individual, and were formerly believed to have been far more common than they are now. There is certainly something exceedingly impressive in this rude and desolate inclosure, which is well calculated to conjure up thoughts and feelings, more solemn and awful than those connected with the sportive fairy. It possesses also a very remarkable virtue, the efficacy of which has been frequently put to the test, and successfully by many a mountain bard. It is well accredited, that whoever reposes within the hallowed circle of the Carnedd of Idnis, will awake either bereft of his senses or gifted with all the subtilities of poesy; 'aut insanit, homo, aut versus facit.*'

'And some, who staid the night out on the hill,
Have said they heard,—unless it was their dream,
Or the mere murmur of the babbling rill,—
Just as the morn-star shot its first slant beam,
A sound of music, such as they might deem
The song of spirits,—that would sometimes sail
Close to their ear, a deep, delicious strain;
Then sweep away, and die with a low wail;
Then come again, and thus, till Lucifer was pale.'

The rites of fairies—particularly that of dancing round a tree,—as well as their character for truth, probity and virtue, may probably be referred to Druidic origin. As the Druidical was one of the most ancient religions, so it was one of the first that was persecuted; and it is easy to conceive how necessary it must have been for its disciples to ensure their safety by adopting a secure as well as an extraordinary mode of concealment. Under these circumstances therefore, it is not too much to believe that the origin of fairies in Britain may be deduced from the subversion of that religion, which presented such a mingled character of barbarous bigotry on the one hand, and of elevated morality on the other.

Nearly allied to fairies is another species of aerial beings, called knockers. Those, the Welsh miners solemnly affirm, are

in-oblivion; and as it was usual for ancient chieftains to construct their strong-holds on the summits of lofty mountains, the Carnedd da question may still cover the remains of the mountain warrior.

* There is a similar superstition attached to the summit of Snowdon, and to that of some others of the higher mountains, originating probably in the rude mythology of the early Britons, who are known to have worshipped mountains as well as rivers. The Dŷe was accounted sacred till comparatively a late period.

heard under ground, in or near mines, and by their knocking generally point out to the workmen a rich vein of ore. In the third volume of *Selections from the Gentleman's Magazine*, there are two letters on the subject of Knockers, written by Mr. Lewis Morris, a gentleman esteemed no less for his learning and benevolence than for his general good sense and integrity. 'People,' he says, 'who know very little of arts or sciences, or the powers of nature, will laugh at us Cardiganshire miners, who maintain the existence of *Knockers* in mines; a kind of good-natured impalpable people, not to be seen but heard, and who seem to us to work in the mines; that is to say, they are types, or forerunners, of working in mines, as dreams are of some accidents which happen to us. Before the discovery of Esgair y Mwyri mine, these little people worked hard there, day and night; and there are abundance of honest, sober people, who have heard them: but after the discovery of the great mine, they were heard no more. When I began to work at Lwyn Lwyd, they worked so fresh there for a considerable time, that they frightened away some young workmen. This was when we were driving levels, and before we had got any ore; but when we came to the ore, they then gave over, and I heard no more of them. These are odd assertions, but they are certainly facts, although we cannot, and do not, pretend to account for them. We have now (October, 1764) very good ore at Lwyn Lwyd, where the Knockers were heard to work; but they have now yielded up the place, and are heard no more. Let who will, laugh; we have the greatest reason to rejoice, and thank the Knockers, or rather God, who sends us these notices.'

The most remarkable, but not the most peculiar superstition, next to be noticed, is that of Holy Wells. In common with many other rude nations, the Welsh endowed several of their wells and fountains with miraculous powers; and even now they fondly retain a belief in the virtues of their hallowed waters.

At the ruined monastery of St. Dwynwen, in Anglesey, is a well named after that saint, and gifted with the rare powers of alleviating the pangs of unhappy and unfortunate lovers. Hither, when the course of their wooing runs not smooth, or when its torments prove too torturing, lovers hie for comfort and encouragement, and, by drinking its charmed waters, obtain the alleviation which their hearts desire. 'This well was in the very zenith of its attraction, about the middle of the fourteenth century. . . . Here,' says an eminent Welsh antiquary, 'were constantly kept wax-lights at the tomb of this virgin saint,

where all persons in love applied for a remedy, and which brought vast profit to the monks.' Dwynwen indeed was as famous among the Britons in affairs of this nature, as Venus ever was among the ancients; and it will readily be believed that an immense multitude of votaries flocked to her shrine.

Who has not heard of the well of St. Winefred, at Holywell, in Flintshire,—and what good Catholic is unacquainted with its marvels and miracles? The very origin was a sufficient indication of its future celebrity. Winefred, a beautiful and high-born maiden, inspired the young Caradoc with a passion which nothing but the possession of her charms could satisfy. Dedicated from her cradle to the church, and then residing in a convent which her uncle had founded, she repelled with unshrinking obduracy and high disdain the unequivocal advances of the enamoured prince. He pressed her with importunity; and when horror-struck and terrified she attempted to escape, he drew his sword, and struck off at a blow the head of the hapless virgin. This, as the monkish legend informs us, took place on a hill above the convent, and down the hill did the severed head roll, till it suddenly and of its own accord, stopped near the chapel. Immediately a spring gushed forth from the spot where the head thus rested, the moss over which its waters bubbled diffused a fragrant smell, the stones among which they rippled became spotted with the pure blood of the maiden, and like the flowers of Adonis, to this day they annually commemorate the fact by assuming colours unknown to them at other times.—

Luctus monumenta manebunt,
Semper, Adoni, mei; repetitaque mortis imago
Annua plangoris peraget simulamina nostri.

St. Beano was the only individual who witnessed the termination of this horrible catastrophe; but being a saint of unobscured piety, he took up the bleeding head, and pouring forth his soul in prayer, he joined it nicely to the neck, from which it had been so unceremoniously separated, and to his exceeding joy and ecstasy, the most perfect union was effected. The maiden opened her eyes, her bosom heaved with respiration, she stretched out her hands towards heaven, and became from that moment devoted to her maker, and endued with all the honours and influence of sanctity. The line of separation between her head and her body was marked by a white circle, in token of a miracle which far surpassed that worked by St. Derrys, who marched in triumph with his head in his hand from Montmartre to Paris, or that of St. Adelbertus, who swam without

his head across the Vistula. The Cambrian saint, unwilling to be outdone by any in Christendom, survived her decoliation fifteen years; but then even *she* died, and was entombed at Gwytherin, in Denbighshire, of which abbey she was for some years abbess. Here her bones rested till the reign of King Stephen, when, after divine admonition conveyed in due form and with all possible credibility, they were removed to the abbey at Shrewsbury, to the great oblectation and abundant profit, no doubt, of the pious fraternity of that monastery. The memory of her death was celebrated on the 22nd of June, that of the translation of her bones—a matter equally venerated—on the 3rd of November.

As may be expected, the miracles which the odour of her surpassing sanctity performed, were numberless. A bell belonging to the abbey at Shrewsbury, and christened with much ceremony in honour of her saintship, was endowed with extensive attributes. On being tolled, it allayed storms, diverted thunderbolts, and drove away the devil, with all other evil, from the fortunate monks, who had themselves endued it with such powers. As to the well, its waters were a perfect catholicum. Every disease, whether of mind or body, in man or beast, was vanquished by their sanative influence. ‘*Omnes languores, observes an old writer, ‘ tam in hominibus, quam in pecoribus, (ut Legendæ verba habent,) sanare.’* Drayton affirms that no dog could be drowned in it; and the barrows, crutches, couches, pillows, and other relics of the maimed and decrepid, even now remain as proofs of its virtues, fixed in the fretted roof of the Gothic building, by which the well has been so long protected. Pope Martin the Fifth, in the reign of Henry the Fifth, furnished the neighbouring abbey of Basingwerk with pardons and indulgences to be sold to the devotees. These were renewed in the reign of Queen Mary by the interest of Thomas Goldwell, bishop of St. Asaph, who fled into Italy on the accession of Elizabeth. Multitudes of offerings flowed in, and the monks received tangible marks of gratitude from such as had received benefit by their intercession, with Saint Winefred.

It is even at the present time much frequented, although of late the number of pilgrims has considerably decreased; the majority coming from Lancashire. ‘*In the summer, observes Pennant, ‘ still a few are to be seen in the water, in deep devotion, up to their chins for hours, sending up their prayers with unceasing volubility, or performing a number of evolutions round the polygonal well, but few people of rank at present honour the fountain with their presence.’* In the seventeenth century however, a crowned head dignified the place with a

pious visit,—the bigoted prince, to wit, who lost three kingdoms for a mass. This memorable event occurred on the 29th of August, 1686,—so tenacious is the voice of record of a monarch's mummeries. As a reward for thus paying his devotions to the virgin saint, His Most Gracious Majesty received the identical *chemise* in which his great grandmother, poor Mary Stuart, lost her head *. The majority of the devotees are of the fair sex,—attracted thither to commemorate the attempted martyrdom of St. Winefred, as the damsels of the east were accustomed to memorialize the death of the Cyprian favourite—

‘ Whose annual wound in Lebanon allured
The Syrian damsels to lament his fate
In amorous ditties all a summer's day ;
While smooth Adonis from his native rock
Ran purple to the sea, supposed with blood
Of Thamuz yearly wounded.’

It should be added, that Caradoc, the unconscious instigator of all these marvels and blessings, was carried off in a cloud or whirlwind as soon as he had struck off the head of his victim. Higden in his *Polychronicon* adds, that even the descendants of this sacrilegious monster were visited with horrible judgments, to be expiated only by offerings made during a pilgrimage to the well, or to the bones of the saint at Shrewsbury. Gall has preserved the following monkish memorial of the origin and attributes of the well of St. Winefred.—

‘ Ad Basingwerk fons oritur
Qui satis vulgo dicitur,
Et tantis lullis scaturit
Quod mox injecta rejicit,
Tam magnum flumen procreat †—
At Cambria sufficiat,
Ægri qui dant rogamina
Reportant medicamina,
Rubro guttatos lapides

* This prince, in his progress through the country, gave as marks of favour, golden rings with his hair platted beneath a crystal. Several of these are still carefully preserved amongst the Catholic families in the North.

† St. Beuno, when he discovered St. Winefred's well, and published its miraculous influences, little dreamt of the real and practical benefits which it was destined to confer upon heretical posterity. By one experiment the spring of this well was found to discharge twenty-one tons in a minute. In the course of less than two miles from its source, it turns the machinery of one corn-mill, four cotton factories, a copper melting house, a brass house, an iron foundry, a large copper smith's, a wire-mill, a calcining calcinatory, &c. &c.

Et scatebris reperies
 In signum sacri sanguinis,
 Quam Venfredæ virginis,
 Guttur truncatum fuderat
 Qui scelus hoc patraverat.
 Ac nati ac nepotuli
 Intrant, ut canum catuli,
 Donec sanctæ suffragium
 Poscunt ad hunc fonticulum,
 Vel ad mibem Salopiæ
 Ubi quiescit hodie.'

Miraculous as are the reputed virtues of St. Winefred's well, and amusing as is the legendary account of its origin, there is a class of charmed fountains, which possesses more interest to those who wish to contemplate the prostration of the human intellect at the shrine of superstition and credulity;—those charmed wells, which operate as a fearful spell upon the welfare of those who believe in the influence of their withering and fatal power. Of these, that of St. Elian, near Abergelegin, Denbighshire, is the most noted; and it is not merely an opinion, but a firmly rooted conviction among the peasantry of this and of the adjoining counties, that if any one be, as the phrase is, *put into the well*, the individual thus subjected to its baneful influence, will, like the person upon whom the curse of the Indian Obea has been cast, pine away till he is taken out again. 'I will put you into St. Elian's well and have revenge of you!' said a choleric mountaineer to Mr. Pennant, in return for some imaginary injury,—this being considered a mode of satisfying vengeance not less terrible than certain, and frequently resorted to by the superstitious and irascible inhabitants of that retired district. To carry this purpose into proper effect, the performance of a certain ceremony is necessary. Near the well resides an ancient crone, who officiates as hierophant to the unhallowed shrine. To her the person who wishes to inflict the curse repairs, and for a trifling sum she registers the name of the victim in a book kept for that purpose. A pin is then dropped into the well*, in the name of the victim, and the report that such a person has been put into the well soon reaches the ears of the unfortunate object of revenge. All the evils of the spell

*. The ceremony, if it may be so termed, of dropping pins into wells, is not confined to that of St. Elian; it is a custom at Gresford, and in the island of Barri. It appears to have been originally an offering to the tutelary genius of the well, being intended as a substitute for some part of the dress of the votary, or possibly for the victim himself.

now fall fast and thick upon him ; and if no reconciliation can be effected, and the priestess prevailed upon to take him out of the well, misery, misfortune, disease, and even death, are the fatal result of this domoniacal charm. Not later than the year 1818, a trial took place at the Flintshire assizes, when one Edward Pierce prosecuted a man named John Edwards, for pretending to take him out of this well, into which some enemy had previously put him. The defendant was convicted of obtaining money on false pretences, and sentenced to a twelvemonth's imprisonment.

Another holy well is that of St. Thecla in Denbighshire, celebrated for the cure of epilepsy, by the performance of the following ceremony. The sun being set, the patient washes himself in the well, and walking thrice round it, repeats the Lord's prayer each time. If the patient be a male, he makes an offering of a cock ; if a female, of a hen. The fowl is carried in a basket, first round the well, and then into the neighbouring church-yard. The patient then enters the church, and places himself under the communion table, where, putting a bible under his head, and being covered with a cloak, he rests till day-break ; and then, having made an offering of sixpence, and leaving the fowl in the church, he departs. If the fowl dies, the disease is supposed to be transferred to the bird, and the cure, of course, effected.

Other superstitions, of a more ordinary and everyday nature, the Welsh possess in common with other secluded people ; but there is nothing peculiar in their ' black spirits and white, red spirits and grey,' with all their trumpery. From this assertion however, exception must be made in favour of the *Canwyll y Cyrph*, or *Corpse Candle*, the apparition namely of a doomed individual, bearing a lighted candle in his hand, and moving towards his appointed burial-place in the neighbouring church-yard. If the individual whose death is thus predicted, be a man of family or fortune, the whole of the gloomy procession is shadowed out ; the noiseless hearse, the spectral horses, the unrevolving wheels of the mourning coaches, moving in silence and melancholy to the home of all living*. The

* The Corpse Candle, in many of the accounts, dwindles into the appearance of a wandering light. It is described with great gravity and minuteness by John Wesley, in that odd compound, the early numbers of the *Arminian Magazine*. In this its simpler state, it appears to have strong features in common with the *Ignis Fatuus* or *Will o' the Wisp*. It is worth bearing in mind, that this last appearance has been strongly surmised to be produced by a luminous insect. It is many years since the similarity of its motion was observed, to that of an insect avoiding pursuit. A subsequent examiner has stated, that he approached one near enough to see distinctly

belief in fatal presentiment of some kind, is equally strong in every quarter of the kingdom. In Scotland, the *Bodach galls* announces the termination of human life; in Ireland the *Death Fetch* and the *Banshee* have the same ominous power; and in England the harsh ticking of the death-watch, and the baying of the restless house-dog, point with equal certainty to the final scene, and whiten the cheek of the aged nurse by their well-known warning. In Wales the *Corpse Candle* indicates the same doom, and blanches the bravest brow. It is true that its appearance is confined almost exclusively to Pembrokeshire; but it possesses an equivalent substitute in other parts of the Principality, under the denomination of *Gwrâch-y-Rhibyn*, the *Hag of the Dribble**, who, like the Irish Banshee, is the omen of death. There is something wildly and fearfully poetical in the character and attributes of the hag. As soon as the day has declined sufficiently to admit of her unseen progress, she hastens to the house which contains the doomed person, and there flapping her wings against the window of the chamber, she calls upon the sick by name in a howling, broken voice, as thus—*A-a-a-n-ni-i-i!* (*Ami*). This visitation, it may be readily conceived, is infinitely more horrible than that of the *Corpse Candle*; and as it rarely occurs in any place but on the mountain or in the morass, the terrors of the prediction are heightened in proportion to the loneliness and wildness of the scene.

Connected with the *Corpse Candle*, is the following illustration in a Paper on Apparitions, published a few months since, in a contemporary Magazine.—

‘In a wild and retired district in North Wales, that namely which extends from Dolgelly westward to Barmouth and Towyn, where there is certainly as much superstition as in any other district of the same extent, and where there are many individuals who lay claim to the title and capabilities of *seers*, the

the form of an insect with wings like a dragon-fly. Two or three years ago, an anonymous article in a country paper announced that some person in digging up the mud of an old pond, had discovered two creatures which he surmised to be the insects in question, and which he described as looking like cray-fish with wings. The entomologist who can ascertain the fact by securing an *Ignis Fatuus* in a bottle, will have drawn a tooth from the jaws of superstition and human suffering.

* This baneful being is sometimes classed with the *Ellyllon*, and derives her strange title from the following circumstance. In her various journeys over the hills on her ill-boding errands, she is accustomed to carry her apron filled with stones; and as often as her apron-string breaks, the stones fall in such a direction as to form a *dribble*.

following occurrence took place, to the great astonishment, of the mountaineers. We can vouch for the truth of the statement, as many members of our own *teulu*, or clan, were witnesses of the fact. On a dark evening, a few winters ago, some persons with whom we are well acquainted, were returning to Barmouth on the south or opposite side of the river. As they approached the ferry-house at Penthryn, which is directly opposite Barmouth, they observed a light near the house, which they conjectured to be produced by a bonfire, and greatly puzzled they were to discover the reason why it should have been lighted. As they came nearer, however, it vanished, and when they inquired at the house respecting it, they were surprised to learn that not only had the people there displayed no light, but they had not even seen one; nor could they perceive any signs of it on the sands. On reaching Barmouth, the circumstance was mentioned, and the fact corroborated by some of the people there, who had also plainly and distinctly seen the light. It was settled, therefore, by some of the old fishermen, that this was a "death-token," and, sure enough, the man who kept the ferry at that time, was drowned at high-water a few nights afterwards, on the very spot where the light was seen. He was landing from the boat, when he fell into the water, and so perished.'

'The same winter the Barmouth people, as well as the inhabitants of the opposite banks, were struck by the appearance of a number of small lights, which were seen dancing in the air at a place called Borthwyn, about half a mile from the town. A great number of people came out to see these lights; and, after a while, they all but one disappeared, and this one proceeded slowly towards the water's edge, to a little bay where some boats were moored. The men in a sloop which was anchored near the spot, saw the light advancing—they saw it also hover for a few seconds over one particular boat, and then totally disappear. Two or three days afterwards, the man to whom that particular boat belonged, was drowned in the river, while he was sailing about Barmouth harbour in that very boat. We have narrated these facts just as they occurred: we must leave the solution of the mystery to the ingenuity of our readers.'

The above are the most striking of the popular superstitions of the Welsh; and for the most part they are still believed, modified, it is true, in many instances, to suit existing circumstances, but nevertheless, constituting an important portion of the creed of a peasantry, sober and phlegmatic in the extreme; they are repeated in the cottage as 'things of sooth,' as matters of credence and certainty, and as memorials of unearthly agency

which it is the sin of unbelief to doubt, and profaneness to ridicule. That this state of simplicity will continue much longer, is neither to be expected nor desired, any record, therefore, however imperfect, of those delusions and opinions which enter so minutely into the thoughts and feelings of the people, and by consequence so extensively influence their actions, is not altogether undeserving of attention.

In conclusion, another superstitious notion is found ably illustrated in Mr. Crofton Croker's entertaining and instructive 'Fairy Legends of the South of Ireland.' This is in the Tale of *Fior Usga*, illustrative of the notion, that some of the mountain lakes cover the towns and towers of other days.—

'O'er Lough Neagh's bank, as the fisherman strays,
When the clear cold eve's declining,
He sees the round towers of other days
In the wave beneath him shining.'

In Wales, more than one lake is supposed thus to cover the ancient habitations of men. Those of Bala in Merionethshire, of Savaddan in Brecknockshire, and another on the borders of Denbighshire and Shropshire, called the Lake of the Engulphed Count, are particularly celebrated as affording a view of the same phenomenon as Lough Neagh in Ireland. But that in Brecknockshire is gifted with other attributes, which have been thus chronicled by the voracious Higden —

'Near Brecknock is a noted lake
Where plenty of good fish they take.
At different times its colour varies,
And they who view the lake's vagaries
See in it now a garden green,
And now a town adorns the scene,
But when the frost has overcome it
Strange sounds are heard to issue from it
If the true prince of Wales come there,
And bids the birds his right declare,
At his command they blithely sing,
But heed no other prince or king

To Bala Lake, which is one of the largest in Wales, there is a legend attached, which might be imagined to be a localization of the Deluge. It relates, that a powerful prince lived in the valley now occupied by the lake, and that he was full of crimes, and 'careless of God and man.' In the midst of a princely feast, vying in splendor with that of Belshazzar, the heavens opened, and the torrents were let loose, till the palace and its dependencies were all swallowed up, and covered by the waters of *Llyn Tegid*, or the Beautiful Lake.

Notwithstanding the pretensions to moral inculcation occasionally exhibited in superstitious lore, the general impression from the whole is one of thankfulness to the framer of nature, who has not left his work to be the sport of whimsical demons and unearthly terrors. It is enough for man to die, without being plagued with hags and banshees to increase its bitterness, and it requires no prodigious stretch of understanding, to include under the phrase of 'makers and lovers of a lie,' all who on pretence of religion, morality, or imagination, would prolong men's faith in what the current of human experience proves to have been far removed from them by the kindness of their Maker.

ART VIII.—1 *Visits to an Infant School* 12mo pp. 120 London, Maidon, 1832

2 *Reports of the Commissioners for Inquiring into Charities.* Folio 1819 to 1832.

THE establishments described in the little volume entitled 'Visits to an Infant School,' have now during twelve years stood the test of experience in several countries, in various climates, and under every variety of religion and political constitution. In Great Britain and Ireland all sects and parties approve of infant schools, in France, those who are the best qualified to form a judgment, fully appreciate their value, and public tranquillity is alone wanted to secure the universal adoption of them in that country; in Geneva, they are received so zealously as to have become improved by the systematic addition of gardens in which the children pass more hours than in the school-room; in North America they are gaining ground with the rapidity and steadiness with which every thing good prospers in the United States; and the republicans of the west, abandoning a deeply rooted and barbarous prejudice, are in some few places even providing infant schools for their young slaves. At the Cape of Good Hope, the just union of the white and coloured races is begun, not more by the newly imparted equality of rights, than by these establishments being opened in common to the offspring of both; they are in like manner begun to be offered to all classes without invidious distinction, in India; and in the Ultima Thule of civilization, New South Wales, the innocent children of both the convict and the free are in some measure rescued by means of infant schools, from abominations which affect the young in a manner to which our distance from the scene renders us careless.

Being especially studious not to impose undue restraint either upon the feeble limbs or the more feeble minds of children from two to six years of age (the time of life at which they attend infant schools), the teachers have been eminently successful in rendering their scholars happy, without failing to qualify them for the severer pursuits and denials to be submitted to in maturer years. The system may indeed be properly compared to the judicious training of a tender plant; and it is literally teaching the young idea how to shoot.

But although infant schools have been most advantageous wherever adopted, they are not increasing in England in the degree to be expected from their acknowledged usefulness. While our manufactories are prematurely filled with children, and the lanes of our towns crowded with sickly infants, no adequate exertions are made to multiply these schools for their reception. The press has afforded aid enough to this cause. There have been published upon the subject, within the last half a dozen years, many volumes of precept and panegyric in England and in the United States, besides other works on the continent of Europe and in the colonies. The want of money however, it is said, stops the extension of what all approve; so that if it can be shown that to any considerable amount funds exist proper to be devoted to infant schools, it may be fairly anticipated that the five hundred now flourishing in England, will be succeeded by as many more as such special funds can support. The object is sufficiently attractive to excite lively attention, and it is gratifying to feel assured, that strong arguments may be adduced to prove, that the misapplied incomes of many grammar foundations ought to be appropriated in aid of infant schools to be connected with them. The case of the Manchester grammar school disclosed by the Charity Commissioners, illustrates this suggestion; for there the true intention of the founder, and the present abuse of the foundation, are both demonstrable upon the clearest evidence. And it is a curious fact, that the infant schools contrived by Mr. Buchman at New Lanark, and thence introduced into England, to be so rapidly spread all over the earth, were anticipated in the sixteenth century.

The Manchester grammar school was established in 1515, 'in consideration that the youth wanted instruction, on account of the poverty of their parents,' and the master and usher were not to take the smallest gifts by colour of their office, or for teaching, except their stipends; and one of the scholars, to be changed monthly, was to teach all the 'infants' at the end of the school, their A B C. These clear injunctions notwithstanding,

none are now admitted to the Manchester grammar school unless they can read already, and unless they are six or seven years of age; accordingly no 'infants' to be taught the A B C, are ever seen there. All the boys also pay for being taught, and some of them largely, to the masters, and all are compelled to learn Latin, although originally a portion only did so. The commissioners naturally enough notice the inadequacy of the fruits to the amount of the provision, viz. 4,000*l.* a year on the Manchester foundation; and it is not to be doubted, that if the same funds were administered according to the founder's principles, with such improvements as are calculated to insure the success of those principles, there would soon be a thousand Manchester scholars within the walls, of whom two hundred at the least would be classical students. But this would be a reform in favour of the needy, whose interests have few advocates even upon a question capable of the most satisfactory settlement.

How erroneous Lord Eldon's idea was, (and he made the law,*) that all grammar schools before 1623 were exclusively devoted to the classics, will be clear from the following examples. At *Wotton-under-Edge*, the free grammar school founded so early as in 8 Richard II, admitted teaching 'to write a fair hand, to cipher and cast accounts,' by letters patent of the 22nd year of the reign of the learned King James I; and what was so solemnly done then, must be supposed to have been legally done. At *Skipton*, a grammar school was founded in 2 Edward VI, and the original rules direct that the boys be first taught the alphabet, and afterwards proceed to grammar. At *Wakefield*, the free grammar school was founded in 34 Eliz.; and the statutes made in 1607, provide for tuition in writing, as well as in the classics. At *Wellingborough* is an ancient grammar school which was brought before Lord Keeper Egerton in 38 Eliz.; and his Lordship sanctioned the teaching of 'reading, writing, and casting accounts,' as well as Latin, in it. At *Aldenham*, a grammar school was founded in general terms in 1599, which according to Lord Eldon's views, would designate an exclusively classical system; yet in the course of the same year, the intention of the founder in using those terms, is shown by statutes directing the master to teach 'Latin, and the usher English, writing, cyphering, and casting accounts.' At *Knaresborough*, the free grammar school was founded in 14 James I; to educate poor as well as rich, in grammar, accidence, and other books;

* See the Attorney General *v.* Whitely, 11 Vesey, 241, and Attorney General *v.* Hartly, 2 Jacob and Walker, 360.

and by the original statutes, the scholars were in the afternoon, to learn 'to write a fair hand, after the best copies;' and besides the Latin boys, there were to be admitted 'petties,*' who should not have learned the accidence, or be entered in the English rules of grammar. At the Charter House, the grammar school was founded in 1610; and the statutes made in 1627, provide that it should be 'the master's care, and the usher's charge' to teach arithmetic to those boys who might be more fitted for trades than for the learned professions, so little did our forefathers insist upon the modern absurdity of inviting all to devote themselves exclusively to classics. It is indeed a gratuitous assumption, and a grand juggle, to maintain the terms 'Grammar school' to be legally significant of an exclusively classical system; and it should not be forgotten, that the assumption is only made when the poor are to be kept out of these schools. To the rich when admitted, in many, every kind of study is offered.

The darkest circumstance, however, in the mismanagement of the schools, is the studious anxiety of masters and trustees to supplant the poorer boys in favour of the more 'respectable classes.' The general means for effecting this have been, confining free tuition to the learned languages, which neither the poor nor anybody else want alone; and in aid of this, most unconscionable sums of money are required for the addition of other elements of knowledge to the classics, and extravagant bills made out for unnecessary books. At Bristol, (the scene of so much hard dealing with the poor, and its natural result, a furious and ignorant populace), the object was put forth without disguise by the corporation, and the means contrived for attaining it would have proved effectual but for the interposition of the Charity Commissioners. The entrance fee of 5s. was raised, say they, to 4*l.*, 'because if the school could be placed on a respectable footing, and young men of respectable families educated there, it would be much more likely to be beneficial to the city; and the intention, not only of the founder but also of the several persons who have since established exhibitions and scholarships, would be more usefully carried into effect, by not allowing children of the very poorest class, who could not advance 4*l.*, to be admitted, since the increased payment could only operate to the exclusion of children of the last mentioned description.' In the perfect spirit of these reasons, the master charges his foundation boys 16*l.* 16*s.* a-year to be on a par with his boarders; and justly indeed do the Commissioners

* See Third Report of the Charity Commissioners, p. 233, Appendix, House of Commons papers for 1820, No. 5.

declare these and other reasons of the far-famed corporation of Bristol to be unsatisfactory. [*Twentieth Report, House of Commons Papers of 1829, No. 19, p. 5.*] The truth is, that these establishments, which ought to be scenes for the early encouragement of every virtue, are too often made subservient to avarice in masters, and to vulgar pride in a portion of the people. In order that the 'respectable classes' may enjoy grammar schools without a degrading commixture, the most solemn injunctions of the founders are perpetually disregarded, and systems introduced in defiance of them which effectually bar out the poor man's child. At Bruton in Somersetshire, a school with an income of 500*l.* a-year, the usual number on the foundation is six; but in 1824 there were eight, and one day boy; yet here the master has the effrontery to 'complain that from the open state of the school, he is liable occasionally to have boys sent to him, who are not proper to mix with those who resort there for learning, as the foundation deed expresses it.' And means are accordingly in progress to correct the prodigious evil. [*Second Report, p. 390.*] At Lewisham the master has been more successful. 'The boarders,' says he, 'are kept quite separate from the foundationers, as they are a different class of boys.' [*First Report, 121.*] At Aldenham, 'the indiscriminate admission of boys of all ranks has in several instances,' it seems, 'prevented persons from sending their children.' [*Ib. p. 78.*] At Wotton-under-Edge, 'it has been remarked by several of the respectable inhabitants, that some of the boys in the school are sons of very low parents,' and here too means are to be taken to correct the abuse.

This endeavour of the selfish rich to exclude the poor from grammar schools, is of old standing. When Cranmer with other Commissioners visited Canterbury, to settle such a school there, some of them wished to admit none into it but 'sons, or younger brethren of gentlemen; as for husbandmen's children, they were more meet, they said, for the plough, and to be artificers, than to occupy the place of the learned sort. It was meet for the ploughman's son to go to the plough, and the artificer's son to apply to the trade of his parent, and the gentleman's children are meet to have the knowledge of government, and rule in the commonwealth.' Cranmer successfully urged many reasons for another course, which was determined upon, 'such a seasonable patron of poor men,' says the historian, 'was the archbishop,' who was shrewd enough to apply the following personal argument to the Commissioners,—'And to say the truth, none of us all here were gentlemen born, but we had our beginning from a low and base parentage; and through the

benefit of learning, and other civil knowledge, all gentlemen for the most part ascend to their estate*.

When it is considered that such a man as Sir Philip Sydney was brought up at one of these grammar schools, at a time when more than half his fellows were 'sons of very low parents,' and that the following description of the inmates of one which has been named, designates hundreds of these establishments, it will be difficult to restrain indignation at the meanness and cruelty which led to so many perversions of them.

At Lewisham,

'In the grammar school, there were to be thirty boys, "destitute orphans, the children of parish pensioners, and of day-labouring handicraftsmen, mean tradesmen, painful husbandmen, or of any other honest and godly poor persons, so that the children be of good wit and capacity, and apt to learn. These shall be always chosen first before the children of those that be of better ability." They shall "pay some duties to the master."

"The scholars shall be able to read very well, and be entered well into the accidence, and also able to write a legible hand, before they shall be chosen to be taught freely at the grammar school." And others are to be admitted free, and six boarders besides.'

"And then for amending their writing my will is, that the master shall have bought for the free scholars (but at their charge, and their parents being willing) the most excellent printed writing copy-books of the fairest hand, with good pens and paper, thin ink, ruler, leaden plummet, ruling-pen and pen-knife, and see that they constantly practise their writing above two hours in every two days in every week; by his own discretion, according to Master Bingley's rule, in his book called "The Grammar School."

"And by the help of one or two of the scholars that write best, all may be brought to write commendably, and be good penmen in the several learned tongues as they proceed, to the credit of the school, the contentment of the parents, and their own special benefit."

"Yet again if this suffice not in love to draw the parents the more willingly to send their children, 11l. shall be given yearly to a writing master to teach them to write a fair secretary or Roman hand, and to cypher and cast accounts very well, till they be enabled to keep merchants books perfectly. And the free boys shall pay sixpence a quarter to this writing-master."

'And 20l. shall be given to an usher in the grammar school, "having good knowledge in Latin and Greek, and able to write well and fair, both secretary and Roman hand, and, if need be, so teach the scholars arithmetic and to cast accounts very well till they be enabled to keep merchants books perfectly."—*First Report, Appendix*, 173.

From this school too, the 'best and learnedst poor scholar' was to be sent as an exhibitioner to college.

* Johnstone's Memoirs of Dr. Parr, vol. i. p. 128.

In the place of attending to these statutes, the trustees have failed to provide the school with masters, as directed by the founder; have suffered an elementary English school connected by him with the grammar school, to be severed from it; and permit the master to separate the free boys from his boarders.

The foregoing proofs of the difficulty experienced in chasing the children of the poor from the foms of 'the respectable classes,' afford light in regard to another fact generally much misrepresented. They show that the poor do not dislike classical learning. Unjustly as the minor elements of knowledge are often refused at these schools, or when imparted there, charged for at extortionate rates, still poor boys are pressed upon the masters so urgently, that contrivances are devised to save the rich from the humiliating mixture. It was in vain that Lord Chancellor Hardwicke denounced learning as unfit for labourers. The labourers of various degrees well understand the right conferred upon them by these foundations; and if Lord Chancellor Brougham cannot correct the decisions^s of Lord Eldon which realized Lord Hardwicke's ill-founded opinion, the subject must be taken to a higher court. A general statute might be easily drawn, and upon good precedent too, to enjoin such duties upon trustees and masters as would fill grammar schools with all classes of people. Disobedience to this statute might be made indictable, a readier method of compelling right to be done than the present course in Chancery. The amount of funds belonging to the charities is enormous. In 1828 the Commissioners had visited about one-third of the estates; and they reported the revenues to be upwards of 480,000*l.* a-year. By a due administration of so much of the whole as belongs to school foundations, at least 150,000 of the poorer children may be educated in a friendly union with their richer neighbours; and while various learning is usefully imparted to the inmates, the prospect of admission to the foundation schools will be a steady stimulus to diligence in the inferior establishments. Upon this subject, the proceedings of the Charity Commissioners are of great importance. They have had two duties to discharge; the one, of surveying and registering all foundations; in which they have been occupied during twelve years; and which cannot be completed for several years to come. Their other duty is that of devising means of better administering the funds consistently with the true intention

* In the case of the Attorney General *v.* Hartley in Jacob and Walker, p. 360, Lord Eldon acknowledged that he had always decided upon a misapprehension of facts. See the case more fully reported on this point in the 'Law Magazine' of February, 1832, p. 105.

of the founders. Nothing has yet been attempted on this head in regard to the numerous schools which the inquiry has proved to be in absolute or comparative decay. But with materials amounting to more than twenty folio volumes in quantity, a proper spirit can find little difficulty in deriving profit from this distinctly recorded experience; and the country will only recognize the utility of the commission, upon seeing their labours produce extensively beneficial results.

ART. IX.—1. *A Vindication of Dr. Paley's Theory of Morals from the Principal Objections of Mr. Dugald Stewart; Mr. Gisborne; Dr. Pearson; and Dr. Thomas Brown. With an Appendix, containing Strictures on some Remarks of Dr. Whately, Principal of St. Alban's Hall, Oxford.* By the Rev. Latham Wainewright, M.A., F.S.A., of Emanuel College, Cambridge.—8vo. pp. 204. London; Hatchard. 1830.

2. *Fort Risban; or Three Days Quarantine.*—12mo. pp. 266. London; Smith, Elder, and Co. 1832.

THE first of these, is a vindication of Paley for the support he gave to the principle of 'utility.' It is of comparatively small importance to assign the degrees of priority in the illustration of a useful principle; but everybody knows that Priestley was the modern inventor (for the same thing may be invented many times) of the theory of 'the greatest sum of happiness,' which was then taken up by Bentham, and afterwards by Paley*. The thing is the thing; and the object is to support it here.

There seems, as noted by his vindicator (p. 7), to be some confusion in Paley's language, between utility being an *obligation*, and a *criterion or standard*; and it is very probable the same may be traced elsewhere. The first position to be aimed at, is the establishing that utility, or the production of the greatest quantity of happiness in the aggregate, is the substantial standard of what men at various times and places have more or less darkly aimed at under the titles of morality, virtue, fitness of things, the *honestum*, the *decorum*, and what not besides. The next is, to give an answer to the question, why or from what motive affecting himself, a man should regulate his own conduct by the rule which will establish the greatest aggregate of happiness, not of himself *simpliciter*, but of all

* See a full statement with dates, in the Article on the 'Greatest Happiness Principle,' in the Westminster Review No. XXI for July 1829. Art. 16, p. 258.

concerned ;—which constitutes what is meant by obligation. And here an answer, at least of this world, would have been hopeless, if the constitution of nature had not been such that it happens to be proveable, that the rule which will promote the greatest happiness in the aggregate, is the rule a compliance with which, taking all the adjuncts and probabilities into the account, *is more likely to promote the ultimate happiness of the individual, than any other that can be pointed out before trial.* There is no use in saying, that there have been successful thieves and fortunate assassins ; the question is, whether the proportion is sufficient to make thieving and assassination good and likely trades upon the whole. The fallacy is simply in assuming that to be known, which is not known. If a man could be sure of obtaining the 20,000*l.* prize in a lottery, it would be policy to give 19,000*l.* for a ticket ; but to do it without being sure, would be the act of an idiot. Just such a folly does a man commit, who breaks through any of the tried and approved rules of morality, without knowing whether he shall be the lucky man that escapes the consequences or not. The consequences do not fall, at least in their extremity, on all ; but the question is, whether it be the act of a wise man, to incur the risk of the consequences at all. This is an *obligation*,—if there is one for a man's keeping his fingers out of the fire. It might make a more immediate and urgent one, if there were a devil as on the stage, appointed to do summary justice on every act of immorality of a certain magnitude. But there is not ; or at all events, as expressed by a poetical philosopher, 'he very often waits.' Whence arises a practical necessity for a more homely and instant obligation ; and it consists in what has been described above.

Dugald Stewart and others, it is stated (p. 8); have objected, that this system entrusts to every individual the power of deciding what line of conduct will, at all times and in all places, be most beneficial to the great bulk of mankind. And how should it be otherwise, or what conceivable rule is there that is not liable to an objection of the same kind ? There is no obscurity about what rule it is the objectors have in their eye, and by reference to which they think they settle the question. They mean a religious rule, sanctioned by the authority of revelation and of future reward and punishment. But in what way does this remove the difficulty ? A religious rule cannot in the nature of things define what is and is not to be done, with more precision than a moral rule ; for all that the powers of language can do for the one in the way of preciseness and explanation, the other if it pleases may borrow. To say that the religious rule intro-

duces a new motive, is an evasion of the question. It does introduce one; but the question was not of preventing men's contempt of a rule's sanction, but their evasion or misapprehension of its terms. The shortest way is at once to take the particular rule the objectors have in view. Have not all imaginable breaches of its spirit, or of what sensible and untempted men acknowledge to be such, been carried into practice under the express plea of obedience to its letter? What species of persecution and corporal suffering, for example, has not been inflicted upon men under the pretence of 'compelling them to come in,' or 'delivering them unto Satan for the destruction of the flesh, that the spirit may be saved'? There is no hostile intention in this; and no dread of anybody that may chuse to misinterpret it. But the authenticated fact and stamped in the history of mankind, is that without any exception, no rule has been able to guard itself against the misconstructions or misapprehensions of those who profess to follow it. If answer be made, that these misconstructions are in the eyes of all impartial and considerate persons directly opposed to the spirit and bearing of the whole, —the same is equally applicable to the moral rule. The misfortune is, that when men want to break a rule, they are neither impartial nor considerate. Show us how to ensure a man's being these, and he shall quickly be made to acknowledge the spirit and bearing of a moral rule. The objectors therefore have taken nothing by their motion.

It has pleased the same opponents, to apply to the theory of utility the title of 'the selfish theory of morals.' Now this is a play upon a word. The secondary meaning of the word 'selfish' implies an undue or culpable attention to a man's own feelings or interests; and if this is what the opponents mean, they are bound to prove that it applies. But the truth is they intend to stand upon the primary fact that the motives urged must necessarily apply to a man's 'self,' and take the benefit of the secondary meaning by a side wind. Because the motives which act upon a man must needs operate upon himself and not upon somebody else, it does not follow that they are selfish in the bad meaning of the term; but this is the fallacy involved. Take any case that can be chosen,—the case for instance of a martyr,—and there can be no denying that his motive whatever it may be, must be one that acts upon himself. If like Stephen he sees the heavens opened, still this is a motive that acts upon himself; though it would be a fraud and abuse of language, to denominate it what is ordinarily meant by selfish.

A difficulty that occurs in this place, is to account for the actions of individuals, who without any powerful expectations of

reward or punishment in a future state, have voluntarily submitted to great evil, as for example the loss of life, for the maintenance of a principle. The solution must be in the constitution of the habits of thinking; which make life after the sacrifice of the principle, a scene of greater suffering than the removal of it by death. It is no uncommon event, to see individuals under the pressure of particular kinds of losses and privations though unaccompanied with bodily pain, either seek death, or give way to such a process of despondency as is only death under a lingering form; and if an individual, in consequence of the previously confirmed constitution of his habits, would suffer the same degree of mental pain from the abandonment of a principle, there appears no reason why he should not prefer death as in the other instance. This motive might be designated, the Sense of Heroic Obligation. The most remarkable instance of its operation,—if it may be assumed to belong to true history,—is that of Curtius. In his case there seems to have been nothing to point out such a sacrifice as the peculiar duty of the individual, and consequently no loss of public opinion to be attendant on the non-performance. What was it then that outweighed in the mind of Curtius the natural love of life? By the very nature of the case, all chance of enjoying honours was to be at an end; and though it is possible he might possess some vague idea that deeds of patriotism were rewarded in Elysium, it has never been believed that Curtius was a martyr to religious expectation. Curtius then, in consequence of the approbation with which public and extraordinary acts of patriotism were regarded at Rome, had through all his life connected the highest degree of mental pleasure with the performance of such actions; and this pleasure, roused to the highest pitch by the idea of the surpassing exertion he contemplated, was more than sufficient to outweigh any pain attendant on the apprehension of dying.

At the same time this principle of action, dependent chiefly on the formation of habitual connexions of ideas, is by no means peculiar to cases like that of Curtius. It is probable on the contrary, that it is one of the most universal of all moral agents, and acts perpetually as the sheath and preservative of deeper principles. The Creator appears to have surrounded the great organs of both moral and physical feeling, with a cloud of subservient sensations and precautionary irritabilities, which must be broken through before the superior sources of action are brought into question. A man will no more exist under the continual irritation of the fear of hell or of the gallows, (which for popular use may be considered as the 'ultima ratio' of religious obligation and worldly expediency), than he will exist

under the continual irritation of any powerful physical stimulus. The stimulus may be applied; but it will either destroy the man, or lose its effect. Hence it has been wisely ordained, that the machinery of moral existence should be carried on principally through the medium of the habits, so as to save the wear and tear of the great principles within. For the most august and awful motives, if continually brought forward as the object of vulgar and ignoble familiarity, will infallibly in the end be viewed with the same unconcern as that with which a grave-digger regards mortality.

Nor can any change be imagined so perfect and complete, as that which takes place through the medium of the habits in consequence of some great affection implanted in the mind. For the habits, which insinuate themselves into the thousand inconsiderable acts of life, do really constitute by far the greater part of man's moral conduct. And when these are moulded by the introduction of a new principle, nothing can more nearly approach to the making of a new man; nor can any stouter distinction be drawn, between a principle which may be said to be vital or actually living and flourishing, and one which is only matter of dead and fruitless speculation,—than that the one insinuates itself into practice through the habits, while the other remains in the shape of a barren and theoretic assent.

A perfect knowledge of human nature was in the prayer, 'Lead us not into temptation.' No man ever resists temptation, after it has begun to be temptation. It is in the outworks of the habits that the defence must lie. No apprentice ever refrained from his master's gold, after his eye had once begun to gloat upon it, and he had got over the habitual feeling which made any approach to its appropriation an impossibility. No Joseph ever resisted, except through the impulse of pure fear, after he had once begun to revolve the possibility of giving way.

The defenders of a 'moral faculty' maintain, that the existence of moral sentiments in the infant mind is not sufficiently accounted for by imitation, instruction, and the habitual association of ideas; and therefore they plead for something which they call a 'moral faculty.' This resembles Cicero's intimation, that the readiness of children to learn is so surprising, as to lead to the suspicion that they must have existed in some previous state;—a surmise which a venerable classical pedagogue was wont regularly to meet with the assurance, that in all his experience he had never fallen into any such conclusion. Instead of evincing any innate moral faculty, children are evidently by nature as free from it as from the letters of the alphabet. A young child has no more idea of not affirming

or denying a given proposition as may suit its momentary convenience, than it has of not ejecting a hot mouthful and substituting one that is more pleasant to the feel. When it has been told that if it says the thing that is not, it will be whipt, that its friends will run away from it, and finally that it will go to the bad place,—all making good and competent motives to a child or any other person,—it speedily begins to comprehend that the truth is to be told and the falsehood let alone; but in all this there is clearly no display of anything like an innate faculty.

If there is any such thing as a faculty established for the purpose of telling man what is right and wrong, it at all events varies very oddly in different latitudes. For there is scarcely any assignable thing that is in some places announced to be wrong, that has not in others been declared to be venial or right. In short the boasted monitor is so evidently reducible to Locke's definition, of being 'our own opinion of the nature of our actions,' that its existence at all must depend on proving, that men's opinions of the nature of their actions are never either contrary or wrong.

Nostra res agitur in the Note in p. 110.

'Respecting Mr. Bentham's admired work on "Morals and Legislation," in which it is apparent that he has devoted more of his attention to the latter of these branches than to the former, I shall only observe that it betrays much inconsistency in his manner of applying the principles of utility. When he describes "the greatest amount of happiness" to be the *rule* of our conduct, which he does in his first chapter, he so far agrees with Paley; and where he considers it as the *sole obligation*, (Chap. II. sect. 19,) his opinion is closely allied to that of Hume. His commentators, however, maintain, that the great object he has in view, (though it is certainly mentioned in a very summary way, Chap. XVII. sect. 6. and 7,) is to show that every man, by consulting the greatest happiness of the community, adopts the surest method of securing his own. If the truth of Revelation be admitted, there can be no question that this position may be fully established; but without this admission, the attempt would as clearly fail. In numerous instances it will not be denied that the assertion may be just; but since there are many cases in which the most patriotic sacrifices would be attended by no such result as is here predicted, I must again ask,—what can morally oblige any rational agent to pursue the welfare of the public, with pain, poverty, and ruin staring him in the face, and without the remotest prospect of any future recompense for all the intermediate sufferings which this class of moralists consider him as called upon to undergo?'
—Note. p. 110.

The answer has been given already;—Mental habits and

associations, producing a greater amount of pain from the breach of the principle that the welfare of the public is to be preserved, than from the endurance of the consequences of maintaining it.

'Fort Risban*' is a brief specimen of the polemical novel, which is one of the inventions of the present age. It treats of morals, politics, and matters high, and ends as in duty bound with the intimation of a marriage that is likely to be the result. Amidst the clash of discordant collocutors, it is not always easy to be certain what the author meant to stand, and what to be confuted; but a fair inference is, that what he does not answer, he intends should be held good. Besides, Mr. Pungent is the marrying hero; who is always in the right. In this view there is a passage which will admit of a comment, if it can be done to edification.

MR. HARTLEY.

'There has been much said and written about the greatest-happiness principle. But every man forms a different estimate of happiness—

"Some place their bliss in action, some in ease."

How then are we to be agreed as to what is the greatest happiness, since each endeavours to reach the goal by a path of his own tracing?

MR. M^cCORQUODALE.

Truth, when once made manifest, must be universally acknowledged.

MR. HARTLEY.

But if the happiness of one party be inimical to the happiness of another?

MR. CYCLOVATE.

The greatest aggregate of happiness, reckoning in kind, duration, and degree, must always be sought; we are not to consider individual cases, but the whole mass. It is a reference to this principle which, in disputed cases, distinguishes the true from the pseudo-morality.

MR. PUNGENT.

This would lead to very pernicious results, and has already led to the promulgation of a great deal of nonsense.

MR. M^cCORQUODALE.

That remark only evinces your total ignorance of the subject, sir.

MR. PUNGENT.

What say you to this? "If, for example, it was ever contended that it was a moral act for a man to kill and eat his father, it was supported on the ground that it was for the happiness of society and

* Why does the author mis-spell a French word which is in all the dictionaries?

of themselves that men, on arriving at a certain stage of decrepitude, should be put out of pain, and that it was a mark of respect for their sons to eat them. There may be doubt whether the reasoning was good, but there is none that this was the reasoning." The Utilitarian school strangely mystifies and confuses the plainest rules of morality.

MR. CYCLOVATE.

On the contrary, it demonstrates clearly, that for "individuals—societies—nations—to 'do as they would be done by,' is sound earthly policy."

MR. PUNGENT.

Proving what has been proved more than eighteen centuries back ;—wrapping in obscurity a beautifully simple precept, which can be brought home to every bosom. There is nothing vague, nothing undefined in this ; it embraces the whole code of morality ; and a man can walk in the high path of duty—can never doubt as to the rectitude of his actions, if they satisfactorily evince that he has complied with the injunction, "Do as you would be done unto." Although men may want to be told that this is their duty, yet few would dissent from its truth. To preach this doctrine is therefore useful ; but to pretend to it as a modern discovery is absurd ; while its new name, "the greatest-happiness principle," at once involves us in a maze of perplexities. How much more difficult to answer, "What is for the greatest happiness of man?" than to learn the simple rule to "do unto others as we would be done unto." Thus, then, the modern innovation deprives the precept of the Divine moralist of that wide-extended application which caused it to be of practical utility alike to the ignorant and to the wise.—p. 157.

As Mr. Tythinkind here calls out for his supper, there is every appearance that the author meant thus to stand. The passage about eating fathers, is hardly new enough to be nonsense ; for it is little more than Pascal's remark, '*Le larcin, l'inceste, le meurtre des enfans et des pères, tout a eu sa place entre des actions vertueuses.*'* It is difficult to see how either it or Pascal's, mystifies or confuses any rules of morality. In the charge of 'proving what has been proved more than eighteen centuries back,' for 'proved' should be read 'enjoined ;' and there is wide difference between a precept and a proof. The answer to the intimation that 'the greatest-happiness principle' is superfluous since the promulgation of the rule of 'doing to others as we would they should do to us,'—is that the followers of that rule cannot interpret it themselves, without calling the despised 'greatest-happiness principle' in aid ; as was demonstrated *in loco* †.

* *Pensées*, 1^{ère} partie, art. 6.

† *Westminster Review*, No. XXIII for Jan. 1830. Art. 14. p. 262.

As was intimated in the course of the controversy referred to, the mistake of the theologians is in not pushing the 'greatest-happiness principle' to its conclusions, and then appealing to the arguments derivable from it in their own favour, in the same manner as they would to deductions from chronology or any other human science.

ART. X.—*Supplement to the Article on the 'Renewal of Bank Charter' in No. XXXIII.*

OF all ways of studying a subject, there is none like keeping up a controversy before the public. The idea of public inspection wonderfully sharpens the attention; and all that may be error, has the chance of being rubbed off by collision. In fact a theory which has not in the language of the Universities 'kept an Act' of this nature, is not much to be depended on for either accuracy or force.

The most taking argument that has been observed in favour of private banking since the publication of the Article to which this is a supplement, is that the sovereigns are men's own, and 'a man may do as he will with his own.' In other words, if the bankers take the people's sovereigns, it is by consent, and therefore there can be no harm.

The first step is to close unreservedly with the statement, that the sovereigns are the people's own. They are their own for the simple reason that they paid for them. If neither taxes nor government existed, men would traffic by means of an instrument of exchange of some kind, and this instrument they must pay for themselves, by the token that it is certain they cannot get it without. If the instrument is assumed to be corn, and a man on an average has twenty bushels of corn always in his hands which he is to employ as the instrument of exchange, he must have paid for these twenty bushels as much as for any other he eats or deals in, and therefore they are his own. And if a government subsequently arises and issues coins, twenty of which come to be used by the same individual in lieu of the bushels of corn, it is evident that directly or indirectly, he has got possession of these coins by giving in exchange the bushels of corn or something else that was equivalent; and therefore the coins are as much his as was the corn.

But this does not suffice to prove, that the private bankers should go on taking men's money by their consent and nothing be done to stop it. If men consent to it, it is because they know of no way of obtaining paper and having the value of their

gold besides ; and the reason they know of no way, is because there is none provided. If there was no way of a man's recovering the value of his silver tankards and having the use of glass too, and if there was no dignity or splendour attached to using tankards rather than glass,—men, or great numbers of them, would give their tankards for glass to an individual that should set up the trade of a glass-banker, as readily as they now give their gold for paper. But it would only be for want of being furnished with a better way ; and this way, if it depended on an act of the government, it would be the duty of the government to provide, or it does not perform the office which is the end of its creation. The main object of the thing called a government, is to do for the public by means of a common action, those things which cannot be done for it by the operation of individual interests.

A case in point, is the institution of property. If property were to be in common, it would be in vain to argue that every man's interest in the promotion of the general produce would be the same that it is now. An individual's interest would be like the interest of sailors in a ship short of water, who should be sent to the water-cask to drink at discretion but with an exhortation to remember that they were interested in the holding out of the common stock. Every man knows that the fallacy in this, lies in the present gain of each individual from increasing the draught before him, being vastly greater than its visible operation on his final interest. A pint more to an individual, is but a drop a-piece among a ship's crew ; but if every man drinks two pints instead of one, the month's stock must be expended in a fortnight. In the same way, if an individual takes a banker's one-pound note, the visible or ostensible loss to him by that particular act, is only equal to the fraction of a pound which is expressed by the portion of the currency he habitually employs, divided by the whole or forty millions ; and upon such an inducement it is plain that neither he nor any other individual will act. The ultimate result however is, that the public is robbed of forty millions, which ought to have been divided among them in the shape of a reduction of taxes to the amount of the two millions which is the yearly value. If the government will not take measures, an individual cannot help himself, and therefore may as well take the banker's note as not. But this does not go to prove, that the government ought not to provide.

The proposal that the people should save their annual two millions through the operation of their government, has been likened to the pretences set up by monopolists like the East

India Company, of the necessity for preventing individuals from entering into certain trades, and otherwise coercing them for their own good, and it has been inferred as a special consequence, that if a government should set up a National Bank, it ought at all events to leave individuals at liberty to take the paper of private bankers if they like it better. The defect in this comparison is, that in one case the decision is really left to the people, and in the other it is not. Is it for the benefit of the people that two millions a year should be taken off the taxes and every man enjoy his share, or that the two millions should be served out to the private bankers on condition of their saving the trouble of finding paper? This is the question proposed to the good sense of the public, and the East India Company does nothing that is analogous. The nearest it could come would be to say, 'Is it for the benefit of the public that it should be allowed to trade in a way that *we tell them* they would lose by?' But who believes the *We*?

If it is once decided that it is for the good of the public that the two millions a-year should be saved, then the plea that at all events men should be left at liberty to do the other if they please, stands on the same ground as the plea that after the institution of property every man should have the right to declare off that chose. If it be once determined that a general good is to be obtained by uniting in a certain course, from that moment all that prevents the attainment of that good becomes an evil which the public has a right to suppress, and the plea that this implies a breach of private freedom, is as inoperative as a claim to the freedom of darting a dagger's point into all conceivable parts of space, though a neighbour's throat should happen to be in the way. The throat being in the way,—the fact that the private freedom cannot be enjoyed without evil to others being the result,—is the reason why the freedom becomes no freedom, and the indulgence a delict.

The 'Bank of England' appears to have been pretty well beaten out of the luxury of secrecy, and has very little left to struggle for on that score. The country bankers also are too numerous and too strongly backed by public opinion, to give it the chance of enjoying any monopoly of what may be called the honest business of a banker. Why then does not the Government come down upon the contesting parties, with a demand that each shall confine itself to its proper business,—that 'the Bank' shall give up dabbling in discounts, and the country bankers cease to rob the community by coming? And why does not 'the Bank,' seeing that it can do nothing else, come forward and beg of the Government to transform it into a

worthy creditable organ like the Victualling Office,—a paper Mint where the proceeds should be fairly set down to the account of the community, and the directors go to heaven when they die, like men in other departments of the public service?

ART. XI.—*Lafayette et la Révolution de 1830. Histoire des choses et des hommes de Juillet, par B. Sarrans, jeune.*—2 vol. 8vo. Paris. 1832.

ANY person who should judge of the prospects of France by taking the present for a specimen of what is to be hereafter, would infallibly come to the conclusion that the Revolution of July was an 'untoward' event. The changes made by it in institutions, have in fact been followed by no real advantage to the body of the people; and what have been made by it in the persons of the depositaries of power, have been anything but favourable to the cause of freedom. The result of all which has been, that the agitation and discontent at this moment exhibited on every point of the French territory, are of greater weight and depth than in the times of Charles X, under the administration of Polignac himself.

On seeing that a revolution brought about with such general agreement and hailed with so much enthusiasm, has not only not satisfied the French nation, but has been the source of fresh conflicts and given birth to desires for fresh change, those who are in the habit of judging by appearances must conclude that the French more than ever deserve the reproaches of inconsistency and light-headedness which have been so often thrown out against them before. And yet the fact may be, that the existing discontent instead of being a proof of fickleness, is to every man who understands the situation of France and has observed the movements of the new government, a sign only of perseverance in the same wishes and the same principles.

Under Charles X it is true there was not a fragment of confidence in the government; but at the same time there was no dread of it, because everybody was persuaded of its impotence to do mischief. Everybody had the conviction, that if it had recourse to any desperate experiments, it would be easily upset. A revolution was looked forward to without alarm, because in overturning the existing dynasty there seemed to be no necessity for changing the nature of the public institutions. All the mischief complained of, appeared to arise out of the single fact of a family being found upon the throne that had been seated there

by the act of foreign enemies. It was natural therefore to suppose, that if for the dynasty imposed by foreign conquest there could be substituted a family which had not distinguished itself by animosity against the principles of the revolution, and thus the constitution could be rid of the defect that stared everybody in the face, there would be little more to wish. And though nobody thought of trusting for any part of the consequences to the good intentions either of the prince that was to be or of his agents, people fancied they saw a certain sort of security from another quarter;—they thought they were strong enough to hinder him from making a fool of himself.

Under the elder branch of the Bourbons, nobody expected the reigning family to display any particular energy against the governments which had re-seated it upon the throne. People knew that the feelings of patriotism and national rights had no extraordinary influence over them, and that the honour of the country was not the strongest mover of their actions. But it was felt, on the other side, that there was a certain degree of strength in the ideas of legitimacy and pride of ancestry. If the reigning family was not to the French people a pledge of power, it to a certain extent was one of peace, and gave a feeling of security against the operations of foreign governments. Nobody felt any apprehension of a coalition among kings, to overturn the throne and partition France. Consequently in a commercial view, the efforts of industry were not suspended by the constant expectation of a general war.

The periodical press, it is true, had often been interfered with; but public opinion had always ended by getting the better of the government. Under the administration of Polignac, the imposition of a censorship was felt to be impracticable by the road of legislative measures, and nobody thought the government foolish enough to have recourse to any others. It is true that the charges against the press were not sent for decision before a jury, but the courts of law had taken such an independent turn as made the absence of a jury little felt. The security for justice was therefore practically not deficient.

The July Ordinances, it must be allowed, were meant to destroy this state of things, and would have produced weighty mischief, but as the mischief has not been undergone, it can only be judged of by conjecture. And it is not intended to enter into a comparison between the evils which France escaped by the revolution of July and those she has incurred by its results, but only to explain why under the reign of Louis Philippe the mass of the population is in a state of more uneasiness, and suffers more from apprehension, than in the latter years of

Charles X. And above all the object is to examine whether the actual discontents are substantial and fixed, or hold only of the changeable humour of the people and as such may be expected to pass away.

The result of the July revolution was not to *obtain* the liberty of the press, but to defend it; and consequently, on this head, it added nothing to what France possessed before. The principal use of a free press consists in informing the executive power of the state of general feeling, and forcing it to march in the track of the public interest. When therefore a nation has the misfortune to be under a government which makes no account of public opinion, the press can do nothing but irritate the public mind. It is continually laying before it the extent of the mischief, and the hostile intentions of the government; but it cannot abstractedly afford the cure for any of the evil.

Now the fact is that Louis Philippe and his government make no more account of the remonstrances and complaints of the public as exhibited through the channel of the press, than Charles X and his Polignac administration did. The new king seems only to have acknowledged the right of private individuals to utter their opinions on the measures of his government, on condition that on his side he shall govern as he pleases. His claim is, that he has as good a right to be free in his actions, as the writers have to be free in their comments; and it never enters into his head, that the object of the liberty of the press may be to limit and correct the liberty of power. The consequence is, that he has instituted a greater number of proceedings against the press in the course of eighteen months, than his good cousins Louis XVIII and Charles X in the space of sixteen years. There is no reason therefore to be surprised, if the success of the French in preserving the privilege of publishing their opinions on political affairs, has not satisfied them at all points and upon all subjects.

The other securities that were obtained or preserved by the revolution of July, were in the same manner not of a nature to afford to France any great increase of present happiness. It is undoubtedly a good thing for a nation to possess the trial by jury, and be protected against unjust sentences for political offences. But when the holders of power multiply groundless accusations to a certain point, the assurance of having them brought before a jury is not a reason for being content with their proceedings. The mischief done or attempted, is all laid to the charge of the government; but nobody puts the impartiality of the juries to the credit of its account, and particularly when the government has done all that was in its power to turn them from the right.

The raising of the national guard, which was called for as the means of diminishing the number of the regular army and lightening taxation, has ended in increasing the public expense and producing no relief in any quarter. That the people were armed, organized, and commanded by officers of their own choosing, was in Louis Philippe's eyes only a source of fear the more; and instead of looking to them as a support for measures to be taken, he looked to the regular army for the means of setting them at defiance. He distributed his regular regiments throughout the country, with exact reference to the battalions of national guards they were to hold in check. Paris for example, during its existence never saw so many troops drawn round it, as since it has had eighty thousand national guards commanded by their own officers within its walls. The only consequence therefore of individuals putting themselves to expense and sacrifice to maintain a free system, has been to increase the expenses peculiar to a despotic government.

The *communes* have obtained the power of appointing the members of the Municipal or borough councils, and in almost every instance they have made good use of the privilege. But the government has retained the appointment of the mayors, who are the executive officers, and almost everywhere its choice has fallen on the individuals least popular with the public. The consequence is, that in many of the communes and particularly in the great towns, the influence of the authorities that are chosen by the people is paralyzed by the officers of the crown, and that to avoid collision, the best members of the municipal council come to the resolution to resign.

There was an expectation that a way of setting bounds to the effects of corrupt influence on the members of the Chamber of Deputies, would be kept open by sending back to their constituents such as should accept of office under government. But ways have been found of evading this, by giving some of the members pensions without offices instead, and charging them to the Civil List, while others have been applied to in a way still more decidedly illegal, though more difficult of proof.

The securities, then, that have been the consequence of the revolution of July, are either null or burthensome, and if they have not been got over in name as well as fact, it is only because the new government is too weak. At the same time the taxes have been considerably raised, and to preserve a peace that nobody believes will last, the people has been put to all the expense of war. The arming the national guard, the repair of fortresses that had been allowed to run to decay, and the

augmentation of the disposable army, were the cause of great expenses which could only be met by an increase of taxation. It might not have been impossible to diminish the sensation of the burthens arising from these new expenses, by removing some of the checks to industry and commerce, the effectual way of doing which, would have been to follow a policy which should hold out some prospect of security for the coming time. But though the government had these substantial interests perpetually on the tongue, it in reality did nothing for any but the jobbers on Change and the great capitalists.

The Restoration had left the state of Public Instruction exactly as it was received from the government of the Empire. A government that wished the people well, would have made an effort to find employment for the activity of a spirited rising generation, which wanted nothing better than the chance of pushing itself on the road of arts, literature, and science. Instead of finding it this sort of occupation, the new government tried to work upon it by the same means as the old despotism, had recourse to the same arbitrary measures, and executed them with even more of brute violence. By treating the acts of insubordinate collegians as insurrections, it transformed school-boys into conspirators.

An intelligent application of the municipal authorities and the national guards, would have been enough to quiet or repress all the disorderly movements produced by discontent, without the effusion of blood, but there seemed to be an apprehension that civil magistrates and a popular force would act with too much gentleness. The most brutal police was organized that ever existed in a civilized country, and misdemeanours which at most should have been followed by a few francs fine or two or three days imprisonment, were put down with the same violence as crimes of the deepest dye. On seeing the agents of authority shedding blood for every trifling cause, a great number of the inhabitants got into the habit of carrying arms for their own defence, and thus was brought on a state of things, in which the slightest disorder in the streets takes the character of a civil war.

The security with respect to exterior relations, is precisely on the same footing as the interior. The new government has not an atom more patriotic or national spirit, than the one which it succeeded, while at the same time it has still less confidence in its own position. It is aware that in the eyes of foreign powers or the greatest part of them, it is not legitimate, and perhaps it is not quite sure of it itself. Without either the genius and energy of a usurper, or the confidence given by the

longer possession which is called legitimacy, or the support of the popular feeling, it seems only to exist by sufferance. It looks as if it considered itself as only the produce of an accident, which another accident might supersede without doing any harm either to it or France. The consequence is, that everybody believes its only object is to keep the arbitrary governments of Europe in play by concessions, long enough to get together a snug provision of its own; and people really think, that if the alternative of making an appeal to the national feeling or abdicating were strongly put to it, it would chuse the latter.

Hence without an atom more confidence in the new monarchy than in that with which she was favoured by the foreign powers,—with still less, if possible, of personal regard for the head of the dynasty than for Charles X,—with no security for the preservation of internal peace or national independence,—forced to support in time of peace all the burthens of war, and having no certainty that this peace shall not be at an end tomorrow,—unable to tell in case of war who would be either her enemies or her allies,—France has the prospect of her industry and commerce pining daily before her eyes, because nobody will be rash enough to enter into speculations which the slightest accident might turn to ruin. A few sea-ports do a certain quantity of business, because a government though ever so bad cannot put a stop to the use of the necessaries of life; but the main part of the population is in distress and misery.

On many points, and particularly on that of security from abroad, France finds herself in a worse position than in the latter times of Charles X; and there is another treasure, which of itself makes up for a multitude of ills, in which she has been decidedly the loser,—and that is, hope. There was formerly the certainty, that if the government resorted to force to execute its projects, it could be easily put down by a revolution; and the public had the persuasion that a change of dynasty and a few slight alterations in the existing institutions, would be enough to secure a tolerable government. But now a revolution appears a dangerous affair, because everybody sees that it could not stop short of the removal of the institution of monarchy, and no man can look forward without alarm into the unknown gulph of consequences. This dread of the unknown, rallies about the new government in time of danger a multitude of individuals who despise and hate it in their hearts, but who are less afraid of it, than of what they think might follow. Louis Philippe and his courtiers, who are aware of this feeling, make their market of it with a good deal of dexterity. They know better

than to lose their time in trying to convince anybody of the excellence of their government, but they harp upon the fact that if it falls it must be succeeded by a republic, and then try to persuade the people that any republic must be the one of 1793.

For the previous sixteen years almost all the intelligent part of the French nation had had their minds set upon the English constitution. The work of Delolme and the writings of Benjamin Constant led them to believe that the freedom of the press, the institution of juries, and a national representation more or less direct, were sufficient guarantees against the abuse of the power of the throne, and it was thought that the right of granting or refusing supplies and inspecting their expenditure, kept the crown in some sort at the mercy of the popular branch.

This creed in politics has been wonderfully shaken by the last proceedings of the reign of Charles X, and the subsequent government of Louis Philippe. The French begin to think, that a man who is to hold in hand all the military and financial forces of a nation, who is to name to all places of profit, and to be neither removable nor personally responsible, may govern as he likes if he chuses to run the risk of a revolution. The instances of the late king and his successor have convinced them, that those constitutional securities which act so well under a prince who can be content with limited authority and is anxious to transmit it to his descendants, are of no avail against one that is blind and obstinate, and thinks he does not reign at all unless he rules according to his fancy. Insurrection is certainly left as a remedy, but the remedy is such a serious thing and may involve so many consequences, that it is impossible to have recourse to it every day. Two feelings moreover in France contribute to prop up the system of constitutional monarchy, the belief that this system will be the means of peace with the great continental monarchies, and the fear inspired by the recollections of the first revolution. If this fear should ever be got over, and if it should be demonstrated that the absolute kings never meant to keep any terms after all with a king that owes his throne to the people, it is exceedingly likely that there would be an end of the monarchical form of government among the French for ever.

This persuasion that a new revolution would be the end of monarchical government, and the dread of the excesses which might precede or follow the establishment of another form, are the principal supports of Louis Philippe's dynasty, but in the breasts of the population at large there exists a feeling stronger than any apprehensions of revolutionary violence,—which is hate of the

fallen dynasty and the armies of the Holy Alliance. In the Departments where the legitimists carry on their intrigues, or which have suffered from the invasions of 1814 and 1815 and the reactions which were the consequence, this feeling is carried to a pitch of which it is difficult to form an idea. When the Duchess of Berri last showed herself in the west and was supported by her partizans, fifty thousand national guards in the same Departments took arms upon the spot without waiting for any order from the government. The mayors and their assistant magistrates put themselves at the head, and moved down upon the points where the plague of *chouannerie* broke out. And the same kind of movement took place in some parts of the south, to put down the attempt that was made upon Moulins.

If France were to be attacked by foreigners, and the partizans of the government that was put down in July were to make the smallest movement in support of the invaders with a view to bring about a third restoration, France would again become the theatre of most deplorable excesses. The thorough-going supporters of the revolution, and they are by far the most numerous and most determined, make no secret that the first measure they would take in such circumstances, would be to exterminate the partizans of the Bourbons and foreign armies. We should begin, they coolly say, by demolishing our enemies at home, and then we would march against the enemies abroad. They consider as among the partizans of the fallen dynasty the greater part of the nobility and priests, they are aware of their intrigues and the share they have in the rising of the *chouans*. The tolerance, and even good-will, which Louis Philippe's government shows the nobles and priests who are conspiring almost without disguise, is in fact one principal reason of the odium into which he is fallen.

The men who talk in this manner of their determination to exterminate, are not as might be imagined youthful fanatics or men of naturally sanguinary dispositions. On the contrary they are men of ripened years, fathers of families, who in the ordinary course of things would be incapable of trying to hurt any living soul, men for the most part belonging to the middle classes of society, and who have had a liberal education. They talk of their determination without passion, without excitement, as quite a matter of course, which nobody could think of finding fault with; and they conclude by expressing their certainty that they shall be joined by the most numerous classes. It is exactly the same language that was held in 1792 and 1793, when France was attacked by the powers of the coalition, and

had to make head at the same time against treason within, and maintain three or four armies without. The memory of the persecutions and violences of the two Restorations, and the example of what has befallen Poland, have not a little helped to give a keener edge to the hatred against the supporters of what is called legitimacy, who are considered, and justly, as being art and part in the expected invasion.

In those Departments where the population has been less exposed to suffering from the reactions of the royalists or the consequences of the two invasions, as for instance in the central ones,—the passions of the opposing parties are in a state of much less excitation; the spirit against the legitimists is much less desperate, and there are a greater number in favour of the *juste milieu* system. But even in these Departments people have entirely got over all mistakes on the subject of Louis Philippe; if they side with him, it is not on account of any personal qualities or good intentions they attribute to him, but because they consider his existence as preventing the commencement of an order of things which they look on with the more fear as knowing less about it. The ruling feeling in this part of France is distrust of both institutions and men, and by consequence a marked indifference to all kinds of political discussion. Men are not well enough satisfied with what they have seen of the results of constitutional monarchy, to feel much interest in it for its own sake; but they have at the same time little appetite for trying the chances of a new form of government. The impression that was produced by the falsehoods published against the Opposition, is far from being worn out; but the leaders of the *juste milieu* have shown such a mass of incapacity, selfishness, and bad faith, that they have deprived themselves of all credit even in the eyes of their own party. The result of the whole has been the creation of a sort of political apathy, which the government of Louis Philippe boasts of as a masterpiece of political wisdom, and laments nothing but that all the Departments of France are not in the same condition.

The supporters of legitimacy do their best to justify by their conduct the determinations taken against them in many of the Departments. They keep up a round of intrigues for bringing on a third restoration, and look forward as to a personal triumph to the day when France shall be attacked by foreigners. They do not content themselves with holding conclaves in their feudal seats or the residences of the influential clergy; but they keep up the organization and arming, in the west and south, of bands of assassins and incendiaries. The ministry

takes credit for having put down these assemblages ; but the suppression is far more in appearance than reality. Those who are acquainted with the country state distinctly, that *chouanerie* is in greater strength at this moment than it was some months ago. The surrender of arms which is supposed to have taken place, consisted in bringing in a few old rusty pieces, by men who had very good ones that they left behind. If opportunity was to present itself for a new rising, the Chouans would be more numerous, better organized, and better armed, than they were when the Duchess of Berri made her appearance among them. The heads of this party are not at the trouble of concealing either their strength or their expectations. So convinced are they that Louis Philippe is playing into their hands, that in their organs of the press they encourage him in the line he has taken.

Those of the rising generation who have received a liberal education, and have not been led into the track of hunting after public employments, form in the present day a class in society by themselves. They are not only disaffected to the present dynasty, but they are in a state of hostility to the form of government. They had been promised a monarchy surrounded with republican institutions ; and when they found the intention was to put them off with the monarchy without the republican institutions, they made up their minds in return to have the republican institutions without the monarchy. The leaning therefore of the rising generation is all towards republicanism ; and this leaning is the stronger, as even the most vigorous supporters of Louis Philippe feel no decided confidence in him. The death of young Napoleon, from whom the old servants of his father continued to have some expectations, has vastly simplified the question of the form of government. There is nobody left now, that the French would think of making a king of, if the younger branch of the Bourbons was to go the way of its predecessors.

The ministers and Louis Philippe himself have done a great deal to spread the republican spirit. With a view to injuring the Opposition in public opinion, they perpetually charged it with desiring to overturn the new dynasty and establish a republic. This charge, which was not true of at least nine-tenths of the members of the Opposition, has been taken with all seriousness by vast numbers of persons. On that class of the population which remembers the excesses of the first revolution, and takes a republic and popular violence for the same thing, it has produced the effect the government intended, and has made the Opposition the object of distrust and fear. But

on the people who are in the flower of their age, it has produced a directly opposite effect, and in persecuting the Opposition members as decided partizans of a republic, has made them think the monarchy was given up by everybody that had not some personal interest in supporting it, and that the easiest thing in the world would be to establish a republican government. The charge of republicanism which Louis Philippe and his court have been imprudent enough to direct against the Opposition, has had other effects inimical to the existing system. By turning attention upon republican institutions, it has familiarized the public mind with the idea of overturning the monarchical form; almost all the departmental journals, and they are in great number, have taken a turn to this side. Under Louis XVIII and Charles X, 'the Charter' was the rallying point for men of patriotic feelings; it was to the cry of *Vive la Charte* that they were collected for resistance; at the present day, any person who should set up such a cry, would be only laughed at. And the end has been, that some of those men whom it was thought to blast in public opinion by the outcry of republicanism, have taken to the thing in earnest; for when they were obliged to submit to the bad side of the consequences, they thought they might as well have the good. The younger branch of the Bourbons has therefore done exactly what the elder did; by holding out the Opposition as its enemies with a view to make them unpopular, it has made them so in reality.

It would be a mistake, however, to believe, that the Opposition has a formed plan to overturn the present government and bring in a republic. The Opposition consisted, in the lifetime of Casimir Périer, of from 160 to 180 members, and now in all probability it is more than half the Chamber. Nevertheless it may be assumed as a certainty, that out of 230 or 240 members opposed to the system that has been followed for the last two years, there would not be ten who would put themselves forward to change the government and dynasty, and establish a republic. The republican form will be accepted, if ever it happens at all, in the same way that the Orleans family was accepted after the fall of Charles X,—when there appears to be no other way of saving the liberty and independence of the country. It was not for the sake of putting Louis Philippe on the throne, that the revolution of July was brought to pass; but simply to get rid of a dynasty which proved itself incompatible with the existence of representative government. It may be said with equal truth, that if the present dynasty is overturned and succeeded by a republic, it will not have been done for simple love of a republic, but to get rid of a dynasty which like

the other has broken the conditions on which it was admitted, and proved its existence incompatible with the institutions and securities it was sworn to defend.

For the sake of getting rid of all restraint, and having his own personal way in every affair of national concern, Louis Philippe has destroyed all confidence and affection on the part of the men attached to the present Opposition, whether within the Houses or without; and he has alienated the feelings of the numerous classes and particularly of the workmen of the great towns, by the very measures which he has taken to prevent a new popular revolution after the manner of the one in July.

The new king hardly found himself fixed in the place of his cousin Charles X, when he began to be afraid of the same end; and as the men who fought in July were for the most part from the poorer classes, he left nothing undone to hinder these classes from thinking of beginning again. Charles X fancied that if he could only make the regular troops fire on the citizens, there would be no fear of revolution; never thinking that men accustomed to all the comforts of civil life would be bold enough or strong enough to attack his army. Louis Philippe and his court have reasoned nearly in the same way; only instead of fighting the population with the army, they have conceived the idea of setting the national guards at war with the working classes, and felt sure that if they could only put the middle classes in action against the working, these last would be deprived for ever of all power of rising against the government.

This plan of setting one class against another to misrule them all, was formed within the month that followed the revolution of July, and has never been lost sight of since. The people in trust under the new government, were continually heard lamenting that some harmless assemblage of the people had dispersed without resistance; what they wanted was, that somebody would have proceeded to some outrage, or at all events have refused to disperse when called upon, to give an opportunity of *making a hole through* some of them,—for that was the phrase, in the court of the citizen king. To push the national guard to act with violence, it was attempted to persuade them, though by the merest and most downright falsehood, that the collections in the streets were formed of professional thieves whose object was the plunder of the shops. One of the most serious causes of complaint the new court alleged against Lafayette and his friends, was that they had put down the collections in the streets without shedding of blood. The system of violence thus preached up by the courtiers of Louis Philippe, and of which

himself is understood to be the inventor, was not confined to Paris or the repression of political commotions. It was extended to the Departments, to put down disturbances created simply by want. There were instances where public officers received severe reprimands, for having quelled without bloodshed disturbances excited by the price of corn.

And while the new court fancied it was 'keeping down the working classes by means of the national guard, its plan was to keep this last in order with the regular army. But the experiments that have been made on this point in sundry of the great towns have had such ill success, that there probably will be some hesitation before they are tried again. They not only will never make the regular army come to blows with the national guard, but they cannot get the troops to act against the working classes, unless the national guard begins first. There are numbers of officers who declare, that where the question is of acting against anybody in their own country, no troop of theirs shall move unless the national guard takes the head of the column. Proof of this was given in the attempt at insurrection in the month of June; where not a soldier could be got to fire upon the people, till the national guard of Paris began to act against the insurgents.

In the middle of a people thus divided, distrustful, conscious of insecurity, weighed down with taxes, stands a ministry the most incapable and the object of the greatest contempt that ever existed in France. When Casimir Périer was called on to form a cabinet, he could not find a single man of talent and capacity that would act with him; because everybody was aware of his irritable and passionate disposition, and scarcely any people thought he could maintain himself against the attacks of the Opposition. He was consequently obliged, in order to get up a ministry, to take men who for the most part were of no force, in whom the public had not the smallest confidence, and who took office for nothing but the chances of personal advantage they saw in it. The colleagues of the President of Council were consequently considered, both in the Chambers and out, as nothing but a sort of clerks, who had no will of their own, but took their orders simply from him, and had nothing to do with the system of policy pursued. They were supported in the Chambers in their several departments of office by the majority, as so many instruments of the First Minister's; but not one of them, without exception, had the smallest pretension to have any followers of his own in either of the Chambers.

The death of the head of the cabinet set in its full light before

the eyes of the public, the incapacity, or more properly the perfect nullity, of his associates. The only one among them that had any knowledge abroad, was General Sebastian, Minister for Foreign Affairs. A man with an utter absence of attachment to any system of policy more than another, he was inclined, for the sake of keeping office, to accede to everything required of him by the court or the First Minister, but still he might have made some representations upon the points on which he was required to take an active part. An attack of apoplexy which he had towards the end of the last session, deprived him almost entirely of the use of his intellectual faculties, and he has not recovered them to this day. But whatever may be his state and condition, he keeps his place; he can sign his name, and the king wants no more.

The Minister of Justice is a barrister who under Charles X had acquired a certain reputation by defending some of the persons charged with political offences, but who in respect of either legislative or judicial knowledge, is rather below mediocrity. As a lawyer his knowledge is nothing, and he would not be competent to draw up the most trifling law. Since the revolution of July he has separated himself from all the men whose opinions he had temporarily adopted, and at this moment is nothing but a passive instrument in the hands of Louis Philippe. He has put out of office, as far as he was able, all the persons whose friend he professed to be, and in his official capacity prosecutes the same writers and principles that he defended as a pleader. Scarcely a day passes without his old speeches being thrown in his teeth, in part refutation of the proceedings he sets on foot.

The Minister of the Home Department came into office at the moment of the trial of the Polignac administration, when nobody could be found to take the place the *doctrinaires* [French Whigs] were leaving. Nobody would ever have thought of him, if he had not been a member of the Chamber of Peers; but it was thought necessary to have a member of that Chamber in the cabinet that could speak, and there was not a better to be found. He was young, and consequently had no previous political breaks-down attaching to his name; he had given no proof of capacity, but he had the character of having gone through his college lectures with credit. When he came into the ministry, he undertook to go hand in hand with Dupont de l'Eure and General Lafayette, but he forgot the engagement after the first visit he paid Louis Philippe. He is just now the minister the most in favour at court, the most zealous courtier of the several members of the royal family, and the most docile

instrument the king has. The only department of his office he attends to, is the secret police and making appointments, all the rest he has turned over to some other of the ministers. Louis Philippe is the more delighted, because, next to diplomacy, he thinks he shines in the management of secret police.

The Minister of Finance, a man of seventy-five years of age, is the same Abbe that in 1789 officiated in the Champ de Mars when Tallcy and said mass, that in 1814 took an active part in the restoration, and was appointed to the ministry of finance as a reward for his services, in which capacity he was of some use to the under-the-rose speculations of Casimir Perier; that emigrated to Ghent when Napoleon came back from Elba, and was appointed minister again after the second restoration. He is a man who looks for the public prosperity in the funds, and has his eyes constantly fixed on the jobs of Change, a perfect stranger to everything that is not finance, and not capable of tacking two sentences together for the public eye. He has made himself a party among the great capitalists by favouring their interests at the public expense, and sharing in their operations. Though he has only been a short time in the ministry, he has found the means to get together an enormous fortune.

The Minister of War, an old soldier of Napoleon's, has a high reputation as a military man, but it is impossible to hide under a more rugged and even repulsive outside, a more supple and servile soul. Ignorant of what is meant by political principle, ready to lend his professional knowledge to the support of any system of government, Marshal Soult has never dicamt of any object but fortune, honour, and power. He has been seen with the same zeal and eagerness serving a system of military despotism under the Empire, jesuitism and *chouanerie* under the Restoration, and the *juste milieu* after the revolution of July. Possessed of no character in private life, he is despised and hated even by the army. In the last session he stood up in a full Chamber and declared, that he would never part with his appointments but with his life, and he has the same taste for power as for money. He will execute anything that Louis Philippe may chuse to put him on.

The Minister of Marine, an officer whose reputation dates from the battle of Navarino, has had the genius to keep from mixing with anything but the affairs of his department, which he is held by some to understand pretty well. He leaves Louis Philippe to manage the politics of the home and foreign departments as he pleases, and professes that he has no knowledge of anything but what belongs to the sea. There are those who

have pretensions to be acquainted with him, who think that at the bottom he does not know much more than the other ministers, only he is more cunning. In fact he has shown that he has the talent of getting into no scrape either with the Chambers or the public.

The Minister of Public Works is an old prefect of the Empire and Restoration, loyally devoted to any power that will give him place. It is said of him that on the fall of the Empire, he had the tricoloured flag burnt by the public executioner, to curry favour with Louis XVIII and the returned emigrants. In the revolution of July he was one of the emissaries sent by Charles X to the Hotel de Ville to treat, when he began to have a bad opinion of his situation. The signs of attachment he gave to the Bourbons of the elder branch, make him suspicious in the eyes of the patriot party, who have a strong idea of his working to bring about a third restoration: He is active, industrious, and not without talent in petty affairs; but he knows nothing of the general administration of a country. He has no political opinion of his own; or more properly, he is of the opinion of all powers that proffer him employment. His stock of complaisance for the private wishes of the king, is as great as that of either Soult or Montalivet.

Very little is to be told of the Minister of Public Instruction, the most pompous and the greatest cypher of mankind. He was taken only to stop a gap, and goes for nothing either with the public, or the Chambers, or his colleagues, or the court. Of him therefore there is no more to be said.

From what has been given it results, that properly speaking, France is without a ministry at all. There are people who go by the name, but who are in reality nothing more than clerks, having no common plan of their own, nor directing the politics of the country either at home or abroad. Who is it then that really governs France; and how does a ministry which is neither supported by public opinion nor the Chambers, contrive to keep in office?

France is governed by Louis Philippe. It is he that directs everything both within and without. The same reasons that made him dismiss from about him all the men of the revolution who were faithful to their principles, have made him attach himself to ministers who are nothing but the executors of his ideas. During Lafitte's administration, he used to correspond personally with foreign powers, and keep back from his First Minister the most important communications of the ambassadors. At the present moment there is not one of the ministers, that durst demand of him as a constitutional right, to have the

direction of foreign affairs, or even to be made acquainted with the state of the relations of France with other governments. The king directs all and everything in such a style of absolute mastery, that he would consider it a personal incivility to be asked by his cabinet to let them have any share in the arrangement.

In the home department, he governs in a manner equally absolute. It must not be thought, for example, that it is the Minister of Justice who sets the courts upon political prosecutions. The direction comes from the Court. The Procureur-Général of the Cour Royale at Paris, scarcely ever communicates with anybody but the king direct. It is from him personally that he receives the order to prosecute such a journal, arrest such a suspected individual, or make an examination of his papers. The Prefect of Police is another that has his communications direct with Louis Philippe, and receives his hints upon the measures to be taken, and the spirit in which he is to act in the performance of his functions.

Appointments and dismissals, of a certain degree of importance, are not proposed to the king by the ministers, but to the ministers by the king; and he has no idea of any objections being made. To know what kind of men he is to get rid of and what to employ, he applies to two or three Boards of secret scrutiny; the one he is fondest of, being that which is carried on through his aide-de-camp De R——. The *camarilla* the journals so often talk of, and which is the virtual director of all affairs, is nothing but a kind of secret police-office, at the head of which is De R——. This private board, which is as old as the first months that followed the July revolution, has been greatly enlarged since the income of the Civil List has been added to the already extensive income of the house of Orleans.

The nullity of ministers and the personal interference of Louis Philippe in all that concerns the public, are no secrets to any tolerably well informed man in France. Some surprise therefore may be felt, that such a ministry should be able to hold its ground in spite of the press and public opinion. See then how this phenomenon is to be explained.

As long as Casimir Périer was alive, all those who put their trust in him saw nothing in the ministry but himself, and never thought about his colleagues. And when he deceased, the session of 1831 was over. The present ministers therefore had not to face the Chamber after they were left to their own strength. If they had had this to do at the beginning of the session, they could not have stood against the Opposition for a week.

When Casimir Périer first became President of Council, many people from recollection of the long opposition he had kept up under the Bourbons of the elder branch, took him for one of the stoutest supporters of the revolution of July, and in consequence joined the ministry of which he seemed to be the life and soul. And when they had once joined, the dislike to confess themselves wrong hindered them from quitting him, after his irascible temperament, imperious manners, violence, and antipathy to every kind of popular man and measure, had shown him to be an unfit person to govern a nation. It became clear nevertheless towards the conclusion of the session, that many of the Deputies submitted to his domineering but impatiently, and wanted only an opportunity to turn against his system. His death delivered them from their dilemma, and left them to the exercise of their judgment and their consciences.

The other members of the Council, and Louis Philippe himself who so well knew how to make his advantage of the violent passions of the late chief of the cabinet, saw clearly what an enormous loss they had had. They made the most vehement efforts to keep within their system all those who had been attached to the person of the man. They tried to persuade France that the two past parliamentary majorities had supported Casimir Périer, not in consequence of the confidence which had arisen out of his conduct while in opposition under the Restoration, but from approbation of the system he had pursued since he was minister. In this view they exaggerated to a ridiculous extent in the journals under their influence, the effect produced in Paris by the loss which, as they said, France had just undergone; they prompted the commercial-people to shut their shops in sign of mourning, got the greatest possible crowds to attend the funeral, and set on foot a subscription for a monument.

M. Périer's head-clerks that were left behind him in the ministry, saw the funeral of the President of Council to be a capital opportunity to rouse decayed affections, and get up an imposing display of sorrow for his loss, and attachment to the political system he had chosen to continue. In consequence the National Guards were put on duty to attend the funeral ceremony, and six thousand people from the different public offices got directions to mount a grape in their hats, and go and help to utter Jeremiads at the tomb of the great man that for three days the Treasury journals had been hymning with their praise. Nothing that could tend to tickle the curiosity of the loungers of a great metropolis, was forgotten by the *juste milieu's* undertakers; programmes announcing the track of the procession, the enumeration and the places of the different civil and military bodies that were to

Mauguin in the name of the Chamber of Deputies, made addresses which were received with overwhelming plaudits.'

'Lafayette, on being called on to speak, moved forward towards the open road, and in a short extempore speech pointed on one hand to the site where formerly stood the Bastille, an object which makes so fine a representative of the Revolution of 1789, and on the other to that vast collection of the French people, who had beaten their enemies in the grand week of 1830. He bowed with enthusiastic reverence to the colours, not of a parcel of kings, but of the people of Poland, Portugal, Spain, Italy, and Germany, which floated over the coffin of Lamarque, and which he called the children of the brave old Tricolour. He ended with begging of the crowds that heard him to go quietly to their homes, and *not to mar this great day for their country*. And as something had been said about carrying Lamarque to the Pantheon, Lafayette urgently recommended to the friends of liberty to respect the wishes of the deceased and the arrangements that had been previously made by his relatives. This exhortation was received with general assent, the Deputies withdrew, and if the funeral ceremony had so concluded, it would have formed the most imposing and memorable protest that ever was entered against a government or against its measures.'—Vol II p 348

The ministry and its system would not have gone on for three days, if this expression of public opinion had ended without disorder; the administration was done for and utterly sunk, under the consequences of its incapacity and the weight of general disapprobation. But just as the spectators were on the point of separating, somebody in the middle hoisted two red flags, on one of which was inscribed 'Liberty or Death,' a red cap was paraded on the point of a pike, and the public was astonished with the appalling symbols of the time of blood and terror. A fight commenced between the armed bodies and a number of people whose intentions and object the Deputies had no knowledge of, and the capital was turned for four-and-twenty hours into a regular field of battle. The artillery, which was brought into action and continued so for many hours, carried terror into the bosoms of all the families in Paris, for people did not know what the object of the fighting was.

In order to excite the troops to act, they were told they were to fight the Carlists, who after failing in the south and west were trying a last chance in the capital. The Minister at War in speaking to the officers collected near the Château of the Tuileries, told them they were now to settle the affair with the partizans of Henry V, and they must give them a blow of which they would never get the better. Marshal Lobau commanding the National Guard was much about the same time telling the officers at the heads of corps, that they were to fight

the republicans and save Paris and France from the repetition of the scenes of 1793. And the Minister of the Interior gave out in a proclamation, that the insurgents were republicans and Carlists both together, who had formed a monstrous alliance to overthrow the monarchy of July.

On the morning of the 6th of June, the Opposition deputies who were in Paris met at M. Lafitte's, to determine whether means could not be found to stop the bloodshed and establish peace. Some of them proposed that they should go in a body to the Tuileries, and so induce the people by their example to show themselves on the side of the government. Others objected that this proceeding would be considered by a great number of persons, as conveying an approbation of a system which put France into a state of civil war. They said the ministry would not fail to present it to the public in this light through the medium of their journals; and that Louis Philippe would only be the more obstinate in his system, if he discovered he was to be supported by the Opposition in the dangers it might bring upon him. It was however agreed that three Deputies should wait upon the king to represent to him the melancholy consequences which had arisen to France from the course taken by his ministry, and try to bring him to measures of mildness and conciliation. The whole assembly was of opinion that this ought to be done, but nobody would volunteer the office. A ballot fixed upon Messrs. Lafitte, Odilon Barrot, and Arago. It was agreed that the Deputies should meet again in the evening at M. Lafitte's to hear the report of the three commissioners. The author gives an account that may be depended on as pretty correct, of the interview between Louis Philippe and the three Deputies.

'The three Deputies were immediately introduced into the room that was Louis XVIII's bedchamber, but transformed by the operations of July into a business-room for Louis Philippe. The king speedily made his appearance by a side door leading out of the queen's apartment. The king's looks and countenance were placid, his manner civil, free from agitation, and showing no signs of the mental suffering which the state of things might reasonably have produced. His Majesty received the three patriotic Deputies with politeness, told them he was glad to see them, that the Opposition could not have chosen individuals he was more happy to receive, and after asking them to sit down, and taking a place himself in front of his writing-table, appeared to wait to hear what they had to say.'

'If my information is correct, what then took place in this memorable interview is as follows. I shall give the facts without comment, exactly as they came from the recollection of another person into mine.'

‘ M. Odilon Barrot spoke first ; and in a grave address, in the most guarded and respectful terms, represented to the king that the Deputies of the National Opposition, like all good citizens, deeply lamented the disorders and evils which the day before had witnessed ; that none of them could find words to express their reprobation of the excesses and culpable displays of feeling, fallen into by the individuals who had disavowed the law and resisted the legal authorities by force of arms. But that it was also part of their duty not to conceal from the head of the state, that the retrograde policy of his cabinet, the neglect with which the engagements entered into in July had been treated, the way in which the hopes formed from the revolution had been disappointed, the national honour forgotten, and in short the whole system since the 13th of March, had produced an exasperation and mass of hostile feeling, which by setting the citizens upon each other, had filled the streets of Paris with blood, and paved the way for that most dreadful of calamities a civil war, which might no sooner be put down at one point than it would break out at another.’

‘ M. Odilon Barrot ended with adjuring the king to put an end to the effusion of blood which was still going on, to stop the cannon which was heard at the time in the room where the king sat, to be moderate towards the conquered, and to allay all future causes of contest by a speedy and frank return to the principles on which the revolution had placed his family upon the throne.’

‘ The king replied, that having been dauntingly attacked by his enemies, he made use of his legitimate right of self-defence, that the time was come when revolt must be put down, *and he only employed artillery* that it might be done the quicker, that for all that, he had refused to accede to the proposal which had been made to him, *to declare the city of Paris in a state of siege* ; that as for the pretended engagements entered into at the Hotel de Ville and the republican institutions about which the Opposition made so much noise, he did not know what it all meant, that he had fulfilled to superfluity every promise he had made, and given France as much or more of republican institutions than he had ever engaged to do ; that the Programme of the Hotel de Ville never existed anywhere but in the head of General Lafayette, whose incessant protestations on that point were evidently the effects of a mistake, that as for the system called of the 13th of March, people were quite wrong in giving the credit of it to M. Périer, for the system was the king’s own and the result of his individual conviction, the produce of his own reflexions, and the expression of his political and official opinion ; that he, Louis Philippe, had only consented to take the throne on conditions which implied being followed up by this system, the most conformable of any to the general wish of France, and from which he would not move on either side *if he was to be made mince-meat in a mortar*. “ And besides that,” added the king, “ it will not do, gentlemen, to deal in vague charges. Point out the complaints you have to make against what you call the Périer system, though Périer, poor man, has very little right to bear the blame. What is the fault you find with the system ? Let us hear.”

‘ M. Arago replied by a rapid and lively sketch of the divisions by which France was torn to pieces, and which the present policy of the government appeared expressly calculated to keep up. He instanced his own family, in a state of distraction from political differences, and quoted his brother and nephew who perhaps at the moment that he was speaking were taking away each other's lives on opposite sides, and he compared it to the history of the D'Ailly in the time of the League, who while fighting for Henry IV killed his own son in the streets of Paris. M. Arago then mentioned the way in which public employments had been given to friends of the fallen dynasty, the outrageous connivance at the operations of the Carlists, while any trifling improprieties in the men or the journals of July were prosecuted with a violence unexampled in the annals of the Restoration. M. Arago then stated the astonishment and grief felt throughout the whole of France at the apparent understanding existing with the Duchess of Berri, and the unfavourable constructions to which this circumstance might give rise. At these words Louis Philippe broke out, “ That his government had no enemies but the Carlists and the republicans ; that the notions which had been talked of, were nothing but the consequences of their manœuvres ; that people accused him of avarice, *him*, who in all his life never knew that money had value ; that they perverted his best intentions, till for a long time he had not been able to look into either the *Tribune* or the *National* ; that his father, *who was the best citizen in France*, had been calumniated like himself, till he had been driven to give the revolution a *bloody pledge* he ought not ; that the demands of the two revolutions were insufferable alike ; that he, Louis Philippe, was not an obstinate man, and he had shown it, when after long resistance he had been weak enough to yield to mob direction, and take down from the front of his residence, and out of his coat of arms, the *fleurs de lys* which had always been the bearings of his family.’

‘ As to the representations relative to the Duchess of Berri, Louis Philippe declared, that if that Princess was taken, justice should have its course ; but happen what will, his reign should never witness a *bloody tragedy*. And as he said so, the cannon at St. M^cry made the windows of the palace rattle.’

‘ The discussion having been turned by M. Arago on the ground of foreign affairs, and the deputy lamenting the state of degradation and submission into which France had fallen in the eyes of Europe, the king in return launched into praises of the foreign policy. “ This policy,” he said, “ is what has hindered the powers from doing what they decidedly intended. For six months, I have had them all in my own hands. The king of Holland will give in. I have found France a new ally in King Leopold, and I shall make him my son-in-law in spite of many that it will not please. In short, if I am obliged to say it, the powers are in such a position that my throne just now is the last that could be shaken,—there is not one of them has got the stuff in him a Duke of Orleans has.”

“ But, Sire, the business of Ancona ! To think of the tricoloured

flag being hauled down by order of Rome, upon the walls of a citadel of which our own troops are in possession! To think of the ambassador of the king of the revolution of July kissing the Pope's feet!"

"Gently, Sir!" said the king sharply, "we can all hear. Well, there may be something to be said about the business of Ancona. But we wanted to carry a point; that was all that was of any consequence; and we *have* carried it. And then, a little consideration for an obstinate old priest, was no such great matter. And besides, whatever were the means employed by my ambassador, he has made out a complete justification in his correspondence. Go on."

'The discussion having begun again upon the system at large of the 13th of March, the king, who gave himself the air of holding M. Périer very cheap, maintained that the complaints of the Opposition had all the less foundation, inasmuch as the system was in reality nothing but the continuation of that of the 3rd of November. "I appeal to M. Lafitte," said he, "Is it not the system you followed yourself?" The quondam President of the Council at first preserved the sort of silence which says No. But on Louis Philippe's afterwards putting forward again the same analogy, M. Lafitte protested vigorously against any such admission, which would be the more inaccurate, it being notorious that a radical difference of opinion with his Majesty on the conduct of affairs both at home and abroad, had been the cause of his retirement from office.'

'In conclusion Louis Philippe said to the three Deputies, that it being his duty to hear the representatives of France, and study the wants and wishes of the country, he should always be glad to see them. That when they made any representation upon good grounds, he would pay every attention to it; but to speak plainly, he really had not found there was anything in their *Compte Rendu*, of which so much had been said, and as the system followed by his government was the result of his mature convictions, he was sorry to be obliged to tell them that he would not alter it.'

'On rising to go away, M. Lafitte said to the king that he withdrew under feelings of the deepest pain; that he implored of him to compare the eagerness and enthusiasm with which he was received in public in times that were past, with the effect in the present day; that this only demonstrated that a great deal was wrong; and that he conjured His Majesty to ask himself, whether a king of France who wants 50,000 men to take care of him, is king of France at all.—Vol. ii. p. 350.

The government, as is known, got the better of the insurgents. That same evening it was determined to declare Paris in a state of siege, and that the individuals charged with political offences, and particularly the editors of journals, should be brought before a Court Martial. Barthe had drawn up a report upon the question whether simple civilians could be brought before such a court, and it had been proved upon him that the

course would be illegal and contrary to the fundamental provisions of the Charter. But they were not to be stopped by this ; for no doubt was felt that the Court of Appeal [*Cassation*] would side with the ministry against the law. There was an idea at first of arresting some forty Deputies ; and those who had met at M. Lafitte's got intimation that warrants were being prepared against them. The Court, which this kind of *coup d'état* would have exactly suited, nevertheless failed at heart when it came to the point ; but not liking to give up the plan completely, it ordered warrants against three members of the Chamber of Deputies. The decision given in the interval by the Court of Appeal, which was the result of the way in which the matter was taken up by the press, put an extinguisher upon these schemes of violence.

The attempt at insurrection on the 5th and 6th of June having had the effect of momentarily consolidating the ministry, Louis Philippe speedily took advantage of this to dismiss from public office, not only such Deputies as remained steady to the principles of the revolution, but their sons, their brothers, and their friends. The consequence of this has been, that there is as wide a breach between the Opposition and Louis Philippe, as there was with Charles X and any members of his family ; and that in the coming session, it will be stronger and more united than in the last. Such members of the Chamber as supported the ministry from attachment to Casimir Perier or through the opinion they had of his character or talents, are very little inclined to support the ministry at present. They feel the necessity of getting the government of France out of the hands of the court, and consequently will not give their support to men who are simply tools of Louis Philippe. Another portion, though disposed by habit or interest to be always on the side of government, will be under the necessity of abandoning the ministers, to keep on terms with the electors that send them to the Chamber. Many of these have been afraid to go back into their counties, for fear of being saluted with warning-pans and copper kettles, and other broad hints from their constituents ; and they look to the next session for getting themselves into a little better odour. It is therefore all but impossible, that the present ministry should have a majority in the representative House.

But will Louis Philippe hold to his declaration, that he will not change *if he was to be made mince-meat in a mortar* ? Will he try to go on with ministers that cannot get a majority ; or will he dissolve the Chamber for the chance of getting one that will suit him better ? Whichever of the two he may do, he

will find himself in exactly the road of Charles X, only that this time the chances will be worse. The people would be less generous this revolution than they were the last; and would be exceeding likely to pay themselves for the deceptions that have been practised on them for two years that are gone. On the other hand, there does not seem much likelihood of Louis Philippe's giving up with a good grace to a majority against him in the national representation; he will therefore take to some middle course, some *proper medium* invention or another. But even if he does this, he will be obliged, on many points, to do something to satisfy the country, and this will increase the strength of the Opposition in the House. The more people have been disappointed, the more rigid will they be in the securities required of the Crown, and as the distrust is as strong on one side as the other, it may be foretold that it will not end without a rupture outright.

ART. XII. — 1. *Essay on Political Tactics; containing Six of the Principal Rules proper to be observed by a Political Assembly.* By Jeremy Bentham. London, 1791.

2. *Practical Suggestions for the internal Reform of the House of Commons.* By a Parliamentary Secretary. F. C. Westley. 1832.

3. *Report from the Select Committee on Public Petitions.* 25 July 1832. Par. P. No 639.

4. *Report from the Select Committee on the present State of the Library of the House of Commons.* 16 July 1832. Par. P. No. 600.

5. *Report from the Select Committee on the House of Commons Buildings.* 6 October 1831. Par. P. No. 308.

6. *Report of the Officers connected with the House of Commons, and the Salaries, Fees, and other Emoluments, received by the Holders.* 18 April 1832. Par. P. No. 398.

7. *Return of the Expenses of all Select Committees of the House of Commons since the year 1830.* 27 September 1831. Par. P. No. 273.

8. *An Account of the Expenses incurred, and the number of Reports presented by the several Commissions of Inquiry during the years 1830 and 1831.* 6 June 1832. Par. P. No. 512.

A GLANCE at the list of publications and parliamentary documents above, will suggest to the most careless reader other reforms than the preliminary one just accom-

plished. What some of these reforms ought to be, it is proposed to make the subject of the present article

In examining the machinery of the legislature, reference should be made to its duties. By duties, are not meant those considerations of political honesty which we have sought to secure by the reform bill, but the practical drudgery which must be encountered in order to attain the objects of a legislature. The notion of an M. P. hitherto has extended little further than the privilege of franking, conducting local business, obtaining admission in or under the gallery, forwarding petitions and memorials to the Treasury, Excise, or Customs, asking for places, presenting petitions, and voting on the great questions, all the minor parts of the execution of the great scheme, escape the observation of almost the whole of this busiest of political communities. One is almost tempted to believe that the attention and the talk bestowed upon political matters by the English public, have partaken more of the restless curiosity and gossiping propensity of the quidnunc, than of the sincere earnestness of the thinking, disinterested and patriotic freeman, whose mind is sensible of the share which his interest, not less than his duty, demands that he should exercise in the conduct of public affairs. Thanks to the Lords, their resistance to the reform bill has roused the people to a full sense of its value, and though a great price has been paid for it, in the loss resulting from the stagnation of business which arose from the universal excitement and alarm, we shall in all probability derive through the national advancement in political thought a larger abundance of good effects from the measure in consequence, and therewith a more ample indemnification for the present sacrifice, than if our demands had been obtained without the necessity of enforcing them.

However rapidly a nation advances in the march of improvement, it is only step by step that it can proceed surely. It is thus only that each position attained is secured, and fair footing made for further advancement

We have gained the first step—the recognition of our right to choose our representatives, to exercise a free voice in the councils of the legislature. Whether the exercise of that right is largely enough secured, a very little time will show. It is largely enough, no doubt, to enable us to get a firm footing to struggle with effect, for whatever else may be necessary to secure that right in its widest and fullest sense.

The object now is to select the tools for our chosen workmen; to examine them, that no time may be lost in discarding

such as are unfit for their allotted uses, and in discovering what improvements may be made in them, that the great work be not delayed for lack of the secondary instruments, and thus good workmen, good time, and good measures be of no avail, and occasion be given to the boroughmonger and the tory to laugh us to scorn. But worse than all, shall we check that glowing public spirit which alike sustains the efforts of the friends of the people and discomfits their enemies, by giving birth to the idea, that no reliance can be placed on public virtue, that it is a sentiment, grateful indeed, but as it wants energy and aptitude for exertion, faithless in performance? It is on this idea, that the vanquished tones found their hope to swim back again to place when the waters are calm, if they do not succeed before the present agitation has subsided. Skilled in the tactics of debate, the forms of business, the routine of office, and in the conventional forms of the House, they complacently contemplate the entanglement and defeat,—by mystery, by bustle, by reference to old usages,—of the efforts of the new men with whom independent constituencies will supply the place of the fashionable lounge and the intriguer at clubs.

Forewarned, is forearmed. Let us see how matters work now, and be prepared at once to rid ourselves of the useless and awkward tools, which might do well enough for coarse and rude work, but which must mar the more delicate workmanship we have undertaken.

The maxim 'Knowledge is power' has been passed so often in the currency of generalities, that the more practical workings of the truth escape our attention. It ceases to be an active principle, operating immediately upon our conduct. Let us not repeat the error, but consider by what means knowledge is power in the legislature.

In the legislature, knowledge is the great but not the only power, fitted to accomplish the ends of that institution. It were too plain a question to ask, if experience did not show that its truth is almost universally overlooked,—but can a good law be made without a knowledge of the nature and condition of the persons and things that are to be the subjects of it? Practical wisdom is not instinctive or intuitive. By what process does a man born with a silver spoon in his mouth,—taught nonsense verses at Eton, wenching, driving, and the habits of the spendthrift at the University,—learn the condition of the middle and lower classes of society, their wants, their feelings, opinions and habits? But if chance gives him a glimpse of the circumstances of other ranks of life, made half intelligible to him by the reading of a newspaper or a novel,—by what singular gift of

nature does he, whose personal habits are in constant war with business, become possessed of the knowledge of its minute operations? He may understand the law of usury, from his dealings in youth with the Jews, he may not be altogether unacquainted with the law of debtor and creditor, and the doctrine of profits, from having figured in incipient actions, and paid twenty, fifty, or a hundred per cent for long credit. Jurisprudence he may have learnt as a magistrate at the sessions, or a grand juryman at the assizes, the laws of real property, and the question of the general registry from his attorney, with whom he is deeply mortgaged, the corn-laws from his steward, the poor-laws from his tenants at quarter-day, criminal law from committing poachers, these have been generally the incidental lessons—the casual experiences of a legislator. He started in life flushed with the possession of wealth beyond the powers of his mind to spend usefully, frequented the turf, passed through the gambling-house, escaped with a reduced fortune or else became sordidly poor. In the one case he became sober and wise, and turned his knowledge of life to account by making laws, as if all men were fit for the gallies, irrecoverably vicious, or honest only when they have discovered from the effects of their vices that its seeming is the best policy. In the other case he presented the beau ideal of the place-hunter.

This genus is divided into many species, varying in shades of plumage, in slight characteristics of form, and in degrees of voracity or savageness, but with the exception of a few rare birds, the essential features are the same.

But of the exceptions, how is the case improved. Some are lawyers, some are merchants, some are monopolists, some are millionnaires, some are theorists, some are practical men, some are bible-men, how many are statesmen, the parliamentary records say not. It is not necessary to dwell upon characteristic features of these classes, their names describe their peculiarities, and in them are included all their qualifications.

The complaint is not that these varieties find place in the House of Commons, for perhaps it is proper that the follies and vices as well as the wisdom of the country should be represented, but that the arrangements of the House are of such a nature as to give scope only to the peculiarities described, without exacting any security for the performance of the general duties of the legislature.

The House of Commons is a species of stock-market, in which each party endeavours to accomplish his own objects, to buy and sell at the most favourable prices, and by trick and intrigue and all available methods, to succeed as he best may.

The 'government' and the 'opposition,' are the ruling parties. All others are mere skirmishers, depending chiefly upon the indifference of the two great parties, in the midst of their own conflicts, to the petty objects of individuals. Hitherto, the 'government' being the ruling party, has usually resisted all measures, which have not emanated from its own body.

What side will the government take? has been the common inquiry. In the abolished state of things, probably this was a necessary evil; no party in the House having the power to carry its measures without the aid of government, the members in general patiently awaited its decision.

By the downfall of the boroughmongers all dominant parties are destroyed. The close boroughs formed the nucleus of each party. Their representatives or nominees were, in such cases, the professional politicians who carried on, like other traders, the business of their party. The independent members who thickened the ranks on either side, were perhaps duped by their own impressions, or, if aspiring, hoped to reach an eminence on the shoulders of their fellow partizans.

But now these things are changed. The House must exist by itself, or if upheld by any foreign aid, it must be by the power which creates it, public opinion.

Public opinion however, will not preserve it, if its self-government be not regulated by sound practical rules, especially adapted to the uses and objects of the institution.

In the masterly fragment published by Bentham for the use of the French in their first revolution, he attributes the failure of the representative bodies formed by Louis XVI, to the want of good practices. In that day, he approved of the British practice, which did not materially differ from that now in use. In the interval, the duties of our legislature have changed; in other words, they have been extensively enlarged. From the discussion of a few subjects, and those chiefly of a party kind, we now bestow our attention upon dry details. Great principles, systems, and not individual measures alone, are now to be revised and remodelled. Interests of all kinds, which had no existence at that time, have started up, each claiming a code of laws for itself; and as long as the meddling practices which have existed, continue to exist, the vigilant watchfulness of an overseer, on the workings of the antagonist and anomalous restrictions and regulations which have fettered the exertion of domestic industry and thwarted or misdirected foreign enterprise, is demanded to be in unceasing exercise.

Members of the House of Commons who recollect the period when Fox and Sheridan eloquently declaimed, will confirm this

statement. Indeed during the last Parliament, a member who sits on the opposition benches and fought vigorously against the Bill, declared, that in the course of the thirty years he had sat in the House, its business had increased tenfold, while the facilities which had been adapted to the least amount of business, had not been suffered to grow with the growth of the demand for their increase. A candid confession. Good practices, like our good constitution, have been worn down to unfitness, by the pressure of affairs for which they made no provision. Let us be grateful, it is better that all reforms should be radical, an entire uprooting of that which is vicious and mapt, than be a dilatory amendment by instalments, which removes the rot partially, leaving enough to enter and destroy what may be sound.

Sir Robert Peel has lately nibbled at the internal reform of the House. A Committee was appointed at his instance in the last session, and reported on the present method of presenting petitions.

It is amusing to read the excusatory statement in the Report, that the Committee has desired to offer suggestions 'in conformity with constitutional usage,' followed as it is by sundry extracts from the journals, all of which indicate that the measures resorted to on previous occasions, were not founded upon precedent, but specially adapted to the nature of the emergency which called for their aid.

The Committee recommend that the House should sit in committee on appointed days, before the House commences its daily sitting, and that to avoid much speaking, it shall be competent to the member presenting the petition, merely to move that it be referred to a Select Committee, on whom shall devolve the duty of extracting the prayer and general objects, with any peculiar facts or views, and arranging the matter thus obtained in a shape more attractive than is found in the Appendix to the Votes.

The suggestions of Sir Robert Peel's Committee are good as far as they go, but they are wondrously like the bit by bit measures for which he is distinguished. It is true that much valuable time is expended in speeches on the presentation of petitions, but it must also be recollected that this form often gives the member the opportunity of speaking to a point of real importance, for which no other occasion can present itself under the present arrangements of the House; and the petitions are not the main cause of the slovenly method of proceeding in vogue with our legislative bodies. As long as they crowd all and sundry their measures before a single body of 658 mem-

bers, of every complexion of personal taste, of politics, of experience, and of ability, and confine the real duty of conducting the affairs of the legislature to a small knot of gentlemen on each side of the table, the same results will follow, the same indifference to the general objects of the House, and the same apathy and *vis inertiae*, which are the most discouraging circumstances that meet the unfortunate man of real business.

Another, in the list of the publications at the head of the article, is the 'Report of the Select Committee on the Library of the House.' The library is altogether a recent establishment. A few years ago, the small collection of books which belonged to the House, were huddled together in the 'Smoking Room.' Latterly a librarian and sub-librarian have been appointed, and a fair collection of books formed; but the room was of course too small for the reception of an extensive collection, and a larger place is now required. No one would begrudge members the means of knowledge; though it is doubted whether any considerable number of them have made any use of the library but as a convenient writing-room.

It is a curious specimen of the working of our House of Commons, and shows with what disproportionate velocity it follows in the track of public improvement, that its library should be of such recent formation. The Votes and Proceedings are not many years older; and they are susceptible of great improvement, as well as of being got up at much less expense.

The Report of the Committee mentions a singular fact illustrative of the indifference to the higher qualifications of a legislative body. The salary of the door-keeper of the House exceeds by a hundred or two of pounds that of the librarian. The question still remains, of whether the door-keeper is paid too much, or the librarian too little, or both are paid too much, only in unequal ratios. But the fact is characteristic.

These are circumstances to be noted. They will serve as ammunition wherewith to attack a position which the friends of things as they are endeavour always to maintain,—that all works well,—that the old system has been long established, is not free from abuses, but abuse is a portion of humanity and its works.

All men have not the physical strength of the member for Middlesex; and the perseverance and energy which he has displayed might have wrought more usefully, if the forms and proceedings of the House had been simplified, and the business divided more equitably among its members. This is certain, that leaving the zealous foe to extravagance to fight the battles

of economy in the committee for finance, inferior soldiers might have grappled with other branches of public affairs.

Constituents must not entertain the vain hope of their new and independent members effecting much until the internal system is changed. This subject they should force on the attention of candidates, and exact from them the promise to consider it with a view to the introduction of better arrangements. A few petitions to the same purport would facilitate the object. Other pledges will be useless without it. Representatives will progress in the fashion of a man tumbling upstairs, and the next and future sessions will earn the title of the do-nothing parliament.

What has the House to do?—Supposing that the electors do their duty in choosing the best candidates, the fitness of the present arrangements may be best determined by first ascertaining what the House has to do. The mighty and confused mass may be reduced to some order by referring the different portions of it to the classification proposed in the ‘Practical Suggestions.’

The author recommends that the House should be divided into ten Committees, on whom shall devolve the duty and responsibility of managing the affairs belonging to the following departments of business—1. Domestic affairs. 2. Foreign affairs. 3. Colonial affairs. 4. Scotland. 5. Ireland. 6. Expenditure (including all the great offices of state). 7. Revenue. 8. Trade. 9. Law. 10. Regulations and business of the House. And that the sittings of these Committees be held on alternate nights with the House.

The proceedings of the Honourable House for the last session have been adopted as the example. Examined by the test of the ‘Practical Suggestions,’ the following is the result,—

The House sat 118 nights during the last session.

According to the new plan the House would have sitted 74 nights, and the ten committees 740 nights, in all, 814 nights, thus multiplying the efficiency of the legislative labours by five-and-a-half. Take an ordinary session, say of 100 nights, and the effect would be equal to that of 550 nights.

The following Table illustrates the effect of the working of the system as it is, and, contrasted with the one proposed, will afford a sufficiently fair test of the superiority of the latter. The House publishes daily a document entitled ‘Votes and Proceedings.’ In this document are entered in the order of their occurrence, all the transactions connected with bills, petitions, returns, &c., which take place in the course of the evening. A calculation has been made of the entire number of entries

for the aggregate number of days the House sat. Having ascertained the amount, the whole has been separated into business done, business deferred, petitions, returns, &c.

| | |
|------|---|
| 1360 | † Private Business. <i>Chiefly formal.</i> |
| 1060 | † Petitions <i>Formal with few exceptions.</i> |
| 966 | ‡ Business deferred <i>Entirely formal</i> |
| 1135 | § Business done. <i>Two-thirds at least formal.</i> |
| 66 | § Motions. |
| 437 | Returns moved for. <i>Formal with few exceptions.</i> |
| 513 | Returns presented <i>Entirely formal.</i> |
| 530 | ¶ Miscellaneous. <i>Chiefly formal.</i> |
| 6067 | Total number of Entries. |

This Table will show the amount of positive business, as contrasted with the 'nothings' which form so large a portion of the formal business of the Legislature. In fact the latter has increased in quantity owing to the inability of the House to bestow the requisite attention. The forms are satisfied, sense is abandoned; the minor laws,—which, from their intimate operation on our affairs, are often more harassing and vexatious when bad, and greater blessings when good, than those laws which make the most figure in the House,—are arranged perhaps out of doors, or suffered to proceed without explanation on their introduction, without discussion in their progress, and finally to leave the House without the mass of members being cognizant

* This class of business is transacted in Committee out of the House. Everybody knows how, who is acquainted with the fact that the members allotted to these private committees seldom attend unless mustered, as on the Birmingham railway bill, when the agents of the parties canvass them.

† The number affixed to Petitions above, indicates only the number of entries in the 'Proceedings' under that head. It is customary to insert in the same entry all Petitions on the same subject, or with similar prayers, which are presented about the same period of the evening.

‡ Business deferred. The evening having been consumed in talk, the House proceeds to fix for another evening those appointments which were entered on the orders of the day.

§ Business done. This item includes all the stages of the different bills. Two-thirds at least indicate the merely formal stages, which under a system of committees would be withdrawn from the House.

|| Returns. Sometimes a motion is necessary when opposition is apprehended, and a debate arises thereupon. But usually the motion is one of course. The presentation of returns procured is, however, matter of the merest form.

¶ Miscellaneous. The House indicates in its Proceedings every step which it makes. Messages from the Lords. Its going thither. The swearing in of members. New writs moved for. Adjournments, and so on. This item indicates the amount of these movements.

of their provisions. Thus a law is often made, which legislators come to the knowledge of, by a summons from the police office for a penalty incurred by its violation.

About one-twelfth of this business is real business. The rest is formal, or leads to no practical result. But time is thereby consumed. The council of the nation sits, but instead of decrees, it sends forth daily a catalogue of formalities. On the most busy night, scarcely more than three subjects are disposed of. If there are more, it is from the absence, and not from the presence of members, or of the collective wisdom of the country, which is exerted on few occasions. The enormous supplies are voted generally in an empty house. Party or flash discussion, the eloquent harangue, have been the only temptations which could keep the House together after midnight, when one-half of the business is usually transacted.

By the proposed plan the Bills of the last session would have been distributed among the different Committees in the proportion indicated in the first column of the subjoined Table;—

| | * Bills. | † Petitions. | ‡ Special Inquiries | § Special Motions. |
|--------------------|-----------|--------------|---------------------|--------------------|
| Domestic | 29 | 490 | 10 | 45 |
| Foreign | 2 | 35 | — | 15 |
| Colonial | 9 | 81 | 5 | 40 |
| Scotland | 15 | 46 | 1 | 5 |
| Ireland | 43 | 1007 | 6 | 53 |
| Expenditure . . . | 37 | 31 | 5 | 19 |
| Revenue | 10 | 84 | — | 17 |
| Trade | 1 | 58 | 2 | 24 |
| Law | 32 | 265 | 3 | 19 |
| Regulations &c. | 10 | 363 | 8 | 32 |
| | <hr/> 188 | <hr/> 2460 | <hr/> 40 | <hr/> 269 |

A similar distribution would be made of the petitions, returns, and inquiries, which are now attempted by select committees *quorum pars magna* is the Chairman; and these essential parts of the public machinery might then accomplish the uses for which their institution was designed.

* The bills of the present session would have been thus distributed. The amount of the labours of each committee would of course be unequal. No system could allot them with unvarying equality. But the constant transaction of the same species of business, and the acquirement of the peculiar knowledge connected with it, would facilitate the labours of the committees. The number of bills by no means indicates the extent of difficulty and labour; a single law may occupy a Committee during the chief part of a session. Many of the government bills are formal—the

The writer of the 'Practical Suggestions' does not point out how the members of the different committees are to be selected; but this might easily be arranged. Every member should be entitled to put his name on a list of candidates for a particular Committee; and any member should be entitled to propose the name of another member, whom he may deem eminently fitted for one Committee more than another. The ballot is then the obvious method of electing the candidates;—not that mode of ballot which appears to be the only one in favour with our late representatives, namely the putting all the names into a glass and selecting those which come up first, and which in truth is a mockery and a misnomer; but the ordinary and proper method of ballot.

Small objectors will probably contend that the system proposed would encourage intrigues; that ministers would endeavour to put such members on the Committees, as would favour their own views. Doubtless intrigues would exist here as in other cases, but their efforts may be crushed by publicity. But if this grand detector of abuse should fail, the contending interests of other parties would alone render the vice of intrigue perfectly innocuous; in short the energy and conflicting purposes, which always attend the active intrigues of a large mixed body, would ensure the perfect success of the plan.

But we must rest our hopes on Publicity. No secret proceedings should be suffered in the representative body. At all times it should be kept in mind that the Commons assembled are a counterpart of the great community; and that the former are substituted only because the latter cannot be assembled conveniently or with any dispatch of business.

The progress of legislation at present resembles a race. The

house having resolved upon their main object, the granting of money—and the bills of one session being like in pattern of words and objects to those on the same subjects in preceding sessions.

† Petitions. This column is strikingly illustrative of Irish influence in the British parliament. There is no lack of Irish talk, nor, if we regard the list of bills, of Irish legislation; though whether these measures are for good or for evil, is another question. It is only in its capacity of time-consuming that the subject is regarded here. Perhaps the recommendation in the 'Suggestions,' of the appointment of a standing Committee for Ireland, is the only practicable remedy.

‡ The select committees have been styled special inquiries. These should be put an end to. They are useless. They collect information, but is it read? Let the investigation be open, and the country and the House would be alike instructed.

§ Special motions. Under this head are included all motions of which notice has been given, though many of them relate to returns. This is one cause of the variance of the head from that in the preceding table. But many of the motions were not made.

various bills start quietly, and move on at unequal intervals until the end of the session, when the whole make a general rush. Some Bills pass through the Commons in as many days as there are stages through which the forms of the House require them to pass. The course of others is marked by continual postponements, until that degree of inattention is created which is the natural effect of such uncertainty, and then the gallop begins. Lord Althorp and others have often adduced the length of time a bill has been before the House, as reason for opposing the grant of any further time for special inquiry. But the reason is altogether invalid. Pending this indecisive state, neither the public mind nor the attention of members is attracted with sufficient force; and it is not till the subject becomes matter of keen discussion, that its merits or defects are discovered, and the necessity for inquiry shown.

The forms of moving for leave to bring in a bill,—its first, second, and third readings, with the intermediate stages of commitment,—and the final stage, the motion ‘that it do pass,’—were originally designed to secure discussion, prevent precipitation, and supply the defects of information or of reasoning which had occurred in the previous stages. In modern parliamentary tactics, these forms are constantly disregarded in substance, though, as in all other institutions governed by the letter and not by the spirit of their precedents, they are rigidly observed in form.

It is not unusual, but indeed a very common practice, for the government and individuals to introduce a measure without so much as offering an exposition of the nature of the proposed law, the circumstances which constitute the necessity for its enactment, and the condition of the law existing, and which the new law is proposed to add to, modify, or alter.

This is a defect productive of the most grievous mischief. The attention of members not being called to the new law, they are not led to inquire how far it will affect the national interests, or those of the local community which may be especially concerned. The very necessity imposed upon the member who introduces the law, of exhibiting good *primâ facie* grounds for its adoption, supplies a tolerably effective check on crude and rash attempts at legislation. But its chief value would consist in exciting the attention of the public and the members of the legislature, to the general nature and particular provisions of the new statute; so that in the interval between that and the next stage, the subject might be fully discussed within doors and without, and the intelligence of the country poured upon

the House, that in truth it may become 'the collective wisdom.'

The unequal rapidity which marks the progress of legislation, offers an obstacle to this effect. Few men can be brought to exert themselves, when little probability exists of such exertion being attended by any beneficial result. Distant constituencies cannot communicate in time, in many cases; and in very few is the subject matter of the law brought before the public until the second reading, when the 'grand debate' takes place. Indeed it often happens that the second reading takes place on the day, or within a day or two, of the printed copy of the bill being delivered to the members; in such cases, it is impossible for members to communicate at all with their constituents in time for the debate; and it not unfrequently happens, that valuable suggestions reach town on the day of the third reading, when the bill having passed the committee it is too late to amend details.

But of late it has become the fashion to postpone the discussion till the bill comes into committee. Such was the plan forced upon Mr. Warburton with the anatomy bill. Such has been the case with some of the law reforms. In short, when the House knows little of the subject, or the subject is difficult or unattractive, the course is to try for postponement to the later stages.

As the House of Commons forms itself on the patterns of precedent, we are entitled to require that it should consistently follow its own rules; especially when such rules would ensure the effective discharge of its duty.

The precedence given to government measures, is one cause of this unequal progress. As the government has the power of proroguing Parliament and will avail itself of it as soon as its own business is accomplished, the House should adopt whatever measures are within its power, to place a check upon the exercise of this prerogative. An effectual measure of the sort would be, to allot alternate days to the business of government, or better still, to require that it should take its place in the order of the general measures before the House; that is, the first notice of motion should give the first title to be heard; the first bill brought in should take precedence of all the rest, in that stage; and so with regard to bills in the other stages. Out of this order, no measure should be taken, but upon express motion; and the House would then decide upon the expediency of acceding to the object of the motion. In general cases, there is little doubt every concession in reason would be promptly made.

This rule would force the government to bring forward their measures at the commencement of the session. In the list of government measures introduced in the present session, several were introduced on the last days and hurried through the House with the utmost precipitation. If the records of the debates are examined, it will be found that they excited little attention or discussion in their progress. Some of these involved questions of the highest order of importance. There were some of them that could not have been introduced at an early period of the session; but this was not the case with the majority.

Place of Meeting.—The fitness of the building of the House of Commons is by no means a secondary consideration.

If committees are appointed, no place of meeting can be found for them, and the House itself is not large enough for two-thirds of its members. When the cholera made its first appearance in London, the members became peculiarly alive to the inconvenience, and even danger, which results from the crowded state of the House of Commons on great occasions, and a committee (the resultless remedy at all times) was appointed to investigate how far it was feasible to enlarge the present building. In the result, the committee reported, that no change could be made in the present House, and recommended a new one, but forbore to enter into the plan any further without the sanction of the House, on account of the magnitude and importance of such an undertaking.

It is well that they did not proceed. To have erected any building to suit the present arrangements of the House, would have indeed been a bit-by-bit reform.

When the Commons have adopted arrangements better suited to the enlarged demands on their exertions, the subject should be instantly prosecuted; for it is in vain to require that members should crowd in attendance in a House which is only fit, and hardly fit, for the business of haranguing, but is perfectly unfit for the consideration of subjects in committee.

No consideration of economy ought to interpose to prevent every requisite facility being provided to members for the discharge of their duties. Men talk of the labour of the cotton mills and other factories, but if the present duty of members were actually performed, no labour more burthensome and injurious to the health could be found than that of a member of Parliament. The instances of sacrifice to the persevering performance of duty, have not been few, among the few who have devoted themselves to it.

While members of Parliament are not paid for their services,

claims of this kind are deserving of especial attention; particularly as the public is disposed to exact from them the most rigid observance of their voluntary services. But this is the most narrow view of the subject. The state is interested in the effective working of the state machinery. How crowded and disorderly are all the channels of law-making, how crude, insufficient, and incomprehensive is the information; how mechanical and technical is the vehicle, and how irregular are the processes of discussion and investigation. Like many other defects which exist, and which as it were by the *vis medicatrix* or other unseen power are cured, controlled, and checked, they have endured, and Tories will adore them as the perfectionating parts of the system. Take them for what they are and compute their effects, and they will be found to operate as counteractions of incalculable force to all good.

Proposing—Each member has the unrestricted right to propose any law, or offer any motion or resolution to the House. Notice, however, must be given for some specific day. But owing to the irregularity of the proceedings of the House, the day appointed is rarely the day on which the business is transacted. Hence arises the same confusion as would follow no notice at all.

Mr. Bentham at the end of his Fragment exhibits a Synopsis of all the evils, which may be incident to political assemblies. Tried by this test, the House of Commons is found to be faulty in every one of the particulars of mischief assigned.

‘Total inaction,’ ‘Delay and procrastination,’ ‘Indecision,’ ‘Action without an object,’ ‘Precipitation,’ ‘Surprise,’ ‘Fluctuation.’ These are some of the heads of inconvenience. Had Mr. Bentham continued his work, and selected illustrations from actual proceedings of the House of Commons in this day, every one of the foregoing objections would have been strikingly exemplified.

If a member were even so well qualified by mental powers and acquirements, and physical energy to perform the duties of a legislator, such powers and energy would be paralyzed by the total want of order in the practice of the proceedings of the legislature.

The doubts on which subject direct attention,—where to find the information requisite,—whether all the labour bestowed be not directed to an object of no present use,—the pressure of the daily and routine business,—and the consciousness of the inability to cope with all within the province of the representative,—wither every hope of fulfilling the expectations of a sanguine constituency, and the desires of an ambi-

tious spirit. The vulgar taunt conveyed in the proverb 'A new broom sweeps clean,' is often unjustly cast upon an honest, earnest, and even capable, though inexperienced person, who is willing to sacrifice time, health, comfort, and all that is within the reach of the affluent, to a strict performance of every promise, in letter as well as in spirit, but who is hopelessly crushed by the faulty arrangements of the House.

Many men of great capacity, competent to every duty which ought to be demanded from a practical legislator, are as concerns the public good destroyed. Talkers obtain the ascendancy. Thinkers and actors, who have less confidence and more knowledge, are thrown behind, without power to control the temper into which the House is thrown by a plausible, well-tuned address, adapted to the tastes of the most vulgar and unthinking of the assembly. Now and then a plain man, of plain speech, rises to tell the House a fact on which the whole debate hinges; and then it is all amazement and admiration. But others, with equal knowledge perhaps in their respective departments, are deterred by the dread of the uncouth, rude, and unhandsome treatment, which often awaits a man, whose voice is not musical, or his sentences well-chimed, and who can only speak to facts, in a dry, unattractive, but apt and pertinent manner. It is better therefore that all subjects should be previously proposed and discussed in a committee, small in number, and of skill and acquirements adequate to the fair treatment of the question.

In such an arena, peculiar knowledge would have its fair weight of influence; and if it were necessary to appeal from the committee, the previous discussion would have the effect of securing a more thorough and exhausting discussion within the House, and shaming away the frothy debaters, from taking part in topics not within their province.

But furthermore, every proposition should be discussed in the order in which it is announced. Every member should know with all practicable exactness when any particular business will come into debate. Every trade and interest affected by the result of any proposition submitted to the legislature, ought to be relieved from that state of suspense, which is so injurious to every species of enterprise. The see-saw of the present practice is a grand encourager of political smuggling and intrigue. No member therefore should ever be allowed to withdraw a motion, of which notice has been given. The cause carried into the national court of appeal, should at once receive its decision. Rash motions would be discouraged. Enterprise would not be checked. Regularity in this and other departments of business would

follow. Every member would know that he must prepare himself to decide, and would be prepared accordingly. The chances, as in the case of hanging, in favour of his not being called upon at all, encourage indolence, and induce him to prepare himself on nothing.

Debating.—Nothing can be advanced against the opinion of Bentham that the British practice is as perfect as it can be. All arrangement of precedence, and running to a pulpit, is unfavourable to deliberation. The French deliver compositions, which would be in their place in a Review or in a professor's chair, but are in no wise linked with the matter under discussion. Unpremeditated speeches best develop the bearings of a question. The close conflict of argument against argument, fact against fact, the very heat of temper excited, are all favourable methods of throwing out the unseen and petty and secondary points, which have in their aggregate as much influence on the question as its most leading principles.

It is the most fitting medium for the expression of the general opinion of the country. The charge is not against the mode, but against the total want of preparation for warfare. What sort of campaigns would they be, where raw soldiers have the command, and there is neither ammunition, nor food, nor material of any kind. But such is our method. Debates are started without material. The mover, it may be, and a knot of his friends are enlightened; but the mass have neither line nor compass. Failure always attends his first efforts; his facts astound, but are not examined; his very enthusiasm is quoted as evidence of the absurdity of his proposal, and the subject is discarded, to be renewed, year after year, in subsequent sessions, till a sufficient number of the legislators are awakened to the importance of it. The press begins to speak, the public decides first, and afterwards the legislature. Its attention and its assent both forced, it adopts hastily a crude measure, and learns the subject in its true bearings, only when it discovers the inefficiency of its first attempt.

And whence this backward progress? Because the legislature will not inquire in the first instance. It will not inquire, because inquiry consumes time and energy, and the ordinary and routine business of itself consumes all that is given to the most persevering and the strongest member. If the honourable member for Middlesex would register his movements,—the division of his time,—how much he has done,—how much he could do and could not do,—the justice of these remarks would be apparent to the most exacting of radicals. Let anybody look over the list of returns moved for by him, and follow up the

inquiry by ascertaining what has been done in consequence of their production; and he will discover what the most indefatigable of members would do and cannot,—not for want of will, but from the want of that power and external aid which ought to be supplied by the House.

Voting.—The ‘Suggestions’ contain a very simple and easy method of taking the votes, which would occupy a great deal less time than at present. The *herding out* on every occasion of a division, is troublesome, and is often made the pretext for not dividing the House. By a sort of half murmur, it is easy for a few members to convey a notion that the motion is unacceptable to the general body. If the House were divided, a creditable minority would often be obtained, and the people would know who were their friends. In short it should be a rule of the House to divide on all motions. It would prevent rash motions from being brought forward. At the same time, in those cases which were brought forward from a strong sense of the importance of the measure, and under the check of a feeling of responsibility,—lukewarm, indifferent, and thoughtless members would be compelled to decide. The exact state of a question is learnt, and the next attack probably brings a stronger reinforcement of opinion and friends. Members are seldom sincere, who are easily deterred from bringing the House to a division; and it is so understood in the House. The member is supposed (and justly) to be using the House for his electioneering purposes, by making a sham attempt to redeem a rash or insincere pledge. Electors should never regard the results of the last session of a parliament as evidence of the sincerity of their representatives, but the contrary. And the same measure of doubt should be extended to all those popular motions, which are announced in such generous abundance for the next parliament, ‘if the member should have the honour of a seat.’

The limits of an Article do not permit a more extended exposition of this portion of the state machinery. Had it been otherwise, the cajolerics, technical and conventional forms, and a thousand other embarrassing incidents which surround the unfledged member, and give to inferior the power of entangling superior minds, might have been displayed. Enough has been said to instigate constituencies to instruct specially a new modelling of the legislative machinery; and the inexperienced member is put on his guard against the toils which have ensnared the most able.

This is the time for action. Let no man satisfy his conviction of the truth of these suggestions, by offering less than his

active practical support of them. Men must not now debate as if the questions before them were abstruse puzzles for intellectual amusement; but deliberate in an emergency, as with minds present to the situation. They must decide and strike in such rapid succession, that both actions may appear to proceed from a simultaneous movement.

First, then, chuse good men, honest, intelligent, experienced, laborious. Secondly, instruct them to put their House in order, that their qualifications may find favour in it.

ART. XIII.—*The Fair of May Fair.*—3 Vols. post 8vo. London; Colburn and Bentley. 1832.

THE Honourable Mrs. Gore is evidently bent upon undermining the House of Lords; that august body could not have had a more dangerous enemy. Under the guise of a fashionable novel, there is scarcely an aspect under which she has not made the peerage ridiculous. If she wants a pompous bore, he is always coronetted; if a *roué*, he is either a peer or a peer's son; if a gross epicure, he is a gouty member of the House of incurables; in short Mrs. Gore's standing *ludibrium* or social scarecrow, is a noble lord or his eldest son; as for the younger ones they are game not worth powder and shot, they are called in when an inferior person is required either for lispng absurdly, talking slang disgracefully, or otherwise acting the buffoon. Nay such a traitor is she against the very idea of privileged orders, that she has aimed at the very distinctions themselves, which, as all the world knows, so widely separate the nobility from the mobility.

Speaking of a naval captain disgusted with the ill success of an attempt upon the heart of a young lady of rank who has studied the whole art of love in Debrett's Peerage, she says;—

'An application to the Admiralty, backed by the interest of his father, secured him one of the finest frigates in the service, and the Indian station; and could a more remote command have furthered his desire to absent himself from England, he would have sought it with eagerness. Already he exulted in the prospect of reaching those islands of the Indian main,—those palmy shores and wild Savannahs, where lordships and ladyships, hoops and plumes, are baubles still undeveloped by the progress of civilization;—where the dignity of the order is somewhat invalidated by the tattooed aspect of the peerage;—where sovereigns, like the swinish multitude of England, wear rings through their noses,—while their grooms of the bedchamber are feathered without the previous ceremony of tarring. He had no

longer patience with the "herald's boast,—the pomp of power," or the frivolities of the fair of May Fair.—vol. iii. p. 177.

It is certainly not fortunate for the ranks of wealth and fashion that there is 'a chield among them taking notes' in the person of Mrs. Gore. It would be difficult to find a woman of a shrewder turn, of quicker insight into folly or hypocrisy, or who can more keenly express her contempt or her derision of the follies and vices of the great. She excels too in sharpness of point, in brilliancy of sentence, so that they who would scout the didactic are bound to read for their amusement; for the lash tickles as well as smarts. Of all the fashionable novels as they are called, Mrs. Gore's are the most palatable at the same time that they are the severest; she puts so much reality into her fiction, so much pleasantry into her satire, that the very condemned enjoy the style of their own sentence.

The great and general utility of Mrs. Gore's novels is, that they contain a practical exhibition of the miseries entailed upon every person who sacrifices substantial and elevating enjoyments for those of show. She displays in every form the folly of endeavouring to seem what you are not, of aping something which catches the fancy of the hour. Pretension of every kind is her prey, and inasmuch as pretenders abound, and the day of performance is almost gone, she revels in her plunder. In all her works too, the reader has the satisfaction of rejoicing in the ultimate triumph of sincerity and integrity, and this by the most natural and probable processes. This does not mean that the amiable and the virtuous are led through a martyrdom of sufferings in order to be grandly married or richly endowed by some fortuitous accident as a finale to the adventures of the opera. On the contrary, the loveliness of truth and honesty are shown, under circumstances, where if they do not attract applause, from abroad they fill the home with domestic sunshine.

'Marriage' is the grand subject of the various tales of these volumes; and not love, the staple of the ordinary romance. In one way or other, every tale in this collection perhaps except one, turns upon the due assortment of husbands and wives with a view to producing matrimonial bliss. The Flirt of Ten Seasons is a beautiful and accomplished person, educated for the purpose of attraction; a bad education of the temper and indeed of the moral sentiments, counteracts all the gifts of nature; she is doomed in single uneasiness to witness the prosperity of a whole family of poor and neglected cousins, rich only in an earnest desire to cultivate feelings of benevolence and the talents in their possession. The Divorcée is a melancholy but beautiful story. It describes the result of a *mariage de convéance* falsely

so called, where the daughter of a poor but genteel family, is wedded to a man of wealth and honours but unsuited to her years. From a simple and amiable girl she becomes, in honour of her new rank, a woman of fashion, exposed to all the temptations and opportunities of the position, against which not having been fortified by a truly fashionable education in the course of which nature is completely subdued and artificially trained, she is unable to stand. The crime of which she is guilty is, if exposed, unpardonable. The admission of the air, as to the crumbling remains of a long buried corpse, is fatal; the whole structure powders into nothing. The unhappy offender is doomed for her transgression to infamy, indigence, and remorse. The *Separate Maintenance* is a very interesting and well-designed tale. The lady, too proud of her independence and too attentive to flatterers, separates from her husband, whom she fancies she has reason to detest; there is however on both sides a groundwork of esteem, and after some absence, accident renews the ancient flame, and presents the singular position of a gentleman courting his own wife with more than the assiduity and devotion of an ordinary lover. The *Grandmother* is a complex story and contains a series of good and evil matches, the point of which turns upon the emptiness of aristocratical distinctions. The *Special License* is a luculent instance of the instability of the pretensions to fashion and distinction on the part of persons who might be happy and respectable without such views, and who become spectacles of disappointment and absurdity by the encouragement of them. This tale also gives to understand, that the fusion of mere wealth and mere rank and title, may be conducted on sound principles, provided there is sincerity and independence on both sides. The wealthy merchant or money-dealer is represented, perhaps for the first time in fiction, as a man of true dignity, self-respect, education, and thorough integrity, agreeable in manners, refined in tastes, and content with, if not proud of, his position in society.

So much for what may be called the moral of Mrs. Gore's novels; the grand distinction of which is, after all, the amusement to be derived from them, the droll pictures they present of character, the laughable exposure of the whims and fancies of the wealthy and the hypochondriac; and the fire of striking remark she pours upon almost every condition of life, where hollowness and unsoundness let in the light of sarcastic examination.

The theory, for instance, of fashionable education, which is almost solely confined to external bearing, is developed in the

following description of the change of a young lady from the chrysalis state to the butterfly.

‘ In marking by lustres the progress of our heroine through the various vicissitudes of childhood, girlhood, and womanhood, we do not purpose to neglect those minor shades and gradations which intervene from year to year—from day to day—nay, hour to hour—in the picture of life; but it is necessary to establish the framework of the canvas from that happy epoch of Adela’s existence which saw the harness of the governess laid aside, the Italian grammar exchanged for the Court Guide, the muslin frock expanded into the brocaded train, the flaxen ringlets raised from her shoulders and braided into a Grecian contour. Lady Germaine had resolved that her daughter should remain a child till she was almost a woman; and now, by a transforming touch of the wand of fashion, chose that she should become a woman, though almost a child. From the hour she was presented at Court, Adela found it decreed that her laugh should subside into a smile—her natural demeanour into a graceful glide—her playful frankness into a courteous discretion. It took her full a week to make her own acquaintance after the singular metamorphosis effected by Lady Germaine’s interposition.’

‘ The “ musrs ” and “ must nots ” of her Ladyship’s tables of the law would have filled a volume; and though Adela had little difficulty in submitting to a transformation dependent rather on the art of the staymaker, shoemaker, mantuamaker, milliner, and hair-dresser, than on her own exertions, it certainly imposed a tax on her memory and her patience, when she found how many and how much she was to forget to remember, and remember to forget.’

‘ First in the schedule attached to the commandment respecting oblivion of persons, stood the names of a family of cousins; children to a sister of Lord Germaine, who had *married imprudently*. Marrying imprudently implied, of course, according to the interpretation of the Germainic code, marrying for love instead of money—for good qualities instead of good estates;—and when poor Mr. Raymond died the death of a man of low fortunes and high blood (a victim to the pestilential climate of a colony maintained by the wise policy of government, for the purpose of enabling the aristocracy to get rid of their younger sons without any necessity for a Coroner’s Inquest), his honourable widow, looking down on the heads of the six little orphans whom the yellow fever had barbarously spared, might possibly be induced to admit the accuracy of the definition. Many trite proverbs were quoted for her consolation. She was reminded that large families always get on best in the world, and told that “ Providence feedeth the young ravens; ” while Lady Germaine, her sister-in-law, never failed to remark in her presence upon the multitude, complication, and fatality of the diseases of childhood.’

‘ Strange to relate, however, these little “ ravens, ”—these little Raymonds—grew to be full-fledged birds, and to flutter round the parent-nest, without any diminution of the covey by the attacks of measles, scarlatina, or whooping-cough. While divers of their aris-

tocratic kindred spindled up into consumptions, *they* remained tough, rough, and compact; and while their little cousin Lord Germaine was crammed into a liver complaint, *their* homely cheeks became red as roses, *their* laughing eyes bright with the impulses of health. Lady Germaine was once heard angrily to declare, on quitting Mrs. Raymond's modest residence at Fulham, that "she did really believe nothing would ever *provide* for one of those Raymond boys;—that even if Harry were to get his father's appointment in the West Indies, he would live for ever. Poor Mrs. Raymond was very much to be pitied; but then what could she expect in making such a connexion!"—vol. i. p. 4.

In a very different style, is the excellent sketch of a country gentleman and his *entourage*.

' Sir Richard Raymond and his wife (for according to the custom of the good old times they composed a single animal, and therefore need not be severally considered by the biographer) were of high respectability in their native county of Dorset,—of utter nothingness among the Stars and Garters of the metropolis. They had commenced life together by an early marriage, as a Baronet and Dame of tolerable pedigree, with a clear ten thousand per annum; and at the expiration of forty years stood pretty nearly on the spot from whence they started. Kind-hearted, simple, affectionate, bountiful to their poorer neighbours, living and letting live with those of higher degree,—they were cordial and reverent with an old dunny Vicar who half starved a deserving curate,—by way of testifying their respect to the Church; and evinced unlimited submission and regard towards their colossal neighbour the Duke of Dronington, who bullied his wife and his tenants, and sneaked to his Sovereign and his Sovereign's minister,—by way of proving their reverence to the state. They intended well, however, and therefore seldom acted ill; they had a warm heart, which was sure to prevent the head from disgracing itself.'

' It is wrong to assert that *nothing* was changed at Langdale House from the period of Sir Richard's marriage and first session in Parliament, to that of the commencement of our story. He was now a father:—not like his luckless cousin, of six hungry and promising children, but of one sleek, self-satisfied, middle-aged man, whom Sir Richard and her ladyship alone regarded relatively to his position as *their* son. To all the rest of the world he was "Burford Raymond;" a man with a name—with a seat in the House—chambers in Albany—a position in society;—a being as much above the level of his country baronet of a father, in all the adventitious distinctions of life, as he was beneath him in every moral purpose, in all the best qualities of human nature.'

' But though Sir Richard and Lady Raymond continually referred to him with pride and pleasure as "my son Mr. Raymond," certain it is that they were full of wonder at having hatched so wise a bird; and regarded him with somewhat more of awe than of parental tenderness. Perhaps, after all, the miracle was one of education; for

scarcely had Master Raymond begun to trot round the hall at Langdale on his father's walking-stick, when their neighbour of Dronington, a man singularly addicted to the theoretical and practical maintenance of absolute monarchy, took it into his ducal head to investigate Sir Richard's projects of education for his heir apparent; to suggest a Reverend Nicodemus Fagg, M.A. as his private tutor, and to insist upon the paramount necessity of classical proficiency to every English gentleman of modern times. "An English gentleman" is one of those cant phrases of the day which are introduced on all occasions to fill up deficiencies of personal definition.—Poor Sir Richard had always fancied *himself* "an English gentleman," when, on a distant glimpse of his broad-brimmed hat and white corduroys in the High Street of his county town, every head was uncovered, and

All men cried, 'God save him!'

or when feasting his tenantry on rent days, Christmas days, and other highdays and holidays; or, when complimented from the Treasury bench on his luminous exposition of the state of public opinion in his native county. He now found he had been mistaken. How could it be otherwise, when his very good friend the Duke of Dronington said so, or so implied?—He resolved that Master Burford should have plenty of Horace and Pindar drummed into his head to compensate his father's deficiencies, and qualify the future proprietor of Langdale to become "an English gentleman!"—vol. i. p. 17.

Sometimes the authoress moralizes fancifully enough; and if she were not a little too devoted to the brilliant, many passages of this tendency would be classed with the remarks of our best writers on manners. Of this nature is the dissertation on August—the London August.

'Many are the votaries of superstition even among the witty and the wise (with Byron as a brilliant leader of the list), who despond over transactions effected on a Friday. For our own part we are satisfied that the year has its unlucky month as well as the week its unlucky day; and that a larger proportion of fashionable tears is wept during the month of August, than during any other thirty-one of the three hundred and sixty-five days of annual sorrow. August is a sort of harsh equator, dividing the trifler's year into grave and gay, lively and severe, pleasure and penance; it interposes a moral ha-ha between the ornate lawn of the London season, and the wilder prospects of the year, to overleap which is an exertion that startles all human beings into sobriety.'

'August!—thou fearful epoch, when persons who have been living for the preceding hundred days without being many hundred minutes apart, must bid a hasty adieu with the certainty of eight months of tedious absence; when hearts which have been for weeks on the eve of interchanging their tender afflictions, are suddenly chilled into prudence by the consciousness that half a step more must be decisive,—while others who have maintained a cautious silence during the season, are moved to a rash explanation at the moment of

parting such as renders that parting final:—August!—when the young sportsman, labouring prematurely in his vocation, passes the morning in pilgrimages from the arsenal of Purdey to that of Nock, of Nock to Manton,—his head charged with a copper cap, his heart quick of ignition as Battle powder: and when the anxious dowager, foiled in her campaign, retreats from the field with her baggage, opprobriating the cause she has been unable to, render triumphant. August:—thou month of grouse and grumbling; of moors and moroseness,—how cruelly dost thou disenchant the dream of the fashionable visionary, while teaching wisdom to the idler, and folly to the wise.’—vol. i. p. 143.

The following is the description of a sudden turn in the complaints of a hypochondriac; a poor creature who would have died, or at least have fancied death, if the open window had let in the open air upon her. The case is well known to fashionable apothecaries, and the remedy too, if they dared to recommend it.

‘It was certainly Mrs. Delafield on whom he strove to direct the current of his conjectures;—Mrs. Delafield, whom he had left an infirm sufferer, reclining on the sofa with a disorder of the spine; and whose letters of querulous complaint during his absence continued to reveal the decline of her long impaired frame. When he remembered that it was now three months since he had been favoured with a letter from Mortlake, Sir Henry almost trembled to approach the residence of his sister. She had lost her husband during his absence from England.—Good, easy, snoozy, boozy, featherbed Mr. Delafield had gone to sleep in the family vault among his fathers, instead of his arm-chair among his children; and there is something mournful in approaching a mansion where the funeral achievement of its master greets us on the wall, in lieu of his extended hand in the parlour. Mrs. Delafield had been nearly two years a widow; and on so feeble a constitution the inroads of affliction could not but be appalling.’

‘On arriving at the beautiful villa, whose lawn would have formed a park for any continental chateau from Calais to Prague, Wellwood was informed that his sister was absent; that on the receipt of the letter announcing his arrival, she had “rode into town.”

“Ridden into town!” mechanically reiterated Sir Henry to the grey-headed butler, who stood with smiling investigation examining his sun-burnt face and toil-worn person. “How unlucky that I did not notice the carriage!”

“My mistress was a hoss-back, Sir,” replied old Drummton, “but when she larns as you have come out to visit her, no doubt she will instantly set off back again. Missus was on her bay mare, which doesn’t make above an hour and ten minutes work of it from Hyde Park Corner to Richmond Hill.”

‘Sir Henry Wellwood looked aghast. “Mrs. Delafield ride to London, Drummton!—Mis. Delafield endure the fatigue of—”

“Lor’ bless you, Sir Henry,” said the old man, “it is just that very fatigue that has set poor dear Missus on her legs again. You see,

Sir, just afore Master's last illness there was a newfashioned doctor called in; and *he* said as all Mrs. Delafield's dispersition rose from lying on a sofa, reading o' novels and drinking o' physic. And he ordered Missus to throw away all the draughts and the new books from the library, and to buy herself a stout hack as would trot five miles a day afore breakfast; and Lor' bless you, Sir, she's been a different thing ever since. Missus drinks a power o' porter, Sir, and she's as stout as an Irish charwoman."

'Sir Henry could not repress a smile at this extraordinary statement. "Poor dear" Mrs. Delafield trotting five miles on a stout hack! "But how was my sister ever persuaded, Drumnton, to make the attempt?—I should as soon have thought of her ascending Mont Blanc."

"Lor' bless you, Sir, so long as it was any thing ordered by a doctor, Missus was sure to take it. After she'd been a swallowing draughts of arsenic, and hemlock, and henbane, and a power of other poisons to please 'em for many a long year, sure it wasn't much worse to get on a good horse, and eat a good dinner like other people."

'Yet not even when the copiously enlarged edition of his sister striding into the room in her riding habit,—having, according to Drumnton's prediction, trotted back from town as fast as a punchy cob would carry her,—could Sir Henry Wellwood believe that he beheld the pale, tremulous, chilly, half-alive, Mrs. Delafield in the comely dame before him. He forgot the forty-horse power of quackery over a female imagination. He forgot that she had been a victim to the successively prevailing disorders of liver, spine, and digestion. He forgot, or perhaps knew not, that hard exercise and hard fare were the hobbies of Sir Jacob Collingbury, the last new fashionable Esculapius; and that half the expiring and declining fine-lady invalids in town had been suddenly torn from their pillows, seated upon high-trotting horses, and fed on barley bread and raw beefsteaks; that a few had expired in the attempt, while ninety-five per hundred recovered their health and understanding.'—vol. ii. p. 55.

The ground-work of all the misery in the *Divorcée* has been alluded to. A mother disgusted with a long struggle between gentility and poverty, is determined that her daughters shall not suffer similar misery: she succeeds only in promoting one to wealth and rank; the results form the subject of a most pathetic tale—a tale of such woe as only women are ever called upon to feel, and which a woman only could describe. The process by which the mother comes to form these resolutions, is detailed in the following passage;—

'Mrs. Kendal was well aware meanwhile of the importance attached, among the sublime and beautiful of the Bath coteries, to the designation of a "charming young man," whether rich or poor. She was not blind to the value of personal and mental attractions; but she saw that

merit of mind and body is too often made to cloak a deficiency of estate. The prudent mother entertained a lively remembrance of the period when, as a lovely girl in *her* teens, she had been warranted in the folly of marrying Sir Vavasor Kendal's cousin Fred (with two hundred and fifty pounds per annum in addition to her own seventy) by the superiority of *his* personal and mental attractions. She had married for love—had united herself to “the most charming—the most elegant young man about town.” Yet among the pains and penalties of adapting three hundred and twenty pounds to the maintenance of eighteen hungry and full-grown individuals, during the three hundred and sixty-five days of the year, the charming young man had become a sulky brute, and the elegant young man most profanely addicted to brandy and water. She had seen him grow more and more fretful at the disappointment of every fresh application to his cousin, Sir Vavasor, for a small place, or rising clerkship, and more and more fightful when every spring a young child was added and an aged relative subtracted from the family stock, without the addition of half-a-crown to his means of maintenance,—whether by legacy, donation, or salary. She had seen Cousin Fred, come to be voted a bore by the Baronet, and a bear by every one else, monopolizing the fire from his poor little red-nosed children,—and swallowing five mutton chops for his own share, when there were only thirteen left for the other seventeen individuals of the family. When a rich uncle sent the thrifty mother some old Malaga during a severe illness, the charming young man appropriated it without compunction, when a kind godmother bestowed some pieces of nankeen on a fine little boy (one of their last three or four specimens of the infant Hercules) it had found its way to and fro the tailor of “the elegant young man,” in the shape of a fashionable dressing-gown. No, no!—no more marrying for love in the family!—a comfortable home—a respectable competence—afforded the truest ground-work for wedded happiness. Having snatched, between the pauses of her stitchery, a daily hour or two to impart to her daughters those elegant accomplishments in which she had formerly been a proficient, she could not bear that their graces of mind should be benumbed by the touch of poverty,—despised by a needy husband,—and rendered sinful by encroaching on the duties inseparable from a growing family.

‘It must be owned that the girls were, or professed to be, of the same opinion. They could not yet forget the gowns of serge, and hard fare, and hard beds, and deficiency of all means of service towards others, which had shut up the expanding impulses of their youth. They still remembered having envied the fat wife of the squire her power of distributing coals and blankets during the winter, to individuals still nearer to freezing point than themselves; and having cried when they detected their mother weeping over her inability to procure sea-air and medical advice for a little sick brother, who seemed likely to be released by a consumption from the impending woes of starvation. Rose, Clara, Helen, and Amelia, unanimously agreed with Mamma, that comfort was a very comfortable thing; that

a carriage is a mode of locomotion preferable to an umbrella and pattens in rainy weather, and competence an indispensable basis to the exercise of every Christian virtue. With that inestimable parent indeed, fortitude and patience had been all in all, but they had no objection to display *then* excellence in some other branch of goodness. All four were accustomed to say and sing in harmonious quartette, that a love-match was a crying evil.

'The consequences of this rash judgment may easily be predicted. No sooner did they arrive at marrying years, than Cupid avenged himself by uniting Rose with a recruiting Captain of Dragoons, who was not so much as cousin to a Sir Vavasor, Helen with the grandson of a Welsh Baronet, the head of the family being heir to six hundred per annum, and Clara, the lovely Clara, with a young Clergyman, waiting for a living from an Irish Marquis, to whose whelphood he had been travelling tutor.'

'Three successive springs did Mrs Kendal renew her tears on packing up the slender *trousseaux* of her misguided girls, when Captain and Mrs Stretton set off for their quarters at Sunderland, when Mr and Mrs Mudoc Williams departed for their cottage in Cardiganshire, when the Reverend Montagu and Miss Lingson jingled off in a hack post-chaise to their curacy in Lincolnshire. She had very little patience with the merits of her three sons-in-law. It was enough for her that her graceful, gentle lovely girls were gone to durn away their lives as she had done before them, to be swoop at on rainy days, and to bring forth unwelcome children.'

'Amelia!' she exclaimed, on more than one occasion to her remaining girl, (her favourite if the truth must be told—for her health had been more delicate than the rest, more resembling that of the consumptive little brother than the robustness of Captain Kendal of the —th, or Licut Kendal of H M S Orion, Bob the Lombard Street Clerk, Henry the writer at Bombay, or Vavasor or Fred, the two grammar-school urchins still in leather caps and corduroys) 'Amelia! dearest, beware of letting your feelings run away with you as your sisters have done. My sweet child, you are not strong enough to rough it like the rest of them. You are not fit for privations and fatigue. Be wise in time, do not dance so often with Bob's friend, the young ensign of the Guards. Three times I have been tormented into giving my consent against my better judgment. Amelia,—I will never—never sanction *your* marriage with a man unable to maintain you.—Think better of it, consider what it is to consign your youth to drudgery and mortification, unsupported by the consent and blessing of a mother. Think better of it dearest Amelia,—and do not dance with Charles Beverley again'—vol iii p 44

If, after so much deserved eulogy, a fault might be hinted,—the authoress should be warned against an overstrained attempt at brilliancy. She need never apprehend being accused of the vice of dullness, the inexpiable crime of fashionable writing; but she may reasonably fear the depreciation of some of her best

efforts by a constant pursuit of the dazzling, the pointed, and the elaborately gay. A little more quietness of purpose, a little less glare of effort, would indicate the consciousness of power which she is entitled to feel.

ART. XIV.—*The Life and Times of William Laud, D D., Lord Archbishop of Canterbury* By John Parker Lawson, M.A.—2 vols. 8vo. London; Rivington. 1829.

THE object of the writer of these volumes seems to be to re-canonicalize Archbishop Laud, the canonization formerly obtained for him by the zealous prelatists having fallen somewhat into decay in these latter days. If this author's power were equal to his zeal, the memory of the archprelate would be held in lasting honour, and even at this day he might have his successors and imitators in these realms.

William Laud, archbishop of Canterbury, was the son of a clothier at Reading, in Berkshire, where he was born on the 7th of October, 1573*. Laud was sometimes reproached, during his prosperity, with the meanness of his birth. On one occasion, Heylyn found him in his garden at Lambeth, with more than ordinary trouble in his countenance. Laud showed him a paper, telling him it was a printed sheet of a scandalous libel that had been stopped at the press, wherein he found himself reproached with so base a parentage, as if he had been raked out of the dunghill, adding, that though he had not the good fortune to be born a gentleman, yet he thanked God he had been born of honest parents, who lived in a plentiful condition, employed many poor people in their way, and left a good report behind them. Heylyn consoled him with the remark, that Pope Sixtus the Fifth used to say, in contempt of such libels, that he was *domo natus illustri*, because the sunbeams, passing through the broken walls and jagged roof, illustrated every corner of that homely cottage in which he was born †.

If his enemies had had nothing wherewith to charge Laud but being the son of a Reading clothier, his name might have been as dear to posterity as those of Trajan and the Antonines; or at least like his parent, he might have 'left a good report behind him.' No reasonable person will treat any man with contumely, on account of the lowness of his birth, since the higher a man has elevated himself in society by honourable exertions, the more credit is due to him. But it is

* Laud's Diary, Folio. London 1695. p. 1 Heylyn's Life of Laud, London 1689, p. 46
 † Heylyn, p. 47.

an observation of which, perhaps, illustration may be found in our own day as well as in Laud's, that those men who sprang from the people, and were elevated to situations of rank and influence, almost invariably employed that influence against the people. In Laud's age, as was remarked on a former occasion, almost without an exception the popular leaders were sprung from the nobility and gentry. That this was not the case with the champions of absolutism in church and state, the single fact of the churchmen of that day being almost universally from the lower ranks will prove, Laud having had the merit of originating the introduction of the aristocracy into the church, as will be shown presently. But such persons were not confined to the church then, any more than they are now. On this subject the Quarterly Review has undertaken to enlighten the public, not only as to the similitude of events, but of individual characters,—not only of measures, but of men. One striking case of analogy it has omitted. Towards the end of James's reign, a certain William Noy, who had become eminent for his knowledge of the common law, sat in two parliaments, in both of which he showed himself a professed enemy to the king's prerogative. In 1625 he was elected a burgess for St. Ives. In that parliament and another, he continued in the same sentiments. But, being made attorney-general in 1631, a total change in his views took place, and he became not only a supporter of the same prerogative, but went so far as to advise the measure of ship-money, a tax levied without consent of parliament. He was a man unquestionably of considerable abilities, and Clarendon informs us, that 'he could not give a clearer testimony that his knowledge in the law was greater than all other men's, than by making that law, which' all other men believed not to be so.' This man was the friend of Laud and Charles, and of course the enemy of the people. Laud says in his diary,—'I have lost a dear friend of him, and the church the greatest, she had of his condition, since she needed any such*.' He persecuted the players, as representing them in some sort what a free press does now. Had a free press then existed, this low-born prostitute lawyer would have spoken contemptuously of those who wrote for it, many of them being far honest and better men than himself, as desiring, by obtaining the direction of the people's opinions, to fill a higher station in society. Laud received his early education in the Free Grammar school of Reading, from which in July 1589 he was removed to Oxford, and entered a com-

moner of St. John's college, where he successively obtained a scholarship and fellowship*, the former at the end of one, the latter at the end of three years. In June 1594 he took the degree of Bachelor of Arts†, and in July 1598, that of Master. In January 1600 he was made deacon, and in April 1601, priest‡. He took his degree of Bachelor of Divinity in 1604, that of Doctor in 1608.

Even at the university Laud had the character of being 'at least very popishly enclined.' Heylyn informs us that Dr. Abbot, Master of University College, and afterwards advanced to the see of Canterbury, 'so openly branded him for a papist, or at least very popishly enclined, that it was almost made an heresie (as I have heard from his own mouth) for any one to be seen in his company, and a misprision of heresie to give him a civil salutation as he walked the streets §'

Mr Brodie thus ably sums up Laud's religious character. 'The divine institution of bishops, whence he would have attached unconstitutional power to them, the use of images and ceremonies, the tutelar protection of saints and angels and the adoration of the altar, &c, the real presence, (he stickled for this, while he denied transubstantiation,) auricular confession, and absolution were amongst his most favourite principles. With regard to the Romish church, he maintained it to be the mother church, and, though defiled with some impurities, which however he never defined, to agree with the English in fundamentals, particularly sacraments. Master of the scholastic learning connected with his peculiar tenets, he yet had neither taste for polite literature, nor comprehension for profounder studies.' [*Brodie's History of British Empire*. vol. ii. p. 238.]

In 1605 Laud had been appointed chaplain to Charles, Lord Mountjoy, Earl of Devonshire. This nobleman, while his elder brother lived, and when he was only Sir Charles Blount, had fallen in love with a daughter of the Earl of Essex, a young lady of merit and beauty. His affection was returned, and some assurance of a future marriage passed between them. But the lady's friends thought fit to dispose of her in marriage to Robert, Lord Rich, a man of independent fortune. An adulterous intercourse took place between her and Blount, which became open, when by the death of his elder brother, the title of Lord Mountjoy, and the estate belonging to it, fell to Blount. Laud, who held marriage to be an indissoluble sacrament, who raised a flame in Scotland by enforcing this point, and who

* Diary. p. 1.

† Diary. p. 2.

‡ Diary. *ib.*

§ Heylyn, p. 54.

censured in the High Commission and even imprisoned for adultery (which imprisonment even he himself allows in his diary to be 'more than the law allowed'), did not hesitate to perform the sacred rites of marriage over the profligate and adulterous pair. Thus, according to his own confession, Laud's desire of ingratiating himself with one whom he considered an influential and powerful man, made him act against the dictates of his conscience. But in this instance vice did not meet with its usual reward. Both Laud and his patron forfeited by their conduct the countenance of the King (James); a man nowise squeamish in general regarding such matters*.

* Afterwards when Buckingham was employed by Williams to use his influence with the king that the bishopric of St. David's might be bestowed upon Laud, the following dialogue took place between Williams and his Majesty. It shows a considerable degree of that shrewdness which this weak and vicious monarch sometimes displayed in his discourse, but seldom or ever in his actions. "Well," says the king, "I perceive whose Attorney you are, Stenny hath set you on. You have pleaded the man a good Protestant, I believe it. Neither did that stick in my breast, when I stopt his promotion. But was there not a certain lady, that forsook her husband and married a lord, that was her paramour? Who knit that knot? Shall I make a man a prelate, one of the Angels of my Church, who hath a flagrant crime upon him?" "Sir," says the Lord-keeper very boldly, "you are a good master; but who dare serve you, if you will not pardon one fault, though of a scandalous size, to him that is heartily penitent for it? I pawn my faith to you, that he is heartily penitent." "You press well," says the king, "and I hear you with patience; neither will I revive a trespass any more, which repentance hath mortified and buried. And because I see I shall not be rid of you, unless I tell you my unpublish'd cogitations, the plain truth is, that I keep Laud back from all place of rule and authority, because I find he hath a restless spirit, and cannot see when matters are well, but loves to toss and change, and to bring things to a pitch of reformation floating in his own brain, which may endanger the steadfastness of that which is in a good pass, God be praised. I speak not at random, he hath made himself known to me to be such a one. For when three years since I had obtained of the Assembly of Perth to consent to five Articles of Order and Decency in correspondence with this church of England, I gave them promise by attestation of faith made, that I would try their obedience no further anent Ecclesiastic Affairs, nor put them out of their own way, which custom had made pleasing unto them, with any new encroachments. . . . Yet this man hath pressed me to invite them to a nearer conjunction with the Liturgy and Canons of this nation, but I sent him back with the frivolous Draught he had drawn. It seems I remembered St. Austin's rule better than he, "*ipsa mutatio consuetudinis, etiam quæ adjuvat utilitate, novitate perturbat*:" For all this he feued not mine anger, but assaulted me again with another ill-fangled Platform, to make that stubborn kirk stoop more to the English pattern. But I durst not play fast and loose with my word. He knows not the stomach of that people, but I ken the story of my grandmother the Queen Regent, that after she was inveigled to break her promise made to some murciners at a Perth meeting, she never saw good day, but from thence, being much loved

On the death of the Earl of Devonshire in 1608, Laud was appointed one of the chaplains of Neile, then bishop of Rochester; from whom he obtained considerable church preferment. His patron Neile on being translated to the see of Litchfield, and before giving up the deanery of Westminster, which he held *in commendam* with his bishopric of Rochester, obtained for him the reversion of a prebend there. In 1611 he became president of St. John's College, Oxford. It was now that Laud began seriously to turn his attention towards the church. Through the interest of Neile he was sworn one of his Majesty's chaplains in ordinary. He remained however without any mark of royal favour till 1616, when the king conferred upon him the deanery of Gloucester. In 1617 he accompanied king James in the fruitless journey he made into Scotland for the purpose of modelling the Scottish church according to his own devout imaginations, or after the fashion to which he and Laud were desirous of bringing the church of England. On the 22nd of January 1620 he was installed prebendary of Westminster, and on the 18th of November 1621 consecrated bishop of St. David's. It was expected that Laud would have been made dean of Westminster in the place of Williams, who having been sworn privy councillor, and nominated to the see of Lincoln, received on the 10th of July the custody of the Great Seal on its being taken from Bacon. The reason which Heylyn assigns why he was not, will make Dr. Philpott's mouth water. Williams possessed such interest at court that when he was made bishop of Lincoln, he retained his deanery *in commendam* together with such other preferments as he held at that time, which were a prebend and residentiary's place in the cathedral church at Lincoln, and the rectory of Walgrave in Northamptonshire; so that, observes Heylyn, 'he was a perfect Diocess within himself, as being Bishop, Dean, Prebend, Residentiary, and Parson, and all these at once;' besides being at the same time keeper of the great seal of England. The following remark of Dr. Heylyn is quite orthodox. 'But though Laud could not get the deanery, yet he lost nothing by the example; which he made use of in retaining not only his prebend's place in the same church of Westminster, and his benefices in the country, but also the presidentship of his colledge in Oxon, which he valued more than all the rest*.' Laud says however in his diary that he resigned the presidentship of St. John's

before, was despised of all the people.".. .."And is there no woe, but you must carry it," says the king? "Then take him to you, but on my soul you will repent it."—*Hacket's Life of Williams*. Part I, p. 64, folio. London 1693.

* Heylyn, p. 86.

college 'by reason of the strictness of that statute, which I will not violate, nor my oath to it, under any colour.' Yet the king had given him leave to hold it, but in truth avance was never one of Laud's vices.

In May 1622, the conference between Laud and Fisher the Jesuit took place. It was held in the presence of the Marquis of Buckingham, who shortly after, as Laud himself informs us, 'was pleased to enter upon a near respect to him, the particulars of which were not for paper.' [*Diary*, p. 5] On the 15th of June he became 'C. to my Lord of Buckingham.' It is thus he writes it in his *Diary*. Some call it chaplain, others, among whom is Helylyn, confessor. It is certainly not usual for a nobleman, even of the highest rank, to have a bishop for his chaplain. If our annals have been written right, the office of confessor to Buckingham must have been no sinecure. In such a cure of souls, some very 'perilous stuff' must have been transferred from the bosom of the sinning son to that of the ghostly father, —to the breast of the confessor, from that of the confessee.

Laud was a great dreamer of dreams; and, though he repeatedly affirmed the contrary, he evidently attached as much importance to them as queen Hecuba or Mr Partidge. The following extract from his *Diary* is a specimen, and the reader will be indulged with more anon.

'December 14 Sunday night, I did dream that the Lord Keeper was dead [his dreams here evidently taking the direction of his waking thoughts, it would be uncharitable to say wishes] that I passed by one of his men, that was about a monument for him that I heard him say, his lower lip was infinitely swelled and fallen, and he rotten already. This dream did trouble me'—p. 5

The Lord Keeper (Williams) had become jealous of Laud's growing favour with Buckingham, and he was incautious in betraying this jealousy.

'January 11. I was with his Majesty, to shew him the Epistle, that was to be printed before the Conference between me and Fisher the Jesuit, May 21, 1622, which he was pleased to approve. The King brake with me about the book printed then of the Visitation of the Church. He was hard of belief, that A B C was the author of it. My Lord Keeper met with me in the with-drawing Chamber, and quarrelled me gratis'—*Diary*, p. 5

Laud's rise was now rapid. In 1626 he was made Bishop of Bath and Wells, and Dean of the Chapel Royal. On March the 8th of this year he has the following entry in his *Diary*. 'Dreamed, that I was reconciled to the Church of Rome. This troubled me much.'—*Diary*, p. 39.

In 1627, he was made a Privy Councillor. On the 11th of

July 1628, he says, "My *congé d'élire* was signed by the King for the bishoprick of London." [*Diary*, p. 43.] About this time, on his acquainting the King with certain murmurs spread abroad against him [Laud], Charles replied, 'That he should not trouble himself with such reports, till he saw him forsake his other friends.' He might well say 'till.'

On the death of Buckingham, Laud plunged completely into his political career. Charles now looked upon him as his principal minister*. It was at this period that the close union commenced between Laud and Strafford.

Laud commenced his career of statesmanship with the ears of Leighton a physician, who, having published a book against the bishops, called *Sion's Plea*, was sentenced by the Court of Star-Chamber 'to have his ears cropp'd, his nose slit, his forehead stigmatized, and to be whipped †.' Between the sentence and the execution of it, Leighton escaped out of the Fleet. He was retaken in Bedfordshire and underwent his atrocious punishment.

In 1630, Laud was chosen Chancellor of the University of Oxford. In 1632, he obtained for his creature Francis Windebank, the office of Secretary of State; and in the same year, Dr. Juxon was, he says in his *Diary* [p. 47], sworn Clark of his Majesty's closet, 'that I might have one that I might trust near his Majesty, if I grow weak or infirm.' Heylyn remarks with some *naïveté*, on the above consummation, 'So that Windebanke having the King's ear on one side, and the clerke of the closet on the other, he might presume to have his tale well told between them; and that his Majesty should not easily be possessed with anything to his disadvantage.' [p. 227.]

On the 16th of August, 1633, Laud was appointed Archbishop of Canterbury. He has the following entry in his *Diary*.

'August 4. That very morning [of Abbot's death] there came one to me, seriously, and that avowed ability to perform it, and offered me to be a Cardinal: I went presently to the King, and acquainted him both with the thing and the person.'

'August 17. Saturday, I had a serious offer made me again to be a Cardinal; I was then from Court, but so soon as I came thither (which was Wednesday, August 21,) I acquainted his Majesty with it. But my answer again was; that somewhat dwelt within me, which would not suffer that, till Rome were other than it is.'—p. 49.

It is not surprising that Laud should have been a favourite

* Heylyn, p. 187. See also Laud's *Diary* and Strafford's *Letters and Dispatches*.

† Heylyn, p. 198.

with the mass of the clergy, considering how much he did to advance their order. This object, together with his own advancement, he pursued through life, with a zeal and a consistency worthy of all praise from those who consider it for the good of mankind that the clergy should be advanced. The Church was the one idea of Laud's mind, which was as unfit to take mankind within its range, as his heart was to comprehend them in its benevolence. It was his earnest wish to place the Church of England above the laws of England, and his intentions seemed to be, for they are not altogether clear, to make himself a sort of English Pope, equally independent of the Pope of Rome and the King of England. Lord Falkland says in one of his speeches, 'so it seemed their work was to try how much of a papist might be brought in without popery.' 'The Church,' says Laud in one of his letters to Strafford, 'is so bound up in the forms of the common law, that it is not possible for me, or for any man to do that good which he would, or is bound to do*.' It is considered by Mr Hallam not improbable that he had formed or adopted from the canonists, a plan, not only of rendering the spiritual jurisdiction independent, but of extending it to all civil causes, unless perhaps in questions of freehold †.

It was no doubt on this ground that he discouraged the marriage of the clergy. He made a declaration, that in the disposition of ecclesiastical benefices, he would give a preference to the single man over the married, *caeteris paribus*. The close union between the English church and aristocracy, appears to have commenced about this time. Under Laud, observes Heylyn in his quaint phrase, 'the clergy were grown to such esteem, for parts and power, that the gentry thought none of their daughters, to be better disposed of than such as they had lodged in the arms of a Church-man, and the nobility grown so well affected to the state of the Church, that some of them designed their younger sons to the order of priesthood, to make them capable of rising in the same ascendent ‡.' Heylyn no doubt entertained the same opinion relating to the Church, that Captain Basil Hall has expressed with regard to the navy, that it is for the good of the profession, for the sons of the nobility to be promoted rapidly in it.

The career of Laud has been now briefly traced from the humble station in which he was born, to the highest place in his native country that could be held by a subject. And in the course

* Strafford's Letters and Dispatches, vol 1, p 111.

† Constitutional History of England

‡ Heylyn, p 251.

of that country's history, there can be reckoned but two subjects before him who had united in their single persons an equal share of rank and power,—Thomas-a-Becket and Cardinal Wolsey.

It is an important fact—and one which, in time, no doubt will have other important facts for its consequences—that, not only before but since the Reformation, with a few exceptions, those who have attained high stations in the church, have effected it by the arts of gross sycophants and abject courtiers—in a word, by flattering the foibles and pandering to the vices of the great,—until the bishops became, to use the words of a writer of Laud's time, 'so habituated to flattery, that they seemed not to know of any other duty that belonged to them*.' Wolsey and Crommer were in the habit of behaving towards the brutal and ensanguined monster Henry VIII, as if he were a god. All who have gone at all below the surface of history, are now fully acquainted with the real character of James I and his minion Buckingham, and with the nature of the ties that united those two godly and exalted personages. It is next to impossible that the court bishops and court priests of that time should not likewise have possessed some correct information upon those subjects. With the knowledge of these facts fully kept in view, it is altogether impossible for any honest mind to regard without the most insuperable loathing the manner in which these courtly and priestly hypocrites speak of the King and Buckingham. If we are to believe the words of that right reverend father of our church William Laud, so far from being men whose character may be aptly and briefly expressed by the line of the poet with the insertion of a negative, men who, 'dared do all that might not become a man,' there never walked upon the face of the earth, beings more worthy of the reverence, the homage, nay the adoration of their fellows, than the monarch and his favourite †.

* Mede—Lluis's Letters

† He generally speaks of James as of 'blessed memory'. In a prayer composed by him on the birth of the Prince of Wales, in 1630, he says, 'Double his father's graces, O Lord, upon him, if it be possible.'

Laud's divinity was a comfortable one for princes and their favourites. What a consolation it must have been to Buckingham to have had such a man for his spiritual guide! No doubt, he assured him of a place in heaven suitable to the one he had held on earth. Besides, even if peradventure he had sinned 'it idle times,' doubtless he had also, as Falstaff advised prince Henry to do, repented at idle times, and probably Laud was of opinion with the Marechale de Meillacraye, 'that, with respect to persons of that quality, God thought twice before damning them.' (*Nouveaux Memoires de Dangeau*).

The following extracts are evidence of the truth of the above.

‘1625 March 27 Midlent Sunday, I preached at Whitchall

‘I ascended the pulpit, much troubled, and in a very melancholy moment, the report there spreading, that his Majesty King James, of most sacred memory to me, was dead. Being interrupted with the dolours of the duke of Buckingham, and broke off my sermon in the middle

‘The king died at Theobalds, about three quarters of an hour past eleven in the forenoon He breathed forth his blessed soul most religiously, and with great constancy of faith and courage.—*Diary*

His courage must, indeed, have been considerable; to say nothing of his faith.

Laud's temper appears to have been very bad. And this is not inconsistent with the exercise of the arts by which he rose; since there is no phenomenon in human nature more commonly observed, than that the men who are slavishly subservient to their superiors, are insolent and overbearing to those they deem their inferiors. The following story related by Clarendon, the apologist of Laud too, places Laud's insolence in a strong light. Clarendon mentioned the circumstance to Laud himself, when they were walking together one morning in his garden at Lambeth. He ‘named him two persons of the most interest and credit in Wiltshire, who had that summer attended the Council Board, in some affairs which concerned the king, and the country, that all the lords present used them with great courtesy, knowing well their quality, and reputation, but that he alone spake very sharply to them, and without any thing of grace, at which they were much troubled, and one of them, supposing that somebody had done him ill offices, went the next morning to Lambeth, to present his service to him, and to discover, if he could, what misrepresentation had been made of him. That after he had attended very long, he was admitted to speak with his Grace, who scarce hearing him, sharply answered him, that “He had no leisure for compliments,” and so hurried away, which put the other gentlemen much out of countenance. And that this kind of behaviour of his was the discourse of all companies of persons of quality; every man continuing any such story with another like it, very much to his disadvantage, and to the trouble of those who were very just to him.’*

Prynne's case is too well known to require particular notice here.

Laud's letters to Wentworth, afterwards Earl of Strafford,

* Clarendon's Life, vol 1 p 62. Oxford 1759

exhibit a more faithful mirror of the man's character than is anywhere else to be met with. His Diary, though it bears sufficient impress of his little mind, 'discloses his character but imperfectly, particularly as there are many apparently important facts only hinted at,—names, of which only the initials are given. The history of his troubles and trials by himself, and the voluminous life by Heylyn, were expressly written to vindicate his character and conduct. In perusing the letters between him and Lord Wentworth the reader feels as if allowed to be present at a confidential conversation between those personages. The letters of Strafford among many signs of a violent, arbitrary, overbearing temper, exhibit evidence of a strength and sagacity, occasionally even of a greatness of mind. Of the last mentioned quality in particular the reader will in vain search for any trace in the letters of the prelate. In overbearing violence he did not yield to Strafford, nor did he show himself wanting in boldness; but narrowness and littleness appear to have been the distinguishing characteristics of Laud's mind. And yet, contracted though his intellectual vision undoubtedly was, those who press an 'unmitigated contempt' for Laud's understanding, can scarcely have read his 'Conference with Fisher the Jesuit,' some parts of which, besides great scholastic learning, display considerable acuteness and no mean powers of reasoning. On the other hand one who has read nothing else of Laud's than his Diary or even his letters to Wentworth, might so express themselves.

This correspondence, particularly Laud's letters, contains many very sorry jests. For the proud prelate, though in the phraseology of Falstaff, 'John with his brothers and sisters, and Sir John with all Europe,' appears to have set up for a facetious little fellow with those he considered his equals; and in that respect he seems to have felt quite at home with so important a personage and so congenial a soul as the Lord Deputy of Ireland. When it is considered too what were the designs that occupied the whole of these two men's time and thoughts, the subversion namely of the liberties and laws of their native country, their jests are apt to be considered as marvellously truculent and ill-timed.

On the 9th September 1633, just before his translation to Canterbury, he thus writes to Wentworth;—

'I heartily thank your lordship for all your love, and for the joy you are pleased both to conceive and express for my translation to Canterbury; for I conceive all your expressions to me are very hearty, and such I have hitherto found them; and now, since I am there (for my translation is to be on Thursday September 19th), I must desire your lordship

not to expect more at my hands than I shall be able to perform, either in church or state; and this suit of mine hath a great deal of reason in it; for you write that ordinary things are far beneath that which you cannot chuse but promise yourself of me in both respects. But, my lord, to speak freely, you may easily promise more in either kind than I can perform. . . And for the state, indeed, my lord, I am for *Thorough**, but I see that both thick and thin stays somebody, where I conceive it should not; and it is impossible for me to go thorough alone. Besides, private ends are such blocks in the public way and lye so thick, that you may promise what you will, and I must perform what I can, and no more.'

He thus alludes to his age and the state of his health. His health, he says, he shall never be able to hold where he now is, for instead of all the jolting which he had over the stones between London-House and Whitehall, he will now have no exercise but slide over in a barge [from Lambeth] to the Court and Star-Chamber; and 'in truth,' he says, 'I speak seriously: I have had a heaviness hang upon me ever since I was nominated to this place.' He thus concludes;—

'Now, my lord, why may you not write as whilom you did to the Bishop of London? The man is the same, and the same to you; but I see you stay for better acquaintance, and till then you will keep distance. I perceive, also, my predecessor's awe is upon you, but I doubt I shall never hold it long, and I was about to swear by my troth, as you do, but that I remember oaths heretofore were wont to pass under the Privy Seal, and not the ordinary seal of letters. Well, wiser or not, you must take that as you find it, but I will not write any long letters and leave out my mirth; it is one of the recreations I have always used with my friends, and 'tis hard leaving an old custom, neither do I purpose to do it; though I mean to make choice of my friends, to whom I will use it. For proof of this, I here send your lordship some sermon-notes which I have received from Cambridge, and certainly, if this be your † method there, you ride as much aside as ever Croxton did towards Ireland. I wish your lordship all health and happiness, and so leave you to the grace of God, ever resting

Your lordship's very loving poor servant,

• Fulham, Sept. 19th 1633.

W. CANF. Elect †.'

On the 15th of November he again writes from Lambeth;—

'I am very glad to read your lordship so resolute, and more, to hear you affirm, that the footing of them, which go thorough for our master's service, is not now upon fee, as it hath been. But you are withal upon

* *Thorough* is a kind of watch-word or cant phrase that passes between Laud and Strafford; to express what their opponents called 'not doing the Lord's work slackly.' Both of them had enough of *Thorough* in the end.

† Wentworth was educated at St John's College, Cambridge.

‡ Strafford's Letters and Dispatches, vol. i. p. 110.

so many ifs, that by their help you may preserve any man upon ice be it never so slippery. As first, if the common lawyers may be contained within their ancient and sober bounds; if the word *Thorough* be not left out, (as I am certain it is;) if we grow not faint; if we ourselves be not in fault; if it comes not to *Peccatum ex te Israel*; if others will do their part as thoroughly as you promise for yourself, and justly conceive of me. Now I pray, with so many and such ifs as these, what may not be done, and in a brave and noble way? But can you tell when these ifs will meet, or be brought together? Howsoever, I am resolved to go steadily in the way, which you have formerly seen me go, so that (to put in one if too), if any thing fail of my hearty desires for the king and the church's service, the fault shall not be mine*.

The following from a letter of 11th March in the same year, exhibits his zeal for the church in a more favourable light than usual;—

'At the same time would I have an Act made that no man of what degree soever should hold above two benefices with cure, and those within a limited distance.'

The following again is characteristic. Laud had a truly conservative horror for diffusion of education.

'And in the mean time for the prohibiting of the teaching of Arts abroad in the country, I think, that must proceed from your authority, and the sooner it be done the better †.'

The damning sin of poor Christopher Sands, the Ebrew Jew, mentioned on a former occasion, was his teaching a school—'an English school.' And belonging as he did to a despised caste, he no doubt taught the poor; for what rich man would suffer his babes to be taught English by a Jew?

Soon after his elevation to the see of Canterbury, Laud went about enforcing conformity to the Church of England in all the English factories, regiments, &c. beyond the seas. Heylyn says;—

'It was now hoped that there would be a Church of England in all the courts of Christendom, in the chief cities of the Turk, and other great Mahometan princes, in all our factories and plantations in every known part of the world, by which it might be rendred as diffused and Catholick as the Church of Rome ‡.'

He likewise informs us afterwards, that

'It was once under Consultation of the chief Physicians, who were to take especial care of the Churches Health, to send a bishop over to them [in New-England] for their better Government; and back him with some Forces to compel, if he were not otherwise able to perswade Obedience §.'

* Strafford's Letters and Dispatches, vol. i. p. 155.

† Ibid. p. 213.

‡ Heylyn, p. 276.

§ Ibid. p. 369.

Laud evidently envied that distinguished *propagandiste* Mohammed, the success of his method of extending the church.

He also set about adorning the chapel at Lambeth, repairing and beautifying the images in the windows, making a new communion table and placing it where the altar formerly stood. Heylyn* dwells with delight upon the amount of the glaziers and gilders bills; the copes and other ornaments; and the beauty and fine tones of the organs. Laud and his party called his changes renovations; but by 'divers railing Rabshekahs of the Puritan faction,' they were styled innovations. Burton in a sermon thus speaks of them;—

'How will our new masters, our innovators make good the bringing in of these things afresh into cathedrals, and forcing all petty churches conform thereunto? Would the prelates thus make the mother cathedrals (these by themselves made and adopted Rome's daughters) their concubines, whereon to beget a new bastard generation of sacrificing, idolatrous, mass priests throughout the land, which our good laws, and all our learned and pious divines have proclaimed illegitimate.'

On the 5th of February 1634, Laud was appointed 'one of the great Committee of Trade and the King's Revenue;' and on the death of Weston, lord high treasurer, the management of the treasury was committed by letters patent under the great seal, to certain commissioners of whom Laud was one. In the year following, Laud and the Church of England may perhaps be said to have attained the zenith of their prosperity together. Laud thus records the event in his diary;—

'March 6. Sunday, William Juxon, Lord Bishop of London, made Lord High Treasurer of England: No Church-man had it since Henry 7th's time. I pray God bless him to carry it so, that the church may have honour, and the king and the state service and contentment by it. And now if the Church will not hold up themselves under God; I can do no more.'—*Diary*, p. 53.

The evil for the church was, that he had done too much already; he had not penetration to see, that by such exaltation of the church, he raised up so much jealousy and ill-will towards it, that he weakened instead of strengthening it. He had the middle and lower classes against him already; and this set the aristocracy against him also.

The following passage in a letter from the Rev. G. Garrard, master of the Charterhouse, a correspondent of Strafford's, presents a lively picture of the state of feeling then prevalent among the clergy. It shows how near having an altogether

* Heylyn, p. 294.

ecclesiastical government England then was; and it also most forcibly shows how little disposed to moderation in their duties are even a Christian priesthood, if subject to no other checks than the self-denying and world-abjuring precepts of their religion. 'The clergy are so high here since the joining of the white sleeves with the white staff, that there is much talk of having a secretary a bishop, Dr. Wren, bishop of Norwich, and a chancellor of the Exchequer, Dr. Bancroft bishop of Oxford; but this comes only from the young fry of the clergy, little credit is given to it, but it is observed they swarm mightily about the court*.'

In a letter of 6th July 1635, Laud thus speaks of the raising of ship-money.—'As the last year there was money raised upon the ports, according to ancient precedent, for the setting out of the navy, which is now at sea, and there God bless it, so we are now going on to prepare for a greater navy against the next year; and because the charge will be too heavy to lay it upon the ports, or maritime counties only, therefore his Majesty hath thought fit, *à paritate rationis*, and for the like defence of the kingdom to extend it to all counties and corporations within England and Wales, that so the navy may be full, and yet the charge less, as coming from so many hands; I pray God bless this business, for if it go well, the king will be a great master at sea, and in these active times, we by God's blessing may be the more safe at land†.' How effectively this money was applied to its ostensible object, the defence to wit of the country, the pulling down of piracy, &c. may be gathered from the following passage in a letter to Wentworth during the following year. 'The mischief, which the most Christian Turks did about Plymouth is most true. And I pray God it do no mischief about our shipping business this ensuing year‡.'

On the 14th of June 1637, sentence was passed in the Star-Chamber against Bastwick, Burton, and Prynne, for libels, as Laud informs us in his Diary, 'against the hierarchy of the Church§.' The Archbishop does not however favour us with any attempt at a definition of what he meant by a libel against the hierarchy of the Church. Prynne's sentence was, to be fined 5,000*l* to the king, to lose his ears in the pillory, to be braided on both cheeks with the letters 'S. L.' for Schismatical Labeller, and to be perpetually imprisoned. The sentence on Bastwick and Burton was nearly similar.

* Strafford's Letters and Dispatches, vol. ii. p. 2.

† Strafford's Letters and Dispatches, i. 438.

‡ Ib. ii. 24.

§ Diary, p. 51.

Most people thought these men's punishment sufficiently severe; not so the most Christian primate, as will appear from the following passage of a letter to Wentworth of August 28, 1637, which resembles the tiger-like ferocity of Richeheu. 'I have received the copy of the sentence against Paterson, and am verily of your lordship's mind, that a little more quickness in the government would cure this itch of libelling, and something that is amiss besides, but you know what I have written, and truly I have done expecting of *Thorow* on this side, and therefore shall betake myself to that which you say, and I believe, is, the next best; and yet I would not give over neither. As for Chalknow, it was the weakest part that ever Mr. Secretary Coke did to leave him in the hands of a messenger, and not commit him to a very safe prison. But what can you think of *Thorow* where there shall be such slips in business of consequence? But what say you to it, that Prynne and his fellows should be suffered to talk what they pleased while they stood in the pillory, and win acclamations from the people, and have notes taken of what they spake, and those notes spread in written copies about the city, and that when they went out of town to their several imprisonments, there were thousands suffered to be upon the way to take their leave, and God knows what else!*' His Grace passes in the same letter, with admirable versatility, from the scowl of the tiger to the grin of the monkey. 'For my lord of Cashells,' he says, 'I would you had another that you might purge with him, for I believe a little Irish physick from so skilful a hand as yours, would do the party more good than any physick that will be given here, and then you might send me word of both their recoveries together.' Lady Carlisle was one of the most remarkable, or as others would express it, notorious women of that age, and had the reputation of being one of Strafford's mistresses. The prelate, who at times showed himself very fastidious on the subject of adultery, in the same letter thus speaks of her ladyship;—'I pray when your Lordship writes next to my Lady of Carlisle, will you be pleased to return my humble thanks to her ladyship? for it was a mere casualty that gave me opportunity to speak to her before, and 'tis likely I may never have the like again, yet would I not willingly lose the opinion she hath of my civility towards her.'

In pronouncing the sentence upon these unfortunate schismatics in the Star-Chamber, on Wednesday the 14th of June 1637, the archbishop made a long and elaborate speech in vindication of himself and the bishops from any design to bring in

* Strafford's Letters and Dispatches, ii 99

popery, or any innovations in the government and forms of worship by law established. The speech is on the whole rather an able one, and in some parts not deficient in acuteness and ingenuity. But it is difficult to repress a smile, when his biographer styles his hero 'this grave and eloquent Demosthenes*.' For in truth the Archbishop's oratory calls up no remembrance, suggests no similitude, of the close and clear yet business-like style of the great Athenian. There is one point, and one only, on which the English arch-prelate need not shrink from a comparison with the Athenian demagogue, and that is coarseness. The comparison of 'a Tinker & his Bitch coming into an Ale-house†' will bear comparison with any of the abuse heaped by the Athenian upon his enemy and rival Æschines. He is likewise much more really severe upon his enemies, than Demosthenes was upon his. For granting that 'Prynne and his fellows' had been somewhat deficient in courtesy in the language they made use of in speaking of Laud and his fellows, nay, granting that they had heaped abuse upon them, Laud certainly did not spare abuse in return, and that too upon the fallen, for his enemies were in his power; they stood before him convicted libellers in the awful Star-Chamber; and having thus heaped abuse upon them, he then cropped their ears into the bargain; which is surely giving measure of justice, pressed down and running over. It is difficult to account at all for Heylyn's likening his high-church and divine-right hero to a heathen and a democrat, unless it is supposed that he knew as much about Demosthenes as M. Sosthenes de la Rochefoucault, the *arbitrator elegantiarum* of the court of Louis XVIII, who on being addressed by that Prince in a strain between pun and compliment by the name of 'Demosthenes,' replied with a profound bow—'Sire, je suis loin de prétendre à l'éloquence de Démosthène, mais je ne le lui cède pas en attachement à mon Roi.' However, Dr. Heylyn probably thought that even being a heathen and democrat, was not so bad as puritan and democrat.

Laud's argument brought forward in the above-mentioned speech in the Star-Chamber in favour of his not being Catholic, and defending his innovations or renovations (whichever they shall be called) by the practice observed by queen Elizabeth in her own chapel, falls to the ground, since it is notorious, that Elizabeth, although on certain points she was not only not a Catholic but a severe persecutor of Catholics, yet in regard to

* Heylyn, p. 340.

† Speech delivered in the Starr-Chamber, &c. &c. By the most Reverend Father in God, William, L. Archbishop of Canterbury his Grace. London, 1637. p. 46.

others, for instance, the marriage of the clergy, the gorgeous and expensive ornaments, and endless and minute ceremonies, however Protestant she might be in profession, was still a sad, good Catholic at heart. The truth is, as regards certain points, the reformation never has been completed in England.

There are many important cases, showing what an admirable engine the Star-Chamber was for executing the malice of a powerful individual upon his adversaries*. Williams, bishop of Lincoln, once Lord Keeper, had been one of the means of bringing forward Laud into the notice of the court. Laud by his intrigues having supplanted his patron, appears ever after, for some real or imaginary offence, to have nourished a rancorous enmity against him. He not only incensed the king's mind against his benefactor, but disturbed him in his retreat by repeated persecutions. In consequence of one of these, Williams now lay in the Tower, and the following mode of proceeding against him shows clearly how frivolous and ill-founded must have been the allegations brought forward by his adversaries.

One Kilveit, a proctor in the Court of Arches, was employed to prosecute Williams. This man having found by diligent inquiry and 'subtle practices,' that the Bishop's acquittal would depend most upon the evidence of one Pigeon, the registrar of the court at Lincoln,—in order by discrediting the witness to invalidate the evidence, he laid a bastard to his charge, a somewhat strange mode of invalidating a man's evidence. The parentage of this child appeared to be between Pigeon and one Boone, and Kilveit, pretending to have made a discovery that the mother of the child had been tampered with by some of the bishop's creatures to charge it wholly upon Boone, exhibited a new bill against the bishop for subornation of witnesses. On Tuesday the 11th of July, Williams received his sentence, which was, to pay 8,000*l.* to the king, to be suspended *à beneficis et officiis*, and stand committed to prison at his Majesty's pleasure. 'To this sentence,' observes Heylyn, 'the archbishop consented among the rest,' as if the whole affair had not been brought about by his malice and ingratitude towards the

* The following example is very characteristic of Star-Chamber justice—'No great noise of the Star-Chamber Causes this Term. One Bennet was fined 1,000*l.* to the king, and another to the Earl of Marlborough, for saying he dealt basely with him for not paying him 30*l.* which was due upon bond, and laying to his lordship's charge, in his Bill, that he was a common drunkard.'—*Strafford's Letters and Dispatches*, vol. ii. p. 128.

man who had laid the foundation of his prosperous fortunes. However he not simply 'consented to the sentence,' but 'aggravated the fault of subornation of perjury, with a pathetic speech of almost an hour long, showing how the world was above three thousand years old, before it was ripe enough to commit so great a wickedness; that Jezebel was the first in Scripture, who had been branded with that infamy, whose witnesses could find no other name in Scripture than the sons of Belial: and therefore, that considering the greatness of the offence, though before he had been five times on his knees before his Majesty in the bishop's behalf, yet now he could not but agree to the heaviest censure*.'

Several other anecdotes are recorded strongly characteristic of the temper and spirit of Laud. When news arrived from Scotland of the reception which the King's proclamation respecting the Book of Common Prayer had met with there, Archibald, the King's fool, happening to meet the Archbishop of Canterbury who was going to the Council table, said to his Grace, 'Whea's feule now! doth not your Grace hear the news from Scotland about the Liturgy?' But the poor jester soon learned that Laud was not a person whom even his jester's coat and privileged folly permitted him to tamper with. The primate of all England immediately laid his complaint before the Council. How far it was attended to, the following order of Council, issued the very same day on which the offence was committed, will show. 'At Whitehall, the 11th of March, 1637. It is this day ordered by his Majesty, with the advice of the Board, that Archibald Armstrong, the King's fool, for certain scandalous words of a high nature, spoken by him against the Lord Archbishop of Canterbury his Grace, and proved to be uttered by him by two witnesses, shall have his coat pulled over his head, and be discharged of the King's service, and banished the Court; for which the Lord Chamberlain of the King's household is prayed and required to give order to be executed. And immediately the same was put in execution†.' In a pamphlet printed in 1641, entitled 'Archy's Dream‡,' the following reason is given for Archy's banishment from Court. 'A Noble man asking what he would doe with his handsome daughters, hee replied he knew very well what to doe with them, but hee had sonnes which he knew not well what to doe with; hee would gladly

* Heclyn, p. 343.

† Rushworth, Part II. vol. i, pp. 470-1. Welwood's Memoirs, p. 278.

‡ 'Archy's Dream, sometimes Iester to his Majestic, but exiled the Court by Canterbury's malice. With a relation for whom an odde chaire stood void in Hell.' London, 1641.

make schollers of them, but that he feared the Arch-Bishop would cut off their eares.’

As might be supposed, Laud was a mortal enemy to the liberty of the press. In this spirit he procured a decree to be passed in the Star Chamber on July 1, 1637, ‘to regulate says Heylyn, ‘the trade of printing, and prevent all abuses of that excellent art, to the disturbance of the Church*.’ By this decree it was ordered, ‘That the master-printers from thenceforth should be reduced to a certain number, and that if any other should secretly or openly pursue that trade, he should be set in the pillory, or whipped through the streets, and suffer such other punishment as that Court should inflict upon him, that none of the said master-printers should from thenceforth print any book or books of divinity, law, physic, philosophy, or poetry, till the said books, together with the titles, epistles, prefaces, tables, or commendatory verses, shall be lawfully licenced, either by the Archbishop of Canterbury, or the Bishop of London for the time being, or by some of their chaplains, or by the Chancellors or Vice-Chancellors of either of the two Universities, upon pain of loosing the exercise of his art, and being proceeded against in the Star-Chamber, or the High-Commission Court respectively, &c.’ Such a decree as this, placed the whole kingdom completely under the dominion of Laud and his faction of priests. If such a state of things had continued, it would scarcely have left men’s thoughts their own. All freedom of inquiry, all boldness and originality of thought, whether in philosophy or poetry, would have been effectually put an end to. Every ray of intellectual light that was ungratifying to the eyes of those priestly licensers, would have been extinguished for ever.

In a letter to Wentworth of 14th May 1638, Laud makes allusion to the above circumstance. His ideas of men ‘running away from government to New England’ are rather amusing.

‘The plantations of Ormond and Clare are a mirvellous great work for the honour and profit of the King and safety of this kingdom, and you have done very nobly to follow that business so close, but I am sorry to read in your letters, that you want men extremely to fill that work, and this is the more considerable a great deal, that you should want men in Ireland, and that the while, there should be here such an universal running to New England, and God knows whether, but this it is, when men think nothing is their advantage, but to run from government †’

* Heylyn, p. 362

† Strafford’s Letters and Dispatches, vol. II p. 169.

In the same letter, the following *morceau* respecting Hampden is exquisite in its way;—

‘Your mention of Mr. Hampden (and I must tell you I like your censure of him and the rest very well) puts me in mind of the ship-business as it now stands: The Judges have argued by four in a term, and so eight are past, and four to come for the next term: Of the eight that are past, none have gone against the King but J. Croke and J. Hutton, who both did it, and very sourly. The accidents which have followed upon it already are these; First, the faction are grown very bold. Secondly, the King’s monies come in a great deal more slowly than they did in former years, and that to a very considerable sum.’ Thirdly, it puts thoughts into wise and moderate men’s heads, which were better out; for they think if the Judges, which are behind, do not their parts both exceeding well and thoroughly, it may much distemper this extraordinary and great service. But one thing else hath happened strangely, and which must needs do a great deal of hurt. There is a divine, one Mr. Harrison, a St. John’s man (I am sorry for it) a man of between forty and fifty years of age, a very excellent good scholar in all kind of learning, but wilful and proud, and that hath full out as much want of discretion as store of learning; this man (it seems) thought he was able to confute Judge Hutton’s argument, and that in a strange way too; for upon Friday May the 4th (the Judge having made his argument the Saturday before) Harrison came into Westminster Hall, and to the Common-Pleas Bar, and there openly accused Judge Hutton of high treason; you must think this made a great noise in the Hall, as indeed it did, and the man was committed to the Fleet.’

As Charles’s difficulties increased, he appointed Wentworth Lord Lieutenant of Ireland, with power to appoint a deputy, in order that he might the better enjoy the benefit of his services in England. He soon after created him Earl of Strafford. The management of the affairs of Scotland was then committed to a Junto of three, composed of Laud, the Earl of Strafford, and the Marquis of Hamilton. The last of these was distrusted by the two former, who therefore, says Heylyn, ‘communicated no more of their counsels to him, than such as they cared or feared not to make known to others.’ Yielding to the advice of these, the King publicly declared his intention of holding a parliament on the 13th of April next. This intimation, though received by most of the people of England with great signs of joy, ‘gave,’ observes Heylyn, ‘no small matter of disturbance unto many others, who could not think the calling of a parliament in that point of time, to be safe or seasonable.’ [p. 393.] It is important that the reader should be made acquainted with the manner in which the priestly politician, Heylyn, speaks of parliaments; since it expresses the opinion, as we learn from May and others, at that time entertained on the subject by a considerable body in the nation. ‘Parliaments,’ he says, ‘had now long been

discontinued, the people lived happily without them, and few took thought who should see the next: And which is more, the neighbouring kings and states beheld the King with greater veneration, than they had done formerly, as one that could stand on his own legs, and had raised up himself to so great power both by sea and land, without such discóntents and brabbles as his parliaments gave him. So that to call a Parliament, was feared to be the likeliest way to make his Majesty seem less in estimation both at home and abroad, the eyes of men being distracted by so many objects.' [p. 394.] The passage in May bearing upon this point, is so interesting, and it may be added, so applicable, not only to that occasion, but to occasions more nearly concerning the present race of Englishmen, that it will be given entire.—

'Another sort of men, and especially Lords and Gentlemen, by whom the pressures of the government were not much felt, who enjoyed their owne plentiful fortunes, with little or insensible detriment, looking no farther than their present safety and prosperity; and the yet undisturbed peace of the nation, whilst other kingdomes were embroyled in calamities, and Germany sadly wasted by a sharpe warre, did nothing but applaud the happinesse of England, and called those ingratefull and factious spirits, who complained of the breach of Lawes and Liberties; That the kingdome abounded with wealth, plenty, and all kind of elegancies, more than ever; That it was for the honour of a people, that the monarch should live splendidly, and not be curbed at all in his prerogative, which would bring him into the greater esteeme with other princes, and more enable him to prevaile in treaties; That what they suffered by monopolies, was insensible and not grievous, if compared with other States; That the Duke of Tuskany sate heavier upon his people in that very kinde; That the French king had made himselfe an absolute Lord, and quite depressed the power of Parliaments, which had bene there as great as in any kingdome, yet that France flourished, and the gentry lived well; That the Austrian princes, especially in Spaine, layed heavy burdens upon their subjects*.'

It is interesting to remark, that certain 'lords and gentlemen' of the present day, bring the very same arguments against an effective reform of the Commons House of Parliament, that the lords and gentlemen of that day brought against holding parliaments at all, or offering any the slightest opposition to the tyranny of the Stuarts. But luckily, whatever others might think, it was thought by Wentworth that he could manage a parliament, and mould it to his own and his party's purposes. And it was certainly high time that a parliament should be called, when, as May observes in the following page, 'Some of

the greatest statesmen and privy counsellors, would ordinarily laugh at the ancient Language of England, when the word Liberty of the Subject was named^x.'

Much praise has been bestowed on Laud for his benefactions to learning, and whatever merit he may appear to lay a just claim to on that score will be willingly accorded to him.

In enumerating Laud's acts of munificence to learning, we ought not to forget his behaviour to Hales. John Hales, distinguished among his contemporaries by the appellation of the eye-memorable, wrote a short treatise on schism, 'which tended' says Mr. Hallam, 'in pretty blunt and unlimited language, to overthrow the scheme of authoritative decisions in any church, pointing at the imposition of unnecessary ceremonies and articles of faith, as at once the cause and the apology of separation. This having been circulated in manuscript came to the knowledge of Laud, who sent for Hales to Lambeth, and questioned him as to his opinions on that matter. Hales, though willing to promise that he would not publish the tract, receded not a jot from his free notions of ecclesiastical power, which he again advisedly maintained in a letter to the archbishop, now printed among his works. The result was equally honourable to both parties, Laud bestowing a canonry of Windsor on Hales, which, after so bold an avowal of his opinion, he might accept without the slightest reproach †.' It may be proper here to add, that Heylyn relates the above circumstances in such a manner as to make it appear, that Hales recanted his opinion, being overcome by Laud in argument, which, as Mr. Hallam remarks, is ludicrous, considering the relative abilities of the two men.

At last the Parliament met on the 13th of April 1640, and the Convocation on the following day. The archbishop having sufficient reason to know that a strict inquiry would be made into all his actions, proposed as a sort of remedy, that a certain number of the house should join in conference with an equal number of the clergy, in order to determine all doubts and differences in matters that concerned the church. But this proposition did not take effect, in consequence of the short existence of this parliament, which was dissolved on the 4th of May.

Although the Parliament was dissolved however, the Convocation continued to sit; and as some of its proceedings throw considerable light on the spirit which then animated the English clergy, a few pages will be given to the consideration of them. These proceedings would be, at all times, highly im-

* May's History of the Parliament, Book I chap. ii p. 19.

† Constitutional History of England, vol. ii. p. 1056.

portant; at the present they are doubly so to Englishmen, as being the last acts of injustice, insolence, and oppression, exercised by a bench filled by a bigotted and besotted priesthood, against a betrayed and insulted people—the crowning and final libation that filled their measure of offence to the brim.

The Convocation assembled in the Chapter-house of St. Paul's, from which they repaired to hear the sermon in the choir. The sermon was preached by Turner, residentiary of St. Paul's, who took his text from Matt. 10, 16. 'Behold I send you forth as sheep in the midst of wolves.' 'In the close of his sermon he had a passage in these words, or to this effect, that all the bishops held not the reins of church discipline with an even hand, but that some of them were too easie and remiss in the ordering thereof. Whereby though they sought to gain to themselves the popular plause of meekness and mildness, they occasionally cast on other bishops (more severe than themselves) the unjust imputation of rigour and tyranny; and therefore he advised them withall with equal strictness to urge an universal conformity *.'

One of their first acts was to grant the King, 'for the support of his Majestie's royal estate, and the effectual furtherance of his most royal and extraordinary designs abroad,' six subsidies, at the rate of four shillings in the pound, to be paid in the six years then next following, by two equal parts or moieties in every year. They then began to frame those famous canons, which contain in their compass some doctrines at once perhaps among the most slavish, intolerant, and absurd, ever devised by the wit of man, and remain an eternal disgrace to the Church that passed them.

We pass on to the six propositions that were formed into a Canon, the fifth in order. This Canon was intended by Laud, its concoctor, to repair 'the breaches made in the regal and episcopal power by the late batteries of the Scots,' and will remain to all time, a monument of the effect produced, when a slavish and narrow-minded yet grasping churchman, interferes in affairs of state. The propositions are so characteristic, so abounding in examples of that priestly logic which distinguished Laud and his school, that a life of Laud would be incomplete without them.

'I. The most High and Sacred Order of Kings is of Divine Right, being the Ordinance of God himself, founded in the prime Laws of Nature, and clearly established by Express Texts, both of the Old and the New Testaments. A Supream Power is given to this most Excellent

Order by God himself in the Scriptures, which is, That Kings should Rule and Command in their several Dominions, all Persons of what Rank or Estate whatsoever, whether Ecclesiastical or Civil, and that they should Restrain and Punish with the Temporal Sword, all Stubborn and wicked doers.

'II. The care of God's Church is so committed to Kings in Scripture, that they are commended when the Church keeps the Right way, and taxed when it Runs Amiss, and therefore her Government belongs in Chief unto Kings : for otherwise one man would be commended for another's care, and taxed but for another's negligence, which is not God's way.

'III. The Power to Call and Dissolve Councils, both National and Provincial, is the true Right of all Christian Kings within their own Realms, and Territories. And when in the first times of Christ's Church, Prelates used this Power, 'twas therefore only because in those days they had no Christian Kings, And it was then so only used as in time of persecution, that is, with supposition (in case it were required) of submitting their very lives, unto the very Laws and Commands, even of those Pagan Princes, that they might not so much as seem to disturb their Civil Government, which Christ came to confirm but by no means to undermine.

'IV. For any Person or Persons to set up, maintain, or avow, in any the said Realms, or Territories Respectively, under any pretext whatsoever, any Independent Co-active power, either Papal or Popular * (whether directly or indirectly) is to undermine their Great Royal Office, and cunningly to overthrow the Most Sacred Ordinances which God himself hath established : And so it is Treasonable against God as well as against the King.

'V. For Subjects to bear Arms against their Kings, Offensive or Defensive, upon any pretence whatsoever, is at least to Resist the Powers which are ordained by God. And though they do not invade, but only Resist, St. Paul tells them plainly, *They shall receive to themselves damnation.*

'VI. And although Tribute, and Custom, and Aid, and Subsidies, and all manner of necessary Support, and Supply, be respectively due to Kings from their Subjects, by the Law of God, Nature, and Nations for the Publick Defence, care, and Protection of them ; yet nevertheless Subjects have not only possession of, but a true and Just Right, Title, and Propriety, to, and in, all their Goods, and Estates, and ought for to have : And these two are so far from crossing one another, that they mutually go together, for the Honourable and Comfortable support of both. For as it is the duty of Subjects to supply their King ; so is it part of the Kingly office to support his Subjects, in the Propriety and Freedom of their Estates †. — *Heylyn*, p. 430.

* An odd juxta-position.

† The preamble which was sent with these propositions, required them to be read distinctly and audibly by every parson, vicar, curate, or preacher, upon some one Sunday in every quarter of the year at morning prayer.

Who shall wonder after reading these propositions, that the friends of liberty determined to put down episcopacy? If this be episcopacy, it is altogether incompatible with the rights of a free people and the progress of civilization, and the sooner it is put down in any country the better.

From the specimen of these celebrated canons furnished above, some idea may be formed of the manner in which they were likely to be received, by the yet not altogether enslaved or stultified people of England. The question of the consideration of these canons in the following parliament, having in consequence of the heavy pressure of business been put off from day to day for upwards of a month, at last came on on the 15th of December, and it was resolved *nullo contradicente*, 'that the clergy of England, convened in any convocation, or synod, or otherwise, have no power to make any constitutions, canons, or acts, whatsoever, in matter of doctrine, discipline, or otherwise, to bind the clergy, or the laity, of this land, without common consent of Parliament; and likewise, that the several constitutions, &c. lately treated and agreed upon, do not bind the clergy or laity of this land, or either of them*.' On the following day, the consideration of the question was resumed, and it was resolved, *nullo contradicente*, that these Canons and constitutions ecclesiastical &c, 'do contain in them many matters contrary to the King's prerogative, to the fundamental laws and statutes of the realm, to the right of parliaments, to the property and liberty of the subjects, and matters tending to sedition, and of dangerous consequence.' and further, that the several grants of the benevolence, or contribution, granted &c, 'are contrary to the laws, and ought not to bind the clergy †' The very sitting of the convocation was condemned as an illegal act ‡. The simplicity, if it may be so called, of the churchman Heylyn upon this occasion, would provoke a smile, if the subject were a less grave one. 'It is a matter,' he says, 'which deserves no small admiration, that these canons (like the first building of the temple, without the noise of ax and hammer) should pass the House [of Convocation] with such a general calm and quiet, and be received with so many storms and tempests when they went abroad §.'

The following is an interesting illustration of Heylyn's idea of an oath. 'Nothing' he says [p. 443] 'raised so much noise and clamour, as the oath required by the sixth canon, exclaimed

* Journals of the House of Commons, vol. ii. p. 51

† Journals of the House of Commons, vol. ii. p. 52

‡ Heylyn, p. 442.

§ Ibid

against both from the pulpit and the press; reproached in printed pamphlets, and unprinted scribbles; and glad they were to find such an excellent advantage, as the discovering of an *&c.* in the body of it, did unhappily give them.* One of the objections was, that he who takes the oath declares therein, 'that he takes it willingly,' although constrained so to do under grievous penalties. 'This' observes Heylyn, 'as it comes last, is the least considerable, for if this were a crime in the Convocation, it was such a crime as the High Court of Parliament hath been guilty of, in drawing up the oath of allegiance in the third year of King James; in which the party is to swear, that he makes that recognition not only heartily and truly, but also willingly; and yet the taking of that oath is imposed on all the subjects, under several penalties, if any of them shall refuse it.' [p. 444.] Heylyn appears to have regarded the resolutions of a House of Commons, nearly as some of his way of thinking in church and state have regarded them since. 'Howsoever,' he says, "some few men for their private ends" [the unanimous Commons of England] 'reproached these Canons, as before, his Sacred Majesty, the Lords of his most Honourable Privy Council, the Reverend Judges, and the Great Lawyers of the Council-Learned, conceived otherwise of them.' [p. 445] 'And certainly it had been strange,' he adds, 'that they should pass the Approbation of the Judges and Learned Lawyers, had they contained anything against the Fundamental Laws of the Land, the Property of the Subject, and the Rights of Parliaments; or been approved by the Lords of his Majesties Privy-Council, had anything been contained in them derogatory to the King's Prerogative, or tending to Faction and Sedition*.'

All these things were indicative of the direction in which the current of public opinion was flowing. For there was then a public opinion, though Charles, Laud, Stafford, and their creatures, neither knew its nature nor its power, or thought at all events it was to be put down by the sword, the pillory, and the gibbet.

The space through which Laud rose, without family interest of any kind, without family connexions that could be of the slightest service to him, was assuredly no inconsiderable one. From the humbler department of the middle class of society, he rose to be, if not in the more wide and liberal acceptation of the term the greatest, at least the most powerful man, the first person in his native country after the king. By what arts he attained that elevation, has been already seen, but still there

* Dr Heylyn after talking about precedents in Queen Elizabeth's time, very properly adds, 'But then was then, and now is now.' p. 443.

were dangers to be defied, and obstacles to be overcome, and enemies to be subdued and trampled under foot, which it must have afforded the proud, aspiring, and irascible prelate, no small satisfaction to look back upon. Obstacle after obstacle, foe after foe, and rival after rival, had sunk and vanished before the prosperous fortune, the hitherto unchecked career of the all-successful prelate: "and he now stood in triumph, as high as he could consider it possible for him to rise in this world unless he were to assume the papal tiara.

A report having been spread abroad that the late parliament had been dissolved by Laud's interference, a paper was posted up at the Exchange on Saturday 9th May, advising the apprentices to sack his house at Lambeth on the Monday following. This serving as a warning to the Archbishop, he had time to make some preparations for defence, in consequence of which, though his house was assaulted that night by what Dr. Heylyn denominates 'a confused raskal rabble*' of five hundred persons, they were not able either to force or injure the house. One of the leaders of these rioters being taken, was condemned, hanged and quartered.'

On the 3rd of November the parliament met. 'The king,' says the Archbishop in his Diary, 'did not ride, but went by water to King's Stairs, and thorough Westminster Hall to the church, and so to the House. p. 59.' On the following day the convocation began at St. Paul's.

On the 16th of December the canons, as has been already stated, were condemned by the House of Commons, and Laud was voted the author of them. On the 18th he was impeached of high treason by Hollis from the House of Commons, and committed to the custody of the gentleman usher. 'But I was permitted,' he says, [*Diary* p. 60], 'to go in his company to my house at Lambeth, for a book or two to read in, and such papers, as pertained to my defence against the Scots. I stayed at Lambeth till the evening, to avoid the gazing of the people. I went to evening prayer in my chapel. The psalm of the day, psal. 93, and 94, and chap. 50 of Esai, gave me great comfort. God make me worthy of it, and fit to receive it. As I went to my barge, hundreds of my poor neighbours stood there, and prayed for my safety, and return to my house.'

* Heylyn, p. 453.—'May 11. Munday-night, at midnight my house at Lambeth was beset with five hundred of these raskal ruters.'—*Laud's Diary* p. 58. The churchmen are fond of the term 'raskal rabble.' They probably got it out of the Book of Homilies of the Church of England, where the commons are called 'the rude and raskal Commons.' (Fourth Part of the Sermon against Rebellion).

On Monday the 21st December he was fined 500*l.* in the parliament for keeping Sir Robert Howard close prisoner in consequence of the escape of Viscountess Purbeck out of the Gate House; 'which lady,' observes Laud, 'he kept avowedly, and had children by her. In such a case, say the imprisonment were more than the law allow; what may be done for honour and religion sake?.....The Lords ordered me to pay the money presently; which was done.' [*Diary* p. 60.] This fine seemed rather inconsistent with the Puritans own succeeding enactments regarding adultery, by which it was punished far more severely than Laud had in this instance punished it. However Laud himself allows that it exceeded the bounds of the law.

On the 26th of February the articles of impeachment, fourteen in number, were brought up against him from the Commons by Sir Henry Vane the younger*.

'March 1. Munday, I went in Mr. Maxwell's coach to the Tower. No noise, till I came into Cheapside. But from thence to the Tower, I was followed and railed at by the prentices and the rabble, in great numbers to the very Tower gates, where I left them; and I thank God, he made me patient.'—*Diary*, p. 61.

From this time the Archbishop only left the Tower to go to his trial and his execution.

On the night before Strafford's execution, he earnestly desired to speak with the Archbishop. The Lieutenant of the Tower not having power to grant his request, he sent a message to the Archbishop to pray for him that night, and to give him his blessing on the morrow as he passed his window on his way to the scaffold. The next morning the Archbishop being apprized of his approach, came out to the window; 'Then the Earl bowing himself to the ground,—'My Lord (said he) your prayers and your blessing.' The Archbishop lift up his hands, and bestowed both: but overcome with grief, fell to the ground in *animi deliquio*. The Earl bowing the second time, said—'Farewell my Lord, God protect your Innocency †.'

As Charles has been accounted guilty of the blood of Strafford, he may likewise in some measure be regarded as having contributed to the bringing of Laud to the block. He sent a letter to Laud when in the Tower, requiring him, as often as any benefice or other spiritual promotion in his gift should fall void, to dispose of it only to such as he (Charles) should name; or if he had received any command to the contrary from either or both Houses of Parliament, to let them fall into lapse, that he might

* *Diary*. Heylyn, p. 465. Commons Journals, vol. ii. p. 93.

† *Diary*, p. 60. Heylyn, p. 480.

dispose of them as he chose. Now the king knew that a case of this sort, in which Laud had considered it his duty to act according to an order he had received from him, had already much embittered the eumity of the Parliament against him; notwithstanding which, and though he knew that Laud had not the power to render his command effective, and therefore that it could only without advantage to him or his case exasperate the Houses against the prelate, he issued his infatuated and cruel requisition. Did a man who thus sported with the interests and the lives of his most zealous and faithful servants, deserve himself to escape without a scratch? *

On the 31st of May 1643, Prynne came to the Tower with a warrant from the Close Committee to search for papers.

'Mr. Pryn,' says the archbishop, 'came into the Tower, with other searchers, so soon as the gates were open. Other men went to other prisoners; he made haste to my lodging, commanded the warder to open my doors, left two musketeers centinels below, that no man might go in or out, and one at the stair-head; with three other, which had their muskets ready cocked, he came into my chamber, and found me in bed....Mr. Pryn seeing me safe in bed, falls first to my pockets to rifle them....I demanded the sight of his warrant; he shewed it me, and therein was expressed, that he should search my pockets.' The archbishop adds with justice—'Did they remember when they gave this warrant, how odious it was to Parliaments; and some of themselves, to have the pockets of men searched?' 'He took from me,' he continues, 'twenty-and-one bundles of papers, which I had prepared for my defence; the two letters before named, which came to me from his Gracious Majesty about Chartham and my other benefices; the Scottish Service-Book, with such directions as accompanied it; a little book, or Diary, containing all the occurrences of my life; and my book of private devotions; both these last written through with my own hand. Nor could I get him to leave this last; but he must needs see what passed between God and me: A thing, I think, scarce ever offer'd to any Christian.'—*History of Trouble and Trial*, p. 205.

There is considerable meanness, and even dishonesty; in some parts of Prynne's conduct, particularly in the use he made of certain of Laud's papers, and in publishing a specimen edition of his Diary. But it is easier to censure than to conceive, the feelings of one man towards another who has cut off his ears and slit his nose. The interview between these two very dissimilar individuals thus concluded;—

'The last place which he rifled, was a trunk which stood by my bed-

* *History of Trouble and Trial*, p. 203, Laud says;—'I foresaw a cloud rising over me, about this business of Chartham.'

side. In that he found nothing, but about forty pound in money for my necessary expenses (which he meddled not with,) and a bundle of some gloves. This bundle he was so careful not to open, as that he caused each glove to be looked into, upon this I tender'd him one pair of the gloves, which he refusing, I told him he might take them, and fear no bribe, for he had already done me all the mischief he could, and I asked no favour of him. So he thanked me, took the gloves, bound up my papers, left two centinels at my door, (which were not dismissed till the next day noon,) and went his way'—*Ibid*

It would be useless to enter into the details of the archbishop's trial, of which he has himself written a full and exact and, it may be added on the whole, a faithful account*. Nothing could be more ridiculous than some of the charges brought against him, while others were entirely unfounded. The accused defended himself through the whole of his long and harassing trial with courage and ability. The judges, notwithstanding the degree of intimidation under which they acted, and the strenuous exertions made by Laud's enemies for his destruction †, gave it to be understood, that the charges contained no legal treason, upon which the Commons changed their impeachment into an ordinance for his execution. The Lords, more complying than they have since shown themselves to the demands of the people and the votes of the people's Representatives, added their assent ‡. Laud produced a pardon from the king, which was of course disregarded. Laud's cruelty and bigotry and insolence in the execution of his high office ought assuredly not to have gone unpunished, but the sentence against him was perhaps the most unjustifiable act of the zealots of the Long Parliament, and was not less illegal than that which afterwards condemned Vane to the block, and in this appears strongly one of the disadvantages of government by a large assembly of men. The odium of Vane's death fell

* History of his Trouble and Trial, folio London 1695.

† But Laud himself says that Pym, before his death, had thrown up the management of his impeachment, because he considered it an impracticable business.

‡ As Mr. Hillam remarks, it certainly appears [*Lords Journals, 4th January, 1644*] that there were twenty peers present at the time of prayers, but that does not prove that they all voted in passing the ordinance. Some of the twenty might have left the house, and others entered it, as would appear to have been the case by comparing the names given by Heylyn with those in Laud's Journal. Heylyn too expressly says, 'they wrought so far on some weak spirits, the rest withdrawing themselves (as formerly in the case of the Earl of Striford) that in a thin and slender House, not above six or seven in number, it was pass'd at last' (p. 527) And though Heylyn's veracity is far from unimpeachable, there appears no particular reason to call it in question here.

altogether upon Charles and Clarendon, and is of power sufficient, being thus concentrated, to brand their memory to all time. The odium of the death of Laud, being divided among so many, hath neither brought with it individual infamy, nor was likely to produce individual remorse.

All that now remained for Laud to do, therefore, was to prepare to die. He had carried down his history to the very day before that on which was passed the ordinance for his execution. The following is the last passage he wrote ;—

‘ And thus far I had proceeded in this sad history by January 3rd, 1644. The rest shall follow as it comes to my knowledge ’—*Ib* p 143.

But being informed next day, that the Bill of Attainder had passed in the House of Lords, he broke off his history, and prepared himself for death.

Every man who dies a public and violent death for political offences, real or factitious, in his own estimation and even in that of most of his friends passes for a martyr. The pride that supports most men in such a situation, was not found deficient in the fallen but still haughty prelate. To the obstinacy of a stern spirit, which will sometimes enable even a felon, to die like a hero, there was added in this case that mixture of temporal and spiritual pride, which had distinguished him through life, and attended him to the scaffold and the grave.

The 10th of January was the day appointed for his execution. On the scaffold he made a speech to the ‘ good people,’ as he thought fit to call them. It ought perhaps rather to be termed a sermon than a speech, for it commenced as follows, and went on in a similar strain.—‘ Good people, this is an uncomfortable time to preach, yet I shall begin with a text of Scripture.’ When the speech and prayers were ended, observing a person employed in taking down the words of his speech, he begged him not to do him wrong by publishing a false or imperfect copy of it. Then turning to approach the block, but finding the way obstructed by people who had placed themselves upon the scaffold, he begged them ‘ to let him have room to die.’ Having come close up to the block, he took off his doublet, and seeing through the chinks of the boards that some people had got under the scaffold about the very spot where the block was placed, he called to the officer to stop the chinks, or to remove the people thence, saying, ‘ it was no part of his desires that his blood should fall upon the heads of the people.’ It was at this moment that Sir John Clotworthy, one of the zealots common in that age, attempted to entrap the archbishop by propounding to him some impertinent questions, to

call them by the mildest name. After answering one or two of his questions Laud turned from him to the executioner, saying, as he put some money into his hand,—‘Here, honest friend, God forgive thee as I do, and do thy office upon me with mercy.’ Then kneeling down, and laying his head upon the block, he said aloud, ‘Lord receive my soul!’—the signal agreed upon between him and the executioner, who thereupon struck off his head at a single blow.

It is pity that even an archbishop like Laud, should be brought to such an end; because there are so much cheaper ways, and more economical of human suffering, than the rude murder of political enemies in the manner of Vaue and Ney. But considerations of this kind should hinder no man from discerning, how entirely all that constitutes public and private freedom, happiness, and honour, has been obtained by the conquest and beating down, and is in fact the spoil of war carried off by the subjection and trampling under foot, of that political and ecclesiastical party who have just received another mighty bruise, and of whom it has been truly said, that but for their successive defeats, England would at this moment have been Spain, Portugal, or Turkey.

ART. XV.—*Address to the Landowners of England, on the Corn Laws.*
By the Viscount Milton.—London; Ridgway. 1832. pp. 46.

THIS makes another, and from the quarter whence it comes a highly important and influential attempt, to induce the landlords and other classes of the agricultural population, not to make fools of themselves by running their heads like woodcocks into the snare that is set before them by the enemies of the country on the subject of the Corn Laws. For this time it is not a pining manufacturer or starving operative, coming to represent how hard it is that he should be prevented from selling the labour of his hands on pretence of benefiting the grower of corn, or to ask the corn-grower what he will think of it if the manufacturers, who are two to one already and to a certainty will have the power of doing it in a year or two, should lay a seventeen years duty on home-grown corn by way of reprisals for the robbery that has been inflicted on them,—nor is it a petty landlord who has the genius to tell his tenants, as one did in Yorkshire, that he will lower their rent, but on condition that it shall be raised again within twelve months after

an alteration in the corn laws*,—but the noble heir to one of the first rentals in the country, who tells the corn-growers and they know it to be true, that he ‘has no interest but in common with them; all his temporal advantage is bound up with theirs; whatever is for their advantage, must conduce to his, and to that of those who are the most dear to him.’

‘FELLOW COUNTRYMEN,

‘It is my desire to invite your attention to a question, the importance of which is acknowledged by all, though few, perhaps, estimate it as highly as I do.’

‘I address myself to you, because it is through, and by you, that the alterations which appear to me essential to the welfare of the country, must be effected. Any material change in a system of laws, deemed by a considerable branch of the community conducive to its prosperity and security, ought rather to be carried into effect by the consent of that branch, than in the form of a triumph over it; and notwithstanding the interval, which seems to separate the opinions of men, concerning the Corn Trade, we need not despair of this result. That it must be attained, however, through appeals, (perhaps frequently made) to the good sense, and, I may add, to the good feelings of men, rather than by any overt attack upon opinions which others may consider as prejudices, but which they themselves regard as well founded, I am thoroughly persuaded. I am most anxious, therefore, that you should consider, whether you have seriously and comprehensively examined the validity of these opinions, and whether the arguments, by which they are defended, are sound or unsound. These are questions of the utmost importance to our arriving at a legitimate conclusion.’—p. 1.

Lord Milton begins with asking, whether it is possible that it can be beneficial to a nation, or in other words to the individuals who compose the nation, to pay a high price for its subsistence. It is certain there are many who care very little about this; but the answer may make a valid reason why those many, in the failure of all gentler arguments, should be coerced by the more, as happens in the case of other enemies of the community. And the reason he gives why it cannot, is that admitting to any extent the increase of prices which is the result to the agricultural classes, it is plain that these classes must at the same time bear their share in their character of consumers, and therefore ‘the artificial excess, in the price of bread, is a clear loss to others; but the artificial excess in the rent and price of land, is not a clear gain to them.’ (p. 40.)

* The condition was, that the tenant should give a memorandum in writing, agreeing that if any alteration should take place in the Corn Laws in the way of removing or diminishing the duties on foreign corn, the tenant should on the next following Ladyday (not being less than six months after such alteration in the laws shall have been in operation) return to the former rent, or else give notice to quit.

This is one way of putting the case; though a number of items, as increase of poor-rates, &c. might be added to the debtor side of the account. And the fair question to ask the agricultural people is this;—Suppose the manufacturers had got a tax on home-grown corn (which would manifestly increase the demand for their goods in exchange for corn from abroad), would any of the corn-growers doubt Lord Milton's argument, when it was applied the other way?

But as was intimated before, the dishonest part of the corn-growers are not bound to mind this. They think they have got their hands into the manufacturer's pocket, and they mean to keep them there. What is to be done therefore, is to point out to the honest and sensible corn-grower,—the man whom God has made with more wit than to be a plunderer without examination of the probable consequences,—how and in what way it is that Providence has brought about and provided, that plunderers in this line like all others shall be but a short-sighted generation, running their heads into a losing trade, to say nothing of the knocks that may chance to them when two honest men come to set upon each one of their fraternity. And the way is this. It may be conceded that the great aristocrats who are born to the right of making us keep their children legitimate and illegitimate, may profit by the Corn Laws in those cases where the poor-rates do not increase faster than the value of the produce, because they have only to get more value for the rents of a given estate, and inasmuch as their children must at all hazards be found in certain incomes by the public, the greater value is worth more to them in the end. But though a common landlord may get a greater pecuniary value from his estate, this will not save his soul alive if the difficulty of providing for and establishing his children is increased in a greater degree at the same time. The whole country is in what Adam Smith called the 'stationary state,' in consequence of the prohibition of manufactures and commerce, and of this the effects fall upon all the landlords who are not of the porcelain clay which must be maintained by other people, even where their rents are not absolutely diminished by that increase of the poor-rates, which heaven has tacked to the landlords tails as nature's check on their cupidity.

To that numerous class the farmers, and that still more numerous one their labourers, there is in like manner no difficulty in conceding, that the first effect of the Corn Laws was to make merry times for farmers. But are times merry now? Is it not plain that 'by-gones are by-gones,' and all that is left them is a fearful waiting for the natural punishment on cruelty and wrong? The Corn Laws got up a spirit of prosperity for farmers at their neighbours expense, in the same manner as

a spirit of prosperity for linen-drapers, might be got up by an Act of Parliament that should prohibit the wearing of woollen coats. But that was seventeen years ago. The only consequence now left is, that there are perhaps five farmers where there would have been four, and that the five are much worse off than the four. If the five were as well off as the four, the farmers might plead that it would be all clear loss to go back again. But they are not; they suffer under all the difference that arises from the general state of the country being incomparably worse than formerly. Their children cannot all be farmers; and the Corn Laws have brought on a state of things where they can be nothing else. So sure as there is a Providence above, is it written that there shall be always ways in which those who wrong and defraud their neighbours shall in the end find out that they have made a rueful bargain. Yet the men who are thus robbing both agriculturists and manufacturers together, teach their followers to cry, that the agricultural interest is to be sacrificed to the manufacturing. The thief with his hand in another's pocket, calls out that he is going to be wronged, and is within an inch of being obliged to take it out.

These are some of the reasons why well-meaning and honest men of the agricultural classes should at all events pause before they decide that they have any powerful interest in supporting the present barefaced robbery carried on against the community. But for those who are neither well-meaning nor honest, there are other reasons that perhaps may weigh. *The robbed are two to one*; and is there anything in all human experience to lead to the supposition that they will bear the thing much longer? In struggles of this nature, the rule for the honest and suffering part of the community, is exactly what it is in military operations against a pirate. If the pirates will come to decent terms while they have any means of resistance left, treat them generously, forget old grievances, and try to arrange conditions which, while they secure you from the repetition of the evil, shall also consult the comfort of the opponents. *If they will not*, then when you get the better, leave them not an ounce of powder nor a fathom of rope; eschew cruelty to their persons, but in a political sense, cause the ploughshare to pass through them and over them. This is the feeling at the present moment; and a revolution would be a cheap way, if there was no other, for putting down the intolerable evil. There must be universal suffrage, and will be, if nothing else will prevent the two from being plundered by the one. If the agriculturists have sense or grace, they may make a composition now, sufficient to secure all their honest interests. If they have not, it will be a sign they are destined by Providence to receive the just punishment of 'rogues in grain.'

ART XVI—1 *The Fall of the Constitution.* Blackwood's Edinburgh Magazine for July 1832.

2. *Duties of the Conservative Party* Id.

WHEN a radical is weary and heavy-laden,—when he is bowed to the earth with a sense of his own infirmity or that of others,—when he is sick of exhorting his neighbours, or the hard-handed multitude do not move themselves aught,—then is Blackwood's Magazine like water-springs in a dry ground, or like the wondrous bone from which the prophet-warrior drank, and his spirit came again and he revived. If a point wants establishing, there it is, if a fulcrum is desired for another twist of the crow-bar which honest men have at last got into the strong-hold of their adversaries, there it may be looked for; if an honest captain of the Reformation is at a loss for something pithily conceived to put into the hands of any Warts or Bull-calls he may happen to be dulling, there is his resource, and if a leader of higher degree is anxious to guide the movements of the masses upon the points where the enemy feels sorest or lies most open in his quarters, there is Blackwood like a large Cassini's map of the department, ready to show him bridge and obstacle, and give him all reasonable bases he can require for his strategy.

The constitution is fallen, Blackwood says so, and he must be right. It is very true. The abhorred thing which weighed on us and on our fathers like an incubus,—the lubberly Juggernaut with his head of fine gold and his belly of brass, whose feet of iron and mud at once bedaubed and crushed us,—has been stricken with a stone cut without hands, and is become like the chaff of the summer threshing-floors. Never was a mass of human iniquity so tamely put down, after so much pains to bluster and to threaten. History has no instance, of a party so well prepared and organized, being walked off the field by such a ragged regiment. For those who were most interested know best, how small was the organization, how feeble the union, in short what a collection of stones out of the brook in a shepherd's bag it was, that brought down the bullying Goliath, and as the boy translated *ἀραβησι δὲ τρύχε' ἐπ' αὐτῷ*, 'made his halfpence rattle in his pocket.' The cause of this was simply one; that though the assaillants were not skilful, they were many. The Tories never dreamed how they were hated, or knew to what a length had gone the demonstration, that they were every man's natural enemies, whom he was bound to quell when he was able, like vermin in his featherbed. And what the people have done this year, it is hard if they could not do the

next, 'or oftener if need be.' It is not strength that is wanted, but guiding of the gully.

Hear what *duelos y quibrantos*—which was Don Quixote's dish on Saturdays, and must in English have been 'bubble-and-squeak'—are made about the sons of robbers having lost their buthlight. Men must have been sadly beaten, when they ululate in this sort:

'If any man had predicted sixteen years ago—&c—it would have been thought that the heaven itself would fall before such a change could be accomplished. Yet we have lived to see all this come to pass. Within the tapestried chamber which still recounts the destruction of the Spanish Armada [*the Holy Alliance of old time*], under the roof which covered the hall of William Rufus [*Mrs. Ramsbottom*]; close to the sacred walls which yet contain the bones of Edward the Confessor [*all they cure an ague*]; on the spot where Alfred [*the honest king*] established, a thousand years ago, the foundation of the monarchy [*which they made odious*], the triumphant destroyer has stood, and a peal of exultation broke from the Demons of wickedness on earth and in hell, at the fall of the noblest monument of wisdom, the firmest bulwark of virtue, that the blessing of God ever bestowed upon a suffering world.'—*Fall of the Constitution.* p. 55.

Now who were the demons, why did they exult, and what was it all about? Nothing more or less, than honest men not wishing to be plundered, and rejoicing over the probability that they had done something towards preventing it in future;—an exultation such as the public feels when a knot of comers or receivers of stolen goods is broken in upon by the police. And the 'firmest bulwark of virtue,' 'the noblest monument of wisdom,' what was it in the eyes of all except the concerned, but the largest joint-stock company of public wrong, that was ever got up in the annals of the world by bribing individuals with the shilling to assist in taking the pound from the community? There is no wonder in anything men say for themselves if they think that they shall profit by it; but it is wonderful that any men should think it politic to say such things as these, when the answer is so ready and so sure, and when they know so well what the simple unsophisticated opinion is they shall excite in the breasts of their opponents.

'Dreadful as has been the consternation, profound the grief, unmeasured the indignation, [*of the losing party, or as they chuse to call themselves*] of all the wise and the good throughout the land at this terrible revolution [*There has been a terrible revolution for your enemies. Mark that. You see what you can do when you chuse.*], it is not the part of those who love their country, and are resolved to do their duty to it while a plank of the vessel remains together, to give way either to hopeless dejection or unmanly despair [*Depend upon it, there*

will be no hopeless dejection, while any man has a shilling left that can be taken from him]. There is a point of depression, says Mr. Hume, in human affairs, from which the transition is necessarily to the better [and so at last we have found it]; and though the observation has been repeated till it has become proverbial, it is in moments such as the present that we alone feel its truth.—*Id.*

Mr. Hume was certainly right, as he has often been elsewhere; and it is well to find the Tories speak of him respectfully. The best scheme of plunder cannot last for ever; police-men will break through and steal, and moth and rust corrupt the most strongly guarded hoard. All human things are frail, and so is thieving. The enemy will get the upper hand sometimes; and the most the bravest can do in such circumstances, is to wait with pious patience for a turn of tide.

‘The fond wish of the patriot and the hero [meaning their predecessors] in so many past ages, *Esto perpetua*, is now no more. The long glories of its steady and tranquil reign [not so very tranquil; it has had heavy rubs before, in 1640 and 1688], the matchless celebrity of its arts and its arms [what were its arts? its arms, it may be presumed, were the people’s]; the steady growth of its industry [as wool grows under shearing]; the dignified and majestic tenor of its administration [the Speaker’s wig]; the general freedom which it developed [to the party of plunderers]; the relief to suffering which it afforded [in one place while it caused the double in another]; the restraint to vice which it occasioned [where the vice was against its interest]; the religious institutions which it had created [to impose upon the people]—all, all are lost [Strike up the song the shepherds heard, ‘Glory to God in the highest, and on earth peace, good will towards men!’] Henceforth the country is a mere democracy [Remember that, and do your duty]; the steadiness of the patrician sway [it was very steady] is at an end, and in its stead the vacillating and unstable rule of the multitude is established.—*Id.* p. 56.

There are things in this, some people did not know. It is what the cockneys,—good men some of them, and have been, since they eyeleted the royalists at Brentford in 1642,—call ‘refreshing.’ Heavy duties appear to have devolved upon the people; it is more necessary than ever, that they should not forsake ‘the assembling of themselves together.’

‘This prospect, which, to those who regard only the fate of their own country, is fraught with such melancholy feelings, is the source of very different emotions to those who contemplate the progress of the human race. We have struggled long and resolutely to arrest the evil [how kind]; but the revolutionary spirit has prevailed [turn and turn about, is only fair]; the rock of Sisyphus &c. The work is finished. Human madness and guilt have run their course [men will not bear it any longer]; and the laws of nature are about to resume

their immortal reign. We are soon to witness the long period of national punishment [*Hear that, —any man who shall think of sewing his handkerchief to the bottom of his pocket*]—to see delusion expire under the pressure of suffering and anarchy, and sink under the fury it has excited, and ambition prostrated by the passions it had awakened. We are destined to see a nation which neglected and despised all the choicest blessings of Providence [*they mean the debt and the corn laws*], which ran riot in the fulness of national prosperity [*with grass in their stomachs when they were dead*], and was drunk with the intoxication of national glory [*and the chance of very little else*], sink and suffer under the worst instruments of the Divine vengeance, the lash of its own passions and vices. With their own hands they have pulled down the ancient and undecayed fabric which sheltered their fathers, and the old time before them—with their own hands they have written their sentence—with their own lips they have pronounced their doom. It was in the midst of the triumph of revolution, the riot of rejoicing, and the blaze of illuminations, that the handwriting on the wall appeared to the people of England; and while they were celebrating, like the Assyrians of old, their triumph over an imaginary enemy, their empire was taken from them and given to another people.—*Id.*

Fine writing, fit for a candidate for deacon's orders; and wonderfully like the tone that makes schoolboys 'hope the pudding next.' Or it would suit Matthews's old Scotch lady; it has a metre. Poor Tories! poor frozen-out Tories! nobody thought the foxes would wipe their eyes with their tails so piteously. They were ill-used, they were; it was a hard thing for naughty men to stick their hands into their pockets, and say they should take no more, when they had been bred to it. People were prepared for roaring and rage, but not for such a whine. There is no withstanding such appeals to the *Di Immortales*; the Tory pathetic must move men and Mercury, to compass their Restoration.

'Dark and disastrous, however, as is the future fate of the British empire [*only think of it*], we do not think its case hopeless, or that, after having gone through the degradation, distraction, and suffering which must follow the destruction of the Constitution, it may not yet witness, in the decline of its days, some gleams of sunshine and prosperity. The laws of nature have now come to aid the cause of order; its usual suffering will attend the march of revolution [*what suffering? has not all the good that man enjoys, come through what robbers call revolution?*]; When it is discovered that all the benefits promised from it are a mere delusion; the eyes of the nation must be opened to the gross fraud which has been practised upon them. Then it will be discovered that the aristocratic interest [*think only, the privilege of keeping the aristocrats*], and the nomination [*pretty for 'rotten'*] boroughs, which supported their influence in the Lower House, were the real bulwark which protected all the varied interests of the country from the revolutionary tempest, and that every branch of industry is

less secure, every species of property is less valuable, every enterprise is more hazardous, every disaster is more irretrievable, when its surges roll unbroken and unresisted into the legislature.'—*Id.*

The surges rolling unbroken and unresisted upon Mrs. Partington, for want of a bulwark of rotten boroughs to keep them out.

'The Constitution, indeed, is destroyed,'—

It is enough, if that shame be gone; the rest is bluster. It means to come back if it can; which it shall be the business of all good citizens to rear up children to prevent.

'In commemorating the fall of the Constitution, many reflections naturally arise as to the causes by which this vast change has been brought about, the consequences to which it is likely to lead, and the means of escape which still remain to the institutions and property of the country.'—*Ib.* p. 58.

The causes on the Tory side are mainly reduced to the error of once giving way. It is the cause of all falls; if London Bridge could have kept out the first stroke of the pickaxe, the old stop-water would have been there still. Also 'the reduction of the duties on beer and ardent spirits,' which gave the people license to get drunk; in which condition they never voted for the Tories. 'A furious and deceitful press;'—naughty press, ugly press. 'Fierce and menacing Political Unions,' of men able to take care of themselves, and meaning to do it. 'The rural population outnumbered by the urban; two-thirds of the inhabitants of Great Britain attached to the cities,' and consequently not interested in the flagrant robbery of the Coin Laws. 'The extension of the power of reading to almost all the youth of the lower orders.' The 'influence of foreign travelling upon our young men of all ranks.' These are the distresses of the 'Conservative' party, the storms that have crushed their gentle blossoms to the earth.

One thing is evident from all this,—that 'Conservative' means thieves trying to keep what they have got, and 'Revolutionary' means the party that is taking it away from them. It is time therefore there should be an end of affected horrors of revolution; we are all revolutionists, or all of us that are honest. It is time the people everywhere should lay to heart, how totally and entirely the cry of revolution is the whining of men who cannot keep their dishonest gains; how property, religion, order, in their mouths are only different instruments of fraud, variety of skeleton keys and picklocks, of which each may be tried where it seems likeliest to succeed.

Great light is thrown by the kindness of the enemy, on another important point.

'*Cetera quis nescit.* The Whigs returned to office on the promise of a creation of Peers to any extent to ensure the passing of the Bill, and the Conservative Peers [*Always remember the definition of 'Conservative'*], though amounting to a decided majority of the whole House, retired to avoid the fatal exercise of the prerogative. The best and bravest, the first and noblest subjects of the Crown [*who bought their seats in the House of Lords for five rotten boroughs a head*], were driven into voluntary exile, to avoid the same destruction to the Upper, which democratic ambition had effected to the Lower, House of Parliament.'—*Id.* p. 73.

* Here is the secret; teach it to the corporals, and tell them to explain it to every private in their squads. As long as the people and the honest aristocracy will hold together, they can make it necessary for the Crown to coerce the dishonest, either by diluting the House of Peers with men of creditable origin, or which comes to a certain degree to the same thing, by the threat of doing it. The borough-mongering peers are in a cleft stick; they have been forced to withdraw, and the operation may be repeated on them *toties quoties*, till the country obtains the object it will never lose sight of, an adjustment of the House. The main difference between one course and the other, is that the one must go by jumps. There must be a practical convulsion, a chicken revolution, every time the bad blood in the House of Peers is to be brought to justice; and it is impossible, supposing things go on, that this should not in one way or other bring about the smoother measure of adjustment.

The Constitution being decidedly fallen, what are to be the 'Duties of the Conservative party' afterwards? The wasps nest being destroyed, blown up, and trampled on, what will be the policy of the poor singed creatures that crawl about and try to sting?

'Every thing,' they say, 'depends upon shewing a bold front, supporting each other by the mutual exhibition of strength, and *exhausting the funds of the enemy*. That is the material thing—Strong in numbers, inexhaustible in abuse, indefatigable in activity, with stentorian lungs, brazen faces, and insatiable ambition, the Reformers are extremely *deficient in funds*. They can assemble 20,000 or 30,000 persons perhaps upon some topic of great popular excitement; but try them with a subscription, and the nakedness of the laud at once appears.'—*Duties of the Conservative Party.*' p. 139.

There is truth in part of this. After being pillaged for fifty years, the pillaged are likely enough to be 'deficient in funds.' They must make up for it with what is not 'funds.' The revile-

ment of the Reformers is only natural; it is what every man must expect, who has been in the habit of allowing himself to be plundered.

Their plans for getting possession of the nest again, are first, to work upon the interests of such of 'the meanest class of householders' as they can persuade to think themselves interested in the robbery of the Corn Laws; secondly, to try to operate upon the trading and commercial interests, by offering them separately a shilling through the medium of taking two shillings from some of the others, and for these devil's wages they hope the commercial interests will sell their souls and bodies to the tempter; thirdly, to take in none but Tory newspapers, magazines, &c. and thereby threaten the others as the lieutenant of hussars did Hoby; fourthly, to sign Declarations, that the strength of their party being known, the honest men may run away; fifthly, to raise a joint fund to support 'Conservative' candidates while there is a rag of plunder in the common pouch; and finally, which is the thing their enemies most thank them for,—

'Finally, let the Conservative party universally and firmly act upon the principle of withdrawing their business from all tradesmen whom they employ who do not support the Conservative candidate. In the manufacturing cities, which depend on the export sale, this measure may not have a very powerful effect; but in the metropolis, in the other great towns, and the small boroughs, it would have an incalculable effect. *If universally and steadily acted upon, it would be decisive of the fate of England.*'—*Id.* p. 113.

There was an agreement, an understanding, a compact between the sounder part of the aristocracy and what are called the Radicals, that a trial should be given to the working of the Reform Bill before any further innovation was demanded. Those who supported that compact, are personally responsible for not counselling a breach of its terms; and therefore it is time they should come forward, so far as in them lies, and say distinctly that the time is come, that the *casus fuderis* has arrived. It has not been brought on by any act of the contracting party; for that would be foul play. But the common enemy through his acknowledged organ,—the same through which he called to arm against the people, and looked so silly when he found there were two sides to play at that game,—has given out in orders the execution of that particular tyranny which makes the demand of the *Ballot* a necessary act of self-defence. It was not written in the bond, that the Radicals were not to call for the *Ballot* if the Tories chose to bring on the necessity. *Here is the necessity; let every man take the printed passage last given in his*

hand, and one and all demand the Ballot of their candidates and of the government. When the 'respectable classes,' the 'higher orders,' have anything to settle for themselves, they know vastly better than to expose themselves to the personal inconvenience that may arise from voting without the ballot. There is not a learned society nor a club-house that does not employ it; it is only when it is to be used for the protection of the industrious and the poor, that it becomes base, ignoble, below the dignity of human nature,—on all other occasions, it is the only thing that noblemen and gentlemen find noble and genteel. Lord John Russell says he will call for the ballot, *if*—Does he call for the ballot at his club, *if*—or does he shelter himself under it rejoicing that he finds it there already? A landlord in some part of the country has declared, that he will not allow his tenants to be canvassed. Now just reflect,—meditate for as long time as would soft-boil an egg,—on the gross absurdity and stupidity in a country calling itself free, of allowing the suffrage to men who are in such a state of slavery to other men, that those other men *will not allow them to be canvassed*. Could not the West-Indians have votes given to a few hundreds of their negroes; with whippers-in, they might be made to tell upon a sugar question. Here are many millions of good and independent men who are to have no votes because they fall below a certain pecuniary standard; and here are certain other men who are to have votes because a certain sum *goes through them* into the pockets of other men who will not allow them to be canvassed. Can any man of common-sense go to bed under such drivelling, and not dream of the means of mending it? The people have only to will and to agree; and they have leaders, some of whom know a hawk from a handsaw. It is true the Birmingham Union has turned out a paper-money hoax,—to make ten shillings worth the operative's five, and give him eight. On the which let us thank God for the good it did us,—and at one time it was a great deal,—and avoid the evil. But the people of England can go on, without being at the mercy of the bankers and master-manufacturers. Therefore every man that is not paid for being cheated,—*The Ballot*. Remember that while you are talking, your wives and children are starving, and the Tory aristocracy feeding their hounds upon your rations.

Lastly, Return the Tories policy on them thick and threefold, where they happen to be in your power; refuse to house their corn, to card their wool; are you beasts and vermin, that everything is to be fair against you, and nothing in reply? Neutralize as much as possible their operations on the tradesmen, by dealing with none but those who support the people with

their votes. '~~Many a little makes a mickle,~~' and the custom of a hundred honest men may be as good on the whole as that of one plunderer. Treat the Tory party everywhere, as those whose meat and drink it is to rob you and insult you afterwards, whose riches are the pickings of your poverty, and of whom the clothes they wear and the food they fatten on have been squeezed out of the pocket of the industrious and the poor. If they offer charity, throw it in their faces; the world is past being robbed of the pound, by getting the shilling back in flannel petticoats. Deal with your enemies as your enemies. They know no scorn, like that of a man's belonging to the industrious classes; they hate you, despise you, curse you daily in their cups. Make them feel the weight of your numbers when you are able. There is all the difference in the world between originating a sneaking, stercoraceous policy, and making it recoil upon the authors. If the Devil pelts with assafœtida, we must return him his missiles, and fight him with his own stink. If you are afraid of your fingers, wrap it in this leaf of Blackwood and so send it cleanly. Do all this and act like men, and see how soon you will have your worst enemies howling for the Ballot.

MEMORANDUM.

In No. XXXI for April 1832, page 458, line 21, an inaccuracy in the book quoted has been passed without notice. The difference between twelve Fifths and seven Octaves is not the Comma commonly so called, but the Comma of Pythagoras; which doubtless owes having a local habitation and a name, to being this difference. Its ratio is that of 524288 to 531441; and it is equal to an ordinary Comma and about one-eleventh.

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