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'Legitimae inquisitioni vera norma est, ut nihil veniat in practicam, cujus non fit etiam doctrina aliqua et theoria.'—BACON, *De Augm. Scien.*

'Those who have not thoroughly examined to the bottom all their own tenets, must confess they are unfit to prescribe to others; and are unreasonable in imposing that as truth on other men's belief which they themselves have not searched into, nor weighed the arguments of probability on which they should receive or reject it.'—LOCKE, *Essay on Human Understanding.*

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philosopher explained all the wonderful mechanism of planetary motion, certain slight irregularities caught his attention, trifling vacillations which he was unable to account for upon his system, and which he was disposed to consider as exceptions attributable to the little caprices of nature.

'The later observations of the eminent French mathematicians, and their use of new and refined methods of calculation, proved those apparent deviations to be strict results of an extended application of his principles. They discovered that these disturbances, as they are called, were the effects of the reciprocal action of the gravity of the different planetary bodies upon each other, and farther, that by a beautiful nicety in the adjustment, they balanced each other, so as never to introduce any permanent irregularity into the system. Here, then, is progress, wholesome, sound, indisputable progress—a principle satisfactorily explaining new facts, and the new facts corroborating the truth of the principle. Suppose now that we had found in La Place or La Grange a radical reformer in astronomical science—that their ingenuity had detected a flaw in the reasoning of the *Principia*—that the immortal discoveries of Newton had been reduced to the level of the whirlpools of Des Cartes, or any other fanciful and exploded theory, would this have been advance? How we should have regretted the overthrow of that noble and lucid system—how we should have mourned that our mental vision, which had been extended almost to embrace infinity, should have again been contracted to a narrow span! How painfully and reluctantly should we have surrendered the high and pure thoughts, the splendid prospect of the economy of the universe, which this proudest achievement of human intellect had spread before us! and with what a cold scepticism as to the reality of truth in anything—with what a mortified sense of the fallibility of our powers should we have recalled our absolute belief in a theory, which, while it enables the imagination to wing its loftiest flight, rests upon reason's firmest basis.'—p. 74—76.

Here is, at last, something like a meaning, gradually evolving itself: and we need nothing more to justify the opinion we have declared of Sir John Walsh's intellect, than this meaning, together with the manner in which it is expressed.

For, first, as to his power of expressing his own meaning; look at his attempt to compress it into a logical definition. 'Innovation—I mean the substitution of a new and untried system for an old one.' Would this enable any one even to guess what distinction the writer is about to draw? A person whose ideas are clear, uses words which make them sink into the mind, instead of letting them slide off it on the well-worn surface of a rhetorician's stock phrases. What Sir John would say, as we gather from the remainder of the passage, is this: 'Innovation is something new, which, if right, implies the supposition that something old was wrong; Improvement is something new which does not imply that

supposition.' These two, he says, are contrary; and the former a direct, and the greatest possible, hinderance to the latter.

Now, admitting that it is one thing to change from wrong to right, and another thing to do something right which does not imply that we had previously done wrong, is it not in either case equally our business to do right now? And is there not something inconceivably pitiful in the attempt to insinuate that it is not quite so good a thing to do right in the one case as in the other? It deserves notice, moreover, that although in speculative inquiries (from which, with great inappropriateness, Sir John's illustration is taken) we may sometimes add truth to truth without finding ourselves out in any error; in practical matters we hardly ever adopt anything new, without giving up something old which is superseded by it. By an invention in machinery, an article can be produced at half the cost: if you purchase the new machine, and use it together with the old, it is improvement; if you discard the worthless instrument, then, according to Sir John Walsh, it is innovation. Your servant is lazy, dishonest, and a drunkard: you hire a new one; if you also retain the rascal, it is improvement; if you dismiss him, the benefit is 'negative and unsatisfactory,' and the change no better than an innovation. You inherit a fine estate, but in so unwholesome a situation that you cannot live in it: if you can afford to buy another estate, retaining the old one, according to Sir John Walsh you may; but if you *sell* the old estate to buy another, you do that which is not only not improvement, but 'is always in its nature opposed to improvement, and of which the single tendency is always to suspend, often to retard it.' If we had time for verbal criticism, we might ask how that which is *suspended* can fail to be *retarded*?

Even after allowing himself so wide a scope for the choice of his illustration, he cannot use it without its recoiling upon himself. He tells us, with that inflation of language by which writers of no imagination fancy they give additional dignity to the great results of science, that La Place's discoveries would have given him less pleasure if they had proved Newton to be wrong; but that proving him as they did to be right, here was 'progress—wholesome, sound, indisputable progress.' What, then, thinks Sir John of Newton himself? Did *he* not prove his predecessors to have been in the wrong? Or were his discoveries no 'progress;' and will Sir John Walsh say of them too, 'we do not commonly call this advancing?' Are they not, on the contrary, the era from which alone any real advance became possible?

Sir John, with a candour which is no very arduous virtue while confined to generals, acknowledges that 'should the error be proved, it must be corrected.' Then why profess so much dis-

like to correcting it? Men do not usually harp so much upon the painfulness of an operation which they are very sincerely desirous of seeing performed. 'The necessity,' it seems, 'is dispiriting,' and 'the proof of our fallibility' (we quote his very words) 'is a discouragement to attempts in a new track.' This, then, is the objection to innovation—that it is an acknowledgment of our fallibility. Sir John undertakes to prove that 'innovation is always in its nature opposed to improvement.' And how does he substantiate the assertion? By saying that he dislikes to correct an error,—can the reader imagine why? because it proves to him that he is capable of committing one! a fact which, apparently, he would not otherwise have entertained a suspicion of.

We must tell Sir John Walsh, that when he says that detecting ourselves in an error disturbs our confidence in our own infallibility, he ascribes to it an effect which, by the consent of moralists, philosophers, Christians, and persons of common sense in all ages, is so far from being undesirable, that until it is accomplished neither wise thinking nor wise conduct is so much as possible; and that the discovery, instead of being one which ought to plunge us into dismay, is a necessary condition of all rational confidence in our own strength, or in the soundness of our own opinions. If Sir John Walsh were right, the discoveries of Bacon and Newton, instead of being the periods from which we reckon the improvement of physical science, should have struck a sudden damp into it, and chilled the heart of every scientific man with a 'cold scepticism as to the reality of truth in anything.' Is such the historical fact? Speak, O contemporary historian!

If this writer had not been held up by the Tory critics as one of the great rising ornaments of their party, we should not have thrown away time and space upon a controversy in which we are neither called upon to say, nor to answer, anything requiring thought, anything not absolutely trite. But the character of Toryism is better seen in Sir John Walsh and his class, than in men of some originality and power of mind. Nothing has given us a lower opinion of the Tories as a body, than to observe on what class of their advocates it is that their applause is lavished. Let the young and ambitious adventurer, who would rise by Toryism notwithstanding the disadvantage of a clear head, observe whether what we say is not true. The man whom they recognise as their champion is never he who gives to Toryism (what can be given to it, though not to Whiggism) something like a philosophic basis; who finds for their opinions the soundest, the most ingenious, or the most moral arguments by which they can be supported; but invariably the man who, with greater fluency or a more daring manner than ordinary, gets up and vents their

most shattered and worn-out absurdities. There is another cause for this besides the greater adaptation of the latter class of arguments to the general calibre of their understanding. No one can make speculative Toryism a thing that will bear the light, without cutting off many of the most lucrative parts of practical Toryism. We never knew a Tory of any power of mind, who did not, either secretly or openly, give up the Irish Church. But the Tories in general deem this too high a price for a small improvement in their argument, and a great one in their character for honesty. Sir John Walsh for them. He throws his mantle over all. Even Irish Toryism is not too shocking a thing for him.*

* Sir John Walsh's last chapter is on 'The State of Ireland,' and contains what he deems an idea of surpassing originality. This idea is ushered in by some remarks on the superficiality of the 'boasted diffusion of knowledge,' the shallowness of the ordinary run of minds, and the little progress which has been made towards understanding the subjects with which we are most occupied, and particularly Ireland. Having lamented the obscurity which still involves this subject, and given it to be understood who is the person destined to convert that obscurity into the clearest light, he proceeds to state, as follows, the current misconceptions:—

'The popular, current, superficial view of the state of Ireland is this, that it is a country containing an immense Catholic population, and a very small proportion of Protestants of the Church of England,—that the Protestants of the Church of England, supported by the power of the Tory Administrations at home, have established a monopoly of offices, places of trust and consideration, dignity and emolument, and have held their Catholic fellow-countrymen in a state of civil bondage,—that they have been governed by a narrow, bigoted, tyrannical spirit, making a different religious belief operate as a disqualification in every profession, a bar across every path which led to distinction or to fortune,—that the Established Church of Ireland being, as it is, the Church of a small minority of the people, is one great overgrown abuse,—that the English Cabinets have been contented to rule the country for years through the instrumentality of this faction, thereby perpetuating and exasperating religious differences, and sustaining through force the system of a sort of religious oligarchy, oppressive and unjust to the body of the nation,—that a wise and generous policy now dictates a conduct diametrically opposed in all respects to this harsh and exclusive system,—that the first object and care of the Executive in Ireland must be to obliterate every trace of those unjust preferences on the score of religion which have so long been the watchword of our Government. Protestant ascendency must no longer be the principle on which power is to be exercised, honours or emoluments conferred—the interests of the great Catholic body must be duly considered, and equal eligibility of the two religious persuasions to all civil appointments practically acted upon,—that the domineering and tyrannical spirit of Orangeism must be crushed and discountenanced in every possible manner,—that the Irish Church Establishment, being unnecessary to the Protestants, and both oppressive and insulting to the Catholics, must be reduced or abolished,—that, in fine, Ireland has hitherto been treated as a conquered Catholic country under a garrison of Orangemen, backed by English power; that she is now to be governed as a free Catholic nation, in which the interests of the Protestants are to be reduced to their proper proportion.'

This really does seem to be no very incorrect picture of the real state of matters as to Ireland. But hear Sir John Walsh:—'Now I assert, that whatever Minister were to form his opinions, or to mould his system of policy, upon these statements, would do so upon the most superficial grounds—upon views either wholly erroneous, or partial, confined, and limited. I contend that the most material circumstances, whether as regards the internal state of Ireland, or her peculiar relations with this country, are entirely lost sight of, or indeed never seem to have been noticed, in these loose, commonplace representations of her condition.' These material circumstances,

Having now assigned the class of writers to which Sir John Walsh belongs, it is but just to add that he is one of the best of the class. His language is not only decorous, but respectful to his opponents. They are not all of them, in his eyes, demons, or profligate adventurers, or sciolists and coxcombs. At least, he does not call them so; though he affirms of them things hardly reconcilable with any other supposition. But we are not to look for consistency in a partisan's description of the opposite party. There is no want of candour in Sir John Walsh. He always states fairly the principles and arguments of opponents, so far as he knows them; but what he knows is very small. Almost the only authorities he cites are the 'Morning Chronicle' and the 'Globe;' and these only since they became slavishly ministerial. He has,

which every one except Sir John Walsh has overlooked, are, that the Protestants are the rich, and the Catholics are the poor; that the Protestants are the descendants of foreigners, who seven hundred years ago conquered the country, possessed themselves of all the property, and have since remained a 'garrison in an enemy's country;' that it was, therefore, natural that they should engross all the power, and that in the exercise of this power they should be 'overbearing and arrogant.' 'Six hundred and fifty years have been unable to produce a kindly and thorough fusion between the conquerors and the conquered, to efface the distinguishing marks of a different origin, or to heal those rankling animosities which still fester in their hearts.' . . . . 'The citizen of Perronne occupies his thoughts little with the memory of Charles the Bold. The native of Alsace or of Lorraine deems himself just as good and complete a Frenchman as the inhabitant of Paris. The Catalonian and Castilian are both Spaniards. But the Celtic Irish peasant, divided from his Protestant countrymen by the two great barriers of language and religion, still cherishes the obscure traditions of a remote age; and, as the Protestant landowner or substantial tradesman passes him on the road, he throws a scowl over his shoulder, and in his deep guttural Gaelic he curses them as Saxon invaders, usurpers, and heretics.'

If ever the argument of an unskilful advocate recoiled fatally upon its author, this does. The fact which Sir John, in his ignorance of history, imagines to be peculiar to Ireland, is common to all Europe. Seven hundred years ago, every country in Christendom was in the possession of a set of foreign invaders, who, having possessed themselves of the soil, and reduced the inhabitants to bondage, were masters (as Sir John says of the Protestants of Ireland) of all the property and intelligence in the country. The Commons of every nation in Europe are the descendants of men somewhat less barbarous, perhaps, but otherwise exactly in the situation of the aboriginal Irish. Serfs who ran away from their masters, or whom their masters allowed to purchase their freedom, were the origin of the *tiers-état*. How then happens it, that in every other country this oppressed class gradually emerged from insignificance; acquired freedom, wealth, and intelligence; obtained substantial, and at last even nominal equality of political privileges—until the very memory of their past injuries became obliterated, and no distinction remained between the children of the conquerors and the children of the conquered; while in Ireland alone no similar improvement took place, and the original relation between the two races remains, according to Sir J. Walsh, substantially the same as at the first conquest? There is but one explanation:—all other governments, though the fruits of conquest and spoliation, were not thoroughly bad, were not hopelessly incompatible with the improvement of the conquered; the Irish alone were under a government which would not let them improve—which would not let them become rich and intelligent—which rendered it *impossible* for them, like the servile population of other countries, to recover by industry what they had lost by conquest. And that such was the fact, is stamped, in characters of blood, on every page of Irish history.

nevertheless, the modesty to conclude, that because he knows no more of the sentiments of the Reformers than these sources supply, there is therefore nothing further to be known. He charges the Reformers in good set terms with having no purposes of their own, and says roundly, that their only principle is to follow the popular cry; though in the very next page (p. 103) he says that this popular cry is a creation of theirs, artfully got up by them for their own purposes. It puzzles us to think how these two assertions can both be true: that they may both be false, we assure him that on proper inquiry he would find. He calls upon them to state the ends they propose, and the evils they desire to remedy (p. 110); and seems to be sincerely persuaded that these are matters which have not yet been disclosed. A person who undertakes to answer others should be better instructed in what they say. Cicero tells us that he always studied his adversary's side of the question, if possible more intensely than even his own. We will not require so much from Sir John Walsh: to discover all that his opponents *might* say would be a task beyond his capacity; let him only make himself acquainted with what they *have* said. There are some parts of it, not unworthy of a politician's attention in these days. Meanwhile, we must allow Sir John Walsh the credit of having made one or two admissions, of which we intend availing ourselves, and of having told about an equal number of wholesome truths to the Parliamentary and ostensible leaders of our own party. These are merits; and they are the only ones which we have been able to discover in the pamphlet.

In what follows we shall regard Sir John Walsh, not as Sir John Walsh, but as what he evidently desires to be considered, the representative of the opinions of his party; namely, that of which Sir Robert Peel is the head, and which may be defined as the more worldly-wise portion of the Tory faction. There need be no hesitation in admitting him as their organ, as we have not discovered one opinion, one sentiment, or one expression in the pamphlet, which might not just as well have been uttered by any other individual of the set.

The book professes to contain the Tory view of contemporary history. Sir John begins his history with the Reform Bill. As might be expected, his view of that measure differs considerably from that entertained by Reformers. Let us look at it. The time is never lost which is employed in understanding the state of mind of our opponents.

According to Sir John, the cry for reform was not produced by any real or supposed grievances; the people had no complaint against their governors, nor even thought they had. Complaints,

though of the vaguest possible description, had indeed been made, and even, it would seem, believed. 'We have heard, till reiterated assertion is taken for proof, of a century of misgovernment, a long monopoly of power, the perpetration of abuses, the rankness of corruption, the venality, extravagance, and incapacity of former ministries.'—p. 31.

Sir John, however, attributes the demand for the Reform Bill to no such cause, but either to 'the appetite for speculative innovation' (p. 3), or to 'the desires of the body of the people for a more active and direct participation in political power' (p. 2). We say *either*, because Sir John does not always adhere to the same theory. Whichever of these views, however, he adopts (and he seems to adopt them alternately), in one point he is consistent: in affirming that the increased power which the Reform Bill gave to the democracy, was desired not as a means, but as an end; that this great constitutional change was effected, and the further organic changes of the Ballot, Triennial Parliaments, Reform of the House of Lords, &c., are now sought, for their own sake, and not for the sake of any improvement to be thereby wrought in the actual management of public affairs. It was the love of meddling in their own government, not the desire of being better governed, that actuated the people. The class of persons who were eager for 'practical reform' (by which he means improvement in the actual working of the government, as distinguished from changes in the constitution of the governing body) were those whom the Reform Bill found in power, and displaced; namely, the Tory aristocracy, whom Sir John compliments with the appellation of 'the educated classes' (p. 76). These, indeed, were actuated by a burning zeal for all improvement. 'Every enlarged view of political economy, every judicious mode of retrenchment, every practical reform' (p. 77), found in them zealous advocates. A body possessed by such an ardour of reformation, and which had so long held in their hands full power to give effect to their wishes, naturally left nothing to reform. Accordingly, Sir John Walsh triumphantly announces that no abuses have been detected or remedied since the Reform Bill passed. To have justified the expectation of its supporters, it ought, he thinks, to have been the means of bringing to light some undiscovered mystery of iniquity. This, indeed, would have appalled Sir John.

'Had the recent changes drawn the curtain aside which veiled political profligacy and corruption, I should have experienced the mortification of discovering myself the most egregious of dupes; I should have felt the most depressing of all sensations, that of discovering the worthlessness and deceit of what had been the cherished object of my earliest veneration, which had long commanded the homage rendered to excellence and virtue.'—p. 33.

A person who so candidly confesses the extreme mortification with which he abandons any idea which has been instilled into him by his nurse, is not exactly fitted for a public teacher in an age of revolutions. Sir John, however, did not experience this humiliation.

'Let it be remembered that Lord Grey and his colleagues held office four years—that, after having triumphantly carried the Reform Bill, they still, at the head of an overwhelming majority in the House of Commons, conducted affairs during two parliamentary sessions, and brought forward two ministerial batches of measures. Where were the corruptions detected—where were the abuses exposed—where was the prodigality checked? What materials of power and popularity would they not have acquired, if they could have denounced and held up their predecessors as political delinquents?'—p. 31.

'If the Constitution under which we were born, and the system under which we have passed the larger portion of our lives, were in reality but one mass of abuses, but one vast conspiracy against the interest and happiness of the community, how does it arise that so complete a reform, that so entire a change of men, has thrown no light upon the concealed iniquities?'—p. 33.

Such is the Tory statement of the origin, progress, and character of the spirit of reform. And we have been thus explicit in setting it forth, for the purpose of giving to it, in behalf of our countrymen, a solemn, absolute, and indignant denial. It is not true that the demand for parliamentary reform had anything to do either with any general theory of government (which would have been no imputation) or, which would have been a great imputation, with the mere passion for the exercise of power. So far from having no connexion with practical grievances, it was and is directed solely against practical grievances. There is no passion in England for forms of government, considered in themselves. Nothing could be more inconsistent with the exclusively practical spirit of the English people. There is no hostility to aristocracy in England; the people would far rather be governed by their superiors than by their equals. Like all other nations, they had the partiality of habit for the institutions under which they had grown up; and the artifices of a whole century had wrought up this partiality into one of the most obstinate of prejudices. Of this prejudice the majority of the Reformers have had their full share; and it only yielded to a long and bitter experience of practical grievances, combined with irresistible evidence, which forced itself upon the most unreflecting among them, of the connexion between every one of those grievances and the sinister interest of some portion of those whom Grattan emphatically called 'the proprietors of Parliament.'

Had we not repeatedly been startled by the shortness of men's

memories as to the events of their own time, it would astonish us that even a Tory should have forgotten what was the main occupation of the public mind during the ten years preceding the Reform Bill. It was, to a degree unparalleled in our history, and with constantly increasing intensity, engrossed, not with theories of government, but with the exposure and denunciation of practical abuses. Before that time the assailants of the existing constitution of Parliament had had the weakness to rest their case mainly upon generalities; upon the received theory of the House of Commons; upon history, and the ancient practice of the Constitution. Accordingly they preached to deaf ears, until the Cartwright school of reformers died out, and others of a more 'practical' kind succeeded, who bade adieu to abstractions, and insisted upon judging the tree by its fruits. The movement which gave existence to the Reform Bill, dates in reality from the period when Mr. Hume commenced his memorable exposures of the almost inconceivable profligacies of our public expenditure. He was soon aided by writers (among whom Mr. Black, of the 'Morning Chronicle,' and Mr. Fonblanque, of the 'Examiner,' were the most conspicuous) who, by their repeated exposures, made the people sensible of the enormities in the administration of justice, especially those of the unpaid magistracy. Was there not during all the same period a growing disapprobation of the corn-laws? of the game-laws? of slavery? of the restrictions on industry? of tithes? of corporation abuses? of the vices of the law? of the inefficiency and extravagance of the Church Establishment? of the atrocious principle of holding Ireland in subjection by foreign bayonets to the most profligately tyrannical of native oligarchies? Sir John Walsh should have carried his readings of the 'Morning Chronicle' further back. A Contemporary Historian should know something of contemporary history.

From the eager zeal for the redress of all grievances, which, according to Sir John, animated the whole of the ruling classes previously to the Reform Bill, joined to the fact that none of the evils which we have enumerated were redressed, or had any prospect of being so, during the continuance of their ascendency, we can only infer that these, in the opinion of Sir John, were not grievances. And this, indeed, is no unlikely opinion to be held by Sir John; but we cannot quite reconcile it with the credit he takes to the Conservatives for concurring in the reform of some of these very grievances *since* the Reform Act, and for their readiness to reform others which are yet uncorrected. This readiness, according to him, is no new quality of theirs. They were as eager to make these improvements formerly, when they had the power and did not, as now, when it no longer depends upon them:—

'We are no reluctant, tardy, insincere converts to the cause of practical reform. We do not yield a constrained and interested acquiescence to an overpowering necessity. We are not inconsistent with ourselves. The great body of the Conservatives in the empire would have supported as heartily all Sir Robert Peel's proposed measures of last session ten years ago as they would now.'—p. 78.

Indeed! But Sir Robert Peel, if we mistake not, was in office ten years ago: if 'the great body of the Conservatives' were all eagerness to have these measures proposed, why did not that recognised leader of the party, and Sir John Walsh's model of a statesman, propose them? And when, for instance, the Unitarian Marriage Bill, which gave to one particular class of Dissenters a partial and scanty relief from that burden on their consciences which Sir Robert Peel last year proposed to take off entirely—when this Bill was thrown out by the House of Lords at the instigation of Lord Eldon and the Bishops, the motive was doubtless an impatient frenzy of reformation, which would take no 'instalment,' and regarded anything but the removal of the entire grievance as a compromise with iniquity. Or is Sir John's statement (for it is ambiguously worded) satire in disguise; and does his assertion that the Tories would have supported the measures of Sir Robert Peel as heartily ten years ago as they would now, mean that they would give no more support to those measures now than they would have given formerly?

Sir John is more rational when he begins to treat not of past things, but of present. In this part of his discourse we are sometimes able to concur in his sentiments, and even to adopt his language.

For example, we agree with him when he says that the nation is rapidly arranging itself into the two divisions of Reformers and Anti-reformers, or, as he proposes to call them, Conservatives and Radicals: that these two parties (though the latter, as far as organization is concerned, is not a party) are both of them gaining strength, at the expense not of each other, but of the Indifferents and the *juste milieu*: and that there will soon be no middle party, as indeed what seemed such had long been rather an appearance than a reality.

'I believe,' says Sir John—and this is one of the admissions, of which, to employ a French phrase, *nous prenons acte*—

'That, of what may be strictly called reaction, there has not been a particle. We have been strengthened by the accession of many neutrals, by the awakened energy of the timid and the careless, by the discovery of many in the ranks of our opponents that their position was a false one. We have not yet gained one inch upon the democratic

spirit; on the contrary, the very same causes which have strengthened us, have strengthened it in a nearly similar ratio. . . . As the struggle becomes closer, and the objects less disguised and more apparent, each party will receive additions to its numbers up to a certain point; but a period may shortly arrive when almost every individual will have made his election between the two principles, and when these fluctuations will be rarer.'—pp. 83-5.

Sir John is equally right in his character of the Whigs, which has excited such a storm of indignation from the 'Edinburgh Review.' They were, and are, a *coterie*, not a party; a *set*, confined to London and Edinburgh, who commanded a certain number of seats in Parliament, and a certain portion of the press, and were accepted by the Reformers as leaders, because they offered themselves, and because there was nobody else. When any man appeared in Parliament (they were too ignorant of their age ever to look beyond) whose talents qualified him to act a conspicuous part, they courted him, and if he was willing to become one of them, admitted him into the circle. They thus adopted Horner, and Romilly, and Brougham. By this means they always kept themselves apparently at the head of all that part of the public who professed liberal opinions. But their leadership was ostensible only. Since the questions arising out of the Hanoverian succession had been set at rest, the term Whig had never been the symbol of any principles. So long as popular dissatisfaction was directed against men, not things—against the particular acts of particular ministers—the Whigs, as being the men who were to replace those ministers if the people succeeded in turning them out, continued to be an essential element in the contest. Not so when the questions which divided the public came to be those which related to the reform of our institutions. The Whigs, who were a portion of the privileged class, and were under the full influence both of the interests and of the prejudices of that class, at once took up a position hostile to any thorough reform. This position the Liberals of the empire have never chosen to participate. They did not repudiate the Whigs; but as little did they re-repudiate what the Whigs repudiated. They were neither Whigs nor Radicals; they were Reformers. They had not predetermined how far parliamentary reform should go; but they were disposed to carry it as far as, on trial, should be found necessary for obtaining good government. They were not for the ballot, or annual parliaments, because the opinion did not generally prevail among them that nothing less would suffice; but they had no prejudice against either, if an extension of the suffrage, with septennial or triennial parliaments, should fail to give them a government of which the pervading spirit should be a regard to the public good.

This was the state of mind of the body of Reformers, down to the passing of the Reform Act; and for them it was essentially a sound and wholesome state. Those only who have qualified themselves by a greater degree of study and experience than has fallen to the lot of most, are entitled to have a confident opinion on the extent to which it may be necessary to carry a political change, previously to trial. The people, however, not having made up their minds, when the Reform Bill passed, whether any further constitutional change would be requisite or not, they naturally, where they were free to choose, chose mostly, as their first representatives, men whose minds were no more made up than theirs were: and hence that absence of any marked character or tendency, which our author notices in the new men who were then first introduced into public life (pp. 38—41). Sir John even states this less emphatically than it might be stated. He mistakes when he says (p. 10) 'the elections of December 1832 returned two-thirds of the whole number decided Whigs.' They were neither Whigs, nor decided; they were the essence of everything that is undecided. They were that *parti du ventre* (as it was styled in the French Convention) which has existed in most countries, at most critical periods; men who have no principle of guidance but the fear of extremes; who are constantly 'betwixt two minds,' and when they have made a step one way, make a step the contrary way for the sake of compensation; who have no confidence in any leaders, but having still less in themselves, are swayed by every breath, and may be driven even into the things they are most terrified at, by 'pressure from without.'

It was by practising upon the weakness of such men, that the Stanley Cabinet (for the conduct of that ministry took its character from its worst member) was enabled for a session and a half to carry on the system which one of its members has since avowed that it deliberately pursued—that of proposing nothing in the Reformed House of Commons but what was agreeable to the Tories. This system could not last. The people became alienated, not because the Whigs did not propose further organic changes, for the experiment had only just commenced which was to convince the people that such were necessary; but because their 'practical reforms,' their 'course of improvement in details,' were shaped to the taste of those who were of Sir John Walsh's opinion, that no abuses existed previously to the Reform Bill. The Whigs became unpopular, not because they *wished* the Reform Bill to be a 'final measure,' but because, rather than risk a 'collision' which might prevent that wish from being realized, they were willing to abandon all the ends to which the Reform Bill was intended as a means.

This it was that ruined the Whig Ministry, and for ever extinguished the policy of which they were the representatives. 'When the Ministry,' says Sir John, and we fully concur in the assertion—'when the Ministry of Lord Grey was broken up, first by the secession of Lord Stanley and his friends, and subsequently by the Premier's own resignation, it was not a cabinet which was dissolved, it was a system of government which was overturned.'—p. 1.

The Grey Ministry represented one system of government, and fell because they would not abandon it. The Melbourne Ministry are the representatives of another system of government, one remove only from the former: and they too must soon make their election, to abandon it, or to fall.

The Grey Cabinet, as a body (though against the wishes of some of its individual members), acted on the principle not only of resisting any further Parliamentary Reform, but of not originating or supporting reforms of any kind, which, by producing a 'collision,' might possibly lead to that result. The Melbourne Ministry, as a body (also, it is believed, against the wishes of several of its members), has abandoned only one-half of this policy, retaining the other. It resists, with as much obstinacy as its predecessors, not only any proposition for a further increase of the popular control over the legislature, but the bare idea that such can be rendered necessary by any conceivable prolongation of the struggle against good government. The difference between the policy of the Grey and that of the Melbourne Ministry is, that the latter, though they deprecate 'organic change,' do not, as the former did, make the prevention of it the grand business of their government. To save the Lords from themselves is still their object, but no longer their sole object. They do not shield the Lords from the odium of rejecting good measures, by taking that odium upon themselves; they propose what they think good, and what is acceptable to the House of Commons, and let the Peers reject it at their peril.

Such a policy does not preclude, in the same manner as Lord Grey's did, the possibility of a co-operation between the Ministry and the more decided Reformers. But it limited greatly the class from which Lord Melbourne could recruit for his Ministry. In a cabinet constituted on such a principle, no Reformer could be included, whose convictions would not allow him to join in a determined resistance to all further organic changes. And this category now included every man of rising talent among the Reformers, except Lord Howick and perhaps one or two other scions of the great Whig families. Lord Melbourne was thus compelled to fall back upon those families, and upon the obscurer

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members of the old *coterie;* for all who were conspicuous by talents or reputation had been taken off, either by death or the progress of events. And hence that absence of individual weight of character and talent, which enemies and friends equally remark in the Melbourne Ministry. For it deserves notice as one of the signs of the times, that the Whig *coterie* is not renewed. There are no young Whigs. The vacancies which death makes in their ranks are not filled; and their ministry must henceforth be recruited from persons not of the clique.

Another effect of the adherence of the Whigs to that part of Lord Grey's policy which consists of resistance to further organic change, is, that they are now the weakest of the three parties in Parliament. Without the systematic support of the Radicals, they could not exist for a day. Of that great numerical majority in the country who were undecided as to the sufficiency of the Reform Bill to produce good government, a preponderating portion have now made up their minds. Since the last election, the Radicals in the House of Commons exceed the combined strength of the personal adherents of Ministers and the *parti du ventre.* Nor does any one doubt that were a general election to take place just now, whether the Tories were reduced in number or not, the Radicals would gain still further upon the Whigs.

A momentous question follows. Thus undisputedly the predominant section of the party in power—holding the fate of the ministry in their hands, and being the body to which apparently the country must look for the men who are hereafter to direct its counsels—why are the Parliamentary Radicals making no exertions to prove themselves worthy of this exalted destiny? Instead of taking the lead, as belongs in all combinations to those who hold the most decided opinions, why have they sunk into a mere section of the supporters of the Whig ministry? Why is all their Parliamentary conduct passive, not active? Except an occasional motion, to which the reputation of some individual among them is pledged, and which he could not without disgrace abandon, why do they originate nothing, but content themselves with supporting what the Ministers originate? Why do they not bring forward a succession of matured and well-digested reforms, which, being sent to the House of Lords, might compel that body to choose between the adoption of them and its own ruin? Why do they let slip every opportunity not only for acting, but even for speaking, like men in earnest about their opinions?

It is painful that some of the severest things said by Sir John Walsh of the Parliamentary Radicals are those which can least be gainsaid by their friends and supporters.

'How much has the strength of this party been increased! It now

numbers from 160 to 170 members; and if it is not in office, it holds the fate of a weak Ministry at its disposal. All this, however, has been accomplished *for* the parliamentary party, and not *by* them. The power of the press and the instincts of the democracy have shoved these 160 members into the House, but they seem to have arrived there merely because they were nearest the door when it was opened.' —(p. 60.)

'There was abundant encouragement for all the more ardent and adventurous spirits to flock to their ranks. Their side was evidently the rising one. Its places of distinction were as yet unoccupied. Their designation was no longer a nickname associated with the ideas of the Rotunda and Orator Hunt's blacking van. The weight they had acquired in the scale, and the prospect of power, had given respectability to the term of Radical. And yet, with all these inducements, with so fair a field, no new candidate appeared qualified for the post of leader of the English Movement.

'It is a favourite theory with political philosophers, and one which is entitled to consideration, that the occasion creates the man—that as, if a gentleman wants a butler or a bailiff, he advertises for one and finds him, so that, when society and the circumstances of the times require a Cromwell or a Napoleon, the Cromwell or Napoleon is forthcoming. If this be true, certainly English society had no need just then of a Radical statesman, for no democratic Pitt or Fox started forth, a ready-made head of the Movement. Mr. O'Connell was the only person qualified, by his talents for debate and his general ability, to perform the part; but the English members were reluctant to enrol themselves in the list of his followers, and he restricted himself to his peculiar province. Had the metropolitan boroughs or the Scotch constituencies been able to lay their hand upon a Mirabeau, I do not know where he might have carried us; but no such Coryphæus appeared, and the chords which might have responded to his touch remained mute.'—(p. 56.)

In the following passage Sir John Walsh hits the nail on the head:—

'It may be that what the Movement party had gained in the respectability of its more prominent supporters, it had lost in the power derived from congeniality of feeling and active sympathy with the masses without, who are the sources of its strength. . . . . That party which enumerated among its adherents the varied information of Mr. Warburton, the ingenious philosophy of Mr. Grote, or the high literary talent of Mr. E. Lytton Bulwer, could not be stigmatized with coarseness or vulgarity. But if it was less displeasing in these respects to the fastidious, *it was deficient in the enthusiasm, in the impetuosity which would have developed its full power, in vigour and earnestness of purpose.* A man armed with a club may put himself into all the graceful positions of a fencing-master, but, if he desires to make the most of his weapon, he must grasp it in both hands, and lay about him without regard to rule.'—(pp. 58—9.)

That any one of the three gentlemen who are here mentioned, or of several others who might be added to them, could singly have accomplished in the last four years more than has been done in that time by the whole body of Parliamentary Radicals, no one who knows them can doubt. If any one of them had put forth his whole strength, in how different a position would he have now stood! What corresponding energy he would have called forth in many who now have been quiescent! and how different a place would the Parliamentary Radicals have by this time occupied in the public eye! Why have these men not shown themselves equal to the emergency? Why are they allowing the destinies of the country to slip through their hands? Because '*they are deficient in the enthusiasm, in the impetuosity which would have developed their full power, in vigour and earnestness of purpose.*'

There never were men purer in intention than the more influential of the Parliamentary Radicals. The opinions of most of them are in opposition to their private interests. Personal ambition they have none—would that they had! In *passive* virtue—in determination to sully their hands with no iniquity—in resistance to all propositions, from whatever quarter coming, inconsistent with the most rigid justice—no body of politicians ever were so exemplary. Of the three parties in Parliament they are beyond question the party of the most scrupulous conscience. Sir John Walsh helps to swell the vulgar cry that property is in danger from them. Whenever, on the contrary, property is endangered, it is on them chiefly that reliance is to be placed for its security. Sir John is miserably mistaken when he says that Lord Grey at the meeting of the first Reformed Parliament could have 'paid the fundholders 7*s*. in the pound' (p. 10). Had no one else resisted such an iniquity, it would have raised such a spirit among the Radicals as would have ignominiously hurled its author from power. It is by the opposition of the Radicals, that measures inconsistent with the legal rights or just expectations of individuals are usually defeated. Sir John seems to take credit to the Tories for compelling the relinquishment of the clause in the Irish Church Temporalities' Bill which imposed a tax on existing incumbents. That clause was abandoned in consequence of the general opposition of the Radicals. They had their full share in defeating the proposition of the Whigs in 1831 for taxing the transfer of stock, in violation of the express conditions on which every loan was concluded.

How comes it that with so much passive integrity, there is in these men so little active energy? Why is it that men whom no consideration would bribe to do anything *against* their consciences, cannot be urged by any strength of motives to do

anything *for* them? Because this is not an age of heroism, or of disinterested exertion, or of vigour of purpose; because the institutions which Sir John Walsh venerates, and the men whom he eulogizes, have actually extinguished activity of intellect and energy of character among our higher classes; because our church, our schools, and our universities, will not suffer great minds to grow up among us—minds fitted to accomplish great things, and to make their spirit pervade and elevate the smaller minds around them. It is because this people is becoming more and more a people of mere Mammon-worshippers—and will soon be irretrievably sunk into that worst degradation, unless our institutions of education, from Lambeth and Christchurch to the lowest charity school, shall be radically reformed,—unless a spirit in every respect the opposite of that which now prevails, shall penetrate into every nook and cranny of them, and give the dead carcasses a new life.

We offer this to Sir John Walsh as what he so earnestly demands, a categorical declaration of the principles and purposes of the Movement party. We hope he is satisfied. *These* are our purposes. We have others; but these being the greatest, the most distant, and the most difficult of accomplishment, may be considered our ultimate objects. When this point is reached, we will not say that we shall stop, for it would be absurd to set limits to improvement: but it is not probable that, these things being attained, anything very important will remain to be struggled for.

When therefore Sir John demands to be told how far we desire to go in constitutional change, we answer, that this depends mainly upon Sir John's friends. We desire no constitutional changes, except as means; and necessary means we believe them to be, because the opinion we entertain of Sir John and his associates does not suffer us to believe that they will give us our ends without them. If we are wrong in this, the men whom Sir John celebrates have it in their power to undeceive us. They have only to *be* what Sir John says they already *are*. When they have given us a good code, a cheap procedure, courts which bring justice home to the people's doors; when they have abrogated the corn laws, corrected all partial taxation, abolished all useless expenditure, and taken off all restrictions upon industry; when they have made Ireland what it is fitted to be, the garden, not the Golgotha of Europe; when they have given us (what most civilized countries possess) an organized system of administration, in which every public function has somebody trained to it, somebody responsible for its performance, regularly watched and systematically instructed by superior authority; when they have done all this, and last and greatest of all, when, in

the place of a church and universities which are a disgrace to reason, and a laughing-stock to Europe, they have given us such places and such methods of education, both for young and old, as are suited to the wants, and therefore in some important respects opposed to the spirit, of the age;—when these things shall have been done, and done without organic changes, then let Sir John Walsh repeat his question, and he shall receive an answer to his heart's desire.

A.

Art. II.

THE QUARTERLY REVIEW FOR APRIL, 1836.

ARTICLE ON FRENCH NOVELS.

It is usual to consider the comedies of Aristophanes and Molière, as well as the novels of Le Sage, Fielding, and Smollett, as tolerably accurate representations of the manners of the countries and times in which they were produced. The Quarterly Review, applying a similar hypothesis to our own times, has recently produced, as examples of French manners, a *cento* of horrors and licentiousnesses from the French novels and dramas of the present day. It is not our intention to inquire just now how far the works themselves are fairly characterized by the specimens which the reviewer has been pleased to exhibit of them. The Quarterly Review, as every one knows, is not famous for the strict honesty of its criticisms.* Reserving for other opportunities what we might have to say (and there is much more to be said than the Quarterly reviewer dreams of) respecting some of the most

* Of the lengths to which the author of this particular article is willing to go, for the purpose of making out a case, a judgment may be formed from trifles. He surmises that the extraordinary writer whose works appear under the pseudonyme of George Sand, has adopted that name because it was that of the assassin of Kotzebue; and he denies to M. de Balzac any right to the aristocratic *de*, and founds large inferences with respect to French vanity and pretension upon his assumption of it, the evidence being that a Brussels bookseller, in the title-page of a pirated edition of one of his early works, printed his name without the particle!

If the reader is not yet satisfied, we refer him to those pages of the article, in which the critic has presented us with a view of the life, character, and writings of Rousseau. Few of our countrymen know much of Balzac or George Sand; but there are, fortunately, even in England, not a few who are qualified to compare this virulent libel with some idea of Rousseau, drawn from actual knowledge of his history or his works. The writer who would *so* conceive such a man, is wanting in the very *capacity* to give a fair representation of any person who deviates one tittle in speculation or practice from the conventional standard.

As a contrast to this miserable effusion of bigotry and spleen, we cannot help referring the reader to two papers in a contemporary periodical, containing the most philosophical as well as the most impartial view of the character of Rousseau which it has been our fortune to meet with. They are in the first series of Tait's 'Magazine,' and there can be no impropriety in attributing them to Mr. Roebuck.

noticeable of these performances, whether ethically, or critically, considered, we for the present will not dispute with the reviewer the *minor* of his syllogism, but we have a question or two to put regarding the *major*. To what extent are works of fiction, which profess to paint contemporary manners, entitled to be viewed as a correct picture of those manners? It has occurred to us, that in the great number of works of fiction produced in our own country in the present age, and professing to describe the manners of their country and age, we possess more than ordinary facilities towards the solution of this question. We have no means of measuring the accuracy of the pictures of Aristophanes, and but imperfect means of testing those of Molière and Fielding, nor are there many among us who can speak from personal knowledge to more than the merest surface of the manners of foreign countries in our own day; but whosoever sees with his eyes, and, like Pistol, 'hears with ears,' has a gauge which he can apply to descriptions of the contemporary manners of his own country.

We shall commence our inquiry with the only work of him who, of the writers of his age, was *facile princeps* in this walk of literature, that occurs to us as having reference to his own age. The only work, we believe, of Sir Walter Scott, which treated of the manners of his own day, is 'St. Ronan's Well;' and what a picture of manners and of morals does it present! In the first place we have two brothers, (at least sons of the same father—an English Earl,) the younger of whom, after robbing the elder of his birthright, next by a piece of the blackest villany deprives him of his mistress, then endeavours to rob him of his character, and lastly of his life. Secondly, we are introduced to an assemblage of the Scottish aristocracy—mostly, too, represented as of illustrious and ancient blood; who, with very few exceptions, to the coarsest manners—manners approaching to brutality—unite morals of the most abandoned and shameless profligacy: and of the exceptions to utter profligacy of morals, all, except the heroine of the story and perhaps the hero, are represented as thoroughly frivolous and heartless, devoid of the slightest particle of elevated or generous feeling. The Scottish aristocracy are not the *élite* of mankind; but never, we believe, was such an assemblage got together as the specimens of his country's nobility and gentry, which that country's greatest novelist has grouped together at his Well of St. Ronan's. Now, would a Frenchman be right if he took the first portrait for a fair specimen of the English nobility, and the second picture for a correct representation of the Scottish nobility and gentry of the present day?

The next example we shall take from a writer whom we rank high as a novelist, but whom, as his name is not avowed in con-

nexion with the novels usually attributed to him, we should consider it discourteous to name,—we mean the Author of 'Adam Blair.' In 'Adam Blair' we have the powerfully drawn, but somewhat anomalous picture of a Scottish Presbyterian clergyman, a class of men distinguished by a puritanical observance of exterior decorum, who, being tempted by a rather handsome woman, does not, like the Hebrew Joseph or the Scottish Dominie Sampson, say, 'I am strong—lo! I will resist,' and resist accordingly, but on the contrary yields, in the fullest extent of the term, to the temptation. Again, in 'Matthew Wald,' another very powerfully written work of the same author, (indeed we think the most powerful novel of its kind produced for many years, though it seems to be almost unknown,) we have another portrait of a Scottish Presbyterian clergyman, drawn with darker colours than the former,—a portrait which it would have gladdened the heart of Thomas Hobbes, John Milton, Oliver Cromwell, David Hume, or any other stout and hearty Presbyterian-hater, to behold. Now, if a foreigner were to conclude (as he probably would, if he thought himself entitled to conclude anything from such premises) that the Scotch Presbyterian clergy were an exceedingly immoral class of men, we put it to the author of 'Matthew Wald' and 'Adam Blair,' would there be any justice in the conclusion?

Mrs. Gore, in a series of clever novels, entitled 'Mothers and Daughters, a Tale of the Year 1830;' 'The Fair of May Fair;' 'The Sketch Book of Fashion,' &c., has given a representation of the morality of the higher classes of the women of England, which, if it were not to be taken (and we doubt whether foreigners will so take it) as written in a strain of fine irony, as the exaggeration of a professed satirist, must be considered as a libel upon the maids and matrons of England, about equal to that which the Tories have of late been unjustly imputing to Mr. O'Connell. Mrs. Gore describes them as venal, light-minded, and heartless; the married women as bad wives and bad mothers; the unmarried as empty, selfish, ready to sacrifice every thing for wealth and rank:—all as entirely given up to the pursuit of frivolous and vicious pleasures: fair indeed—lovely as the voluptuous witches of Marlow's Faustus—

> 'Shadowing more beauty in their aëry brows
> Than have the white breasts of the Queen of Love'—

but then, like those same witches, they are demi-devils, and 'have in them more destruction than the sword, for all their cherubim look!' She represents them as furnished, indeed, with a few frivolous, silly, useless accomplishments, but void of all generous aspirations, ignorant of all knowledge, and regardless of every

duty. It may well be supposed that the remainder of a picture of society, in which the women are such as we have alluded to, would belong rather to the brazen than the golden age of the world; that marriage would be a legal prostitution; fidelity to the marriage vow would, as a natural consequence, be scoffed at; sincerity and truth obsolete; industry and knowledge despised: in a word, 'that the decencies as well as the virtues of life would have passed away, and every licentious desire have uncontrollable dominion.' Perhaps one of the most deplorable features in the whole picture consists in the exceptions among these women to the general demoralization,—individuals appearing here and there upon the scene, of whom their 'world was not worthy:' for, being unable to escape from the general lot of their class, their particular moral superiority only serves to render them wretched by making them sensible of their degradation. The lamentation of the hapless Penthea, in Ford's tragedy of 'The Broken Heart,' is applicable to their miserable condition:—

> 'Oh, my wreck'd honour! ruin'd by those tyrants,
> A cruel brother, and a desperate dotage.
> There is no peace left for a ravish'd wife
> Widow'd by lawless marriage; to all memory,
> Penthea's, poor Penthea's name is strumpeted.'

Again, we have heard somewhat of late years of the follies and vices of the English aristocracy, who are not to be supposed, any more than any other aristocracy, to be devoid of such. But are they really so bad as represented by a popular, or at least a fashionable writer, in a novel called 'The Young Duke?' We know that there are *old* Dukes in England who are tolerably long-headed, sagacious gentlemen; and though we cannot say as much for the young Dukes; we greatly doubt whether a single living specimen could be found, combining in his person so much of vice, folly, and vulgarity as is here exhibited.

We shall take one popular writer more, the author of the 'Chronicles of Waltham.' The individual who may be considered the hero of that work, out-herods Herod, or rather out-belials Belial, in every description of wickedness. Such a monster of iniquity never, we believe, came from the hands or the brain of the most outrageous French horror-manufacturer that has roused the virtuous indignation of the 'Quarterly Review.' Now, this superfine scoundrel is the son of a Tory clergyman, the nephew of a Tory Baronet, and the pupil of a Tory tutor. Would the English Tories think it just for foreigners to infer from this that such was the general result of a Tory breeding?

We do not find the subject sufficiently attractive to pursue this induction any farther; but what has been adduced is, we think,

sufficient to prove that works of fiction, as far as they are to be viewed at all as a picture of the age they profess to paint, are to be viewed as an exceedingly exaggerated, high-coloured one, giving a most undue prominence and importance to follies and vices, as well as violent passions. It is somewhat as if a traveller, finding a burning mountain in a country, were to represent the country as entirely made up of burning mountains. We do not deny that works of fiction may be found which represent the common-place features rather than the eccentricities of their age,—the plains rather than the mountains and valleys of society;—such are Miss Austen's novels. But that this is not the general character of such works, the examination we have made above, extending to five of our most popular writers, sufficiently demonstrates.

There is another point of view in which this subject may be regarded. It may be said that though popular works of fiction may not be an exact representation of their age and country, yet the *popularity* of them may, to a certain extent, be considered a measure of the taste of the age and country in which they are produced, and therefore to a certain extent, also, of the morality of that age and country. This must, with the limitation expressed, be admitted. For it is true of a nation, as of an individual, that when a story is presented to its contemplation, containing characters and incidents that shock its habitual associations, it says substantially, though it may not have read Horace, *incredulus odi.*

In regard to the relation subsisting among the members of that small society of human beings consisting of a father, mother, and children, and called a family, Christianity and the laws and customs of modern Europe have firmly established certain associations in our minds. By these associations, on the one hand, all malevolent feelings, on the other, all feelings of a sexual character, between persons closely allied by blood, are not only rigidly proscribed, but habitually connected with all the most painful and revolting images that could find place in the mind of man. They are so now, and they have been so for several centuries at the least. And yet, upon the revival of learning in Europe, some two or three centuries ago, the interest of very many of the literary fictions which then sprung up in vast numbers, was made to turn upon offences against this association. This is peculiarly the case with the so much admired old English dramatists. These, it is said, borrowed many of their fables from Italian subjects. The fact of borrowing, however, even if it were universal, (which it is not, many of the stories being English with foreign names,) proves nothing in favour of the bad taste not being English, since the success proved that it was. Let any writer of fiction try now-a-days to naturalize a French or Italian or German story

of parricide or incest, and he will see the difference. But in some of our most admired old dramatists, such as Beaumont and Fletcher, Ford, and Massinger, parricide and incest meet us, if not at every turn, at least far too often for our taste; and where they are not, we encounter in all their horrors the rack, the stake, the gibbet, the dagger, and the bowl. So much is this the case, that though greatly admiring the poetical beauty which is scattered with such profusion in many of those productions, we have generally risen from the perusal of them with a resolution never again to recur to such a dark and horrible though gorgeous dream of life. From this general propensity one or two writers were in part exempted by that healthiness of moral temperament which usually accompanies pre-eminent vigour of intellect, and which, while it made them turn to the most advantage the favourable, enabled them to overcome the unfavourable circumstances of their age. In fact, such works were the productions of a rude, yet strained and unnatural state of society,—a state of society which, just emerging from barbarism, though it assumed an air of much external pomp and magnificence, had very little of tranquillity and comfort, and remained substantially little removed from the state where there is 'continual fear and danger of violent death, and the life of man solitary, poor, nasty, brutish, and short.' A man who has been in the habit of seeking the excitement produced by opium or alcohol becomes insensible to gentler stimulants. Similarly, a man who lives in a state of society which presents to him in his every-day existence a succession of scenes of violence and pain, when he goes to the theatre in quest of serious emotion, will be disappointed if he is not presented with scenes of violence and pain,—with incidents more fearful than those he daily sees in the world around him. If the dramatist does not satisfy this craving, he fails in his object—he fails to excite in his audience the emotions which it is the business of his art to produce.

If this apology be available for our own ancestors, may not a similar one be pleaded for the French of the present times? Have not they, too, just emerged from a period in which the intense and overpowering interest of real life was such as it was difficult for fiction to match, while restrained within the bounds prescribed by conventional or even by rational notions of decorum? If a work of imagination does not exceed, can it possibly equal, the horrible interest of the 'Mémoires sur les Prisons?' Add to this that French literature has just broke loose from the canons of a factitious *bienséance*, according to which it was hardly decorous to *represent* anything which it was not decorous to *do*;—that the reaction has naturally been proportionally violent, and that the first unbridled licence of literary emancipation is not yet over;—and

we shall not wonder if horrors and coarsenesses are largely scattered through the French literature of our own, as through the English of a former day.

From such characteristics of their age its writers of greatest genius are always exempt. They rarely revolt the reader, and when they do, it is always for a moral purpose. He who to a minute acquaintance with the workings of human passions unites an acute perception of the grand and the beautiful, morally and physically, is under no necessity of resorting to coarse stimulants. He is able to call up the emotions of pity and terror, unmingled with those of horror and disgust. This was what Shakspeare alone, of the body of extraordinary writers who signalized his age, completely succeeded in doing. Ben Jonson works in somewhat the same way, though with far less power, and consequently less effect. To both may be applied the lines which Jonson adopted as the motto to 'Sejanus.'

> 'Non hic Centauros, non Gorgonas, Harpyiasque
> Invenies: hominem pagina nostra sapit.'

On the other hand, the bulk of those writers work in such a manner, that to a civilized human being the excitement they produce is far more of a painful* than a pleasurable kind. In applying the above line to them we must omit the negative, with which omission it has been fitly used as the motto to the Garrick collection of old plays—

> ——'hic Centauros, hic Gorgonas, Harpyiasque
> Invenies:'

which may be paraphrased in the words of Milton—

> ——'all monstrous, all prodigious things,
> Abominable, unutterable; and worse
> Than fables yet have feigned, or fear conceived;
> GORGONS, and HYDRAS, and CHIMÆRAS dire.'

We shall give two specimens, which contain within them a very fair share of the horrors of which we speak. The first is the 'Unnatural Combat' of Massinger, and presents a bill of fare in

* The barbarians, indeed, who could take pleasure in such sports as the one described in the following note of Mr. Gifford, might easily be supposed to derive unmixed delight from the representation on the stage of what to us appear the most horrible and revolting actions and passions. 'To *seel* is to blind by sewing up the eyelids. It is told, in the Gentleman's Recreation, that this wanton piece of cruelty is sometimes resorted to for *sport*. The poor dove, in the agonies of pain, soars, like the lark, as soon as dismissed from the hand, almost perpendicularly, and continues mounting till strength and life are totally exhausted, when she drops at the feet of her inhuman persecutors'—*Note on the line*

> 'Ambition, like a *seeled* dove, mounts upward,'

in the 'Broken Heart,' a beautiful and touching play of Ford's, and free from the revolting qualities that too much characterize his dramas.

the way of crime that it would not be easy to match. A man poisons his first wife to make way for a second. A son he had by the first, having become acquainted with this fact, nourishes a deadly hatred against his father, by whom he is at last killed in a duel. The father also entertains an incestuous passion for a daughter he had by his second wife, in which he fortifies himself by the following pretty piece of logic:—

> —— 'Why was I—
> Since 'twas my fate, and not to be declined—
> In this so tender-conscienced? Say I had
> Enjoy'd what I desired; what had it been
> But incest? And there's something here that tells me
> I stand accountable for greater sins,
> I never check'd at. Neither had the crime
> Wanted a precedent. I have read in story,
> Those first great heroes that for their brave deeds
> Were in the world's first infancy styled gods,
> Freely enjoy'd what I denied myself.
> Old Saturn in the golden age,' &c.*

He then goes through a list of the incestuous achievements of those early worthies, (which would much shock the chaste ears of the writer in the 'Quarterly Review,' though it was edited by a former editor of that journal,) passing, by what may be termed an easy and natural transition, from them to the brute creation. This amiable and exemplary father, however, like Virgil's shepherd, *non quid speraret habebat*. But his daughter is violated by his bosom friend (whom he had formerly robbed of his mistress), and dies of the ill treatment she had met with. This old gentleman (who, by the by, is a person of station—an admiral-in-chief) is killed with a flash of lightning. This is what Mr. Charles Lamb would call 'to move a horror skilfully—to touch a soul to the quick—to lay upon fear as much as it can bear—to wean and weary a life till it is ready to drop, and then step in with mortal instruments to take its last forfeit.'

Our second specimen is a play of Ford's, the name of which we will not write down, for the same reason which is assigned by the Quarterly Review for omitting the names of some of the modern French novels; although the former editor of the Quarterly, less nice, has printed it at full in his edition of this writer, so late too as the year of Grace 1827, the place of publication being not

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* The old English poets seem to have been forcibly struck by this quality of the ancient Greek deities. In the temple of Venus, at Sestos, says Marlow,

> —— 'might you see the gods in sundry shapes
> Committing heady riots, incests, rapes.'
>
> *Hero and Leander*, 1st Sestyad.

See also, in 'Il Penseroso,' Milton's account of the pedigree of Melancholy.

licentious Paris, but godly London, and the publisher Mr. Murray, of Albemarle-street. The subject is incest between a brother and sister, with the accompaniment of marrying the sister to a suitable husband, for the purpose of concealment. The brother afterwards kills her and her husband, and then perishes himself, after having committed as much mischief and shed as much blood as he could. There is, with all this, a due proportion of poisoning, putting out of eyes, and burning to death, not to mention the usual allowance of ribaldry and indelicacy; and, what is sometimes in these days of ours forgotten to be the property of semi-barbarians, duplicity and lying. Another fine subject for the eulogist of 'moving a horror skilfully.' There are a good many plays of these writers in the same category with the one just mentioned, *i. e.* the names of which are words now considered obscene. We cannot help thinking that those names were purposely adopted at the time *ad captandum*. The character of those names may be indicated to the reader by the name of a play of Marlow's—'Lust's Dominion, or the Lascivious Queen,' evidently adopted with the view above mentioned. All which proves that there then existed in the English public a pretty strong appetite for writings, if not absolutely licentious, certainly very little short of it. One of Marlow's plays opens with a tender love-scene between Jupiter and Ganymede, which we have considerable doubts of the Quarterly reviewer's ability to 'turn to the interests of virtue,' or even to match in the whole circle of the modern French dramatic or novel literature. But

——'Ohe!

Jam satis.'

Well might Mr. Gifford say that the audiences of Ford's age had firmer nerves than those of ours, and that 'they needed them.' Truly they did. But we have already attempted to explain the phenomenon.

A change came over the spirit of English society. There happened a mighty political revolution, which in time produced, as might be expected, a considerable social change. Englishmen became more secure both in person and property. The tide of their existence flowed on more smoothly: its course was less habituated to be broken by sudden and violent shocks. In a word, their life became more tranquil—less liable to be disturbed by violent emotions. Consequently the emotions which they sought from the theatre had need to be less violent too; and, consequently, Mr. Lamb's sovereign recipe for 'moving a horror skilfully,' having lost its efficacy in England, ceased to be employed, and we sincerely hope will never need to be there employed again.

A period succeeded of unbounded licentiousness in the high

places of the land. The fashionable writers, whether dramatists or novelists (though the latter was not a numerous class), took the colouring of their fictions from those who were the 'glass of fashion,' and the reign of horrors was succeeded by that of grossnesses. This literature was not confined to a few profligate courtiers and amateur play-goers—it was widely circulated among various classes and both sexes. In a small pamphlet printed in London in the year 1703, and entitled 'The Ladies' Catechism: useful for all eminent females, and necessary to be learnt by all young gentlewomen that would attain to the dignity of the mode,' to the question 'What books do you read?' the answer is 'Lewd plays, and whining romances.' This state of the public taste continued for little short of a century; and it was not till towards the end, or at least considerably past the middle of the last century, that a purer tone began to pervade English works of fiction.* It is somewhat curious, as bearing upon the remarks we have made, that in Horace Walpole's play, 'The Mysterious Mother,' which Lord Byron characterized as the 'last tragedy,' the plot turns upon a double incest, between a mother and son, and a brother and sister. The author remarks that his story exceeded in tragic horror the Greek story of the same kind. It certainly did, inasmuch as the incest was not, as in the case of Œdipus, involuntary.

But how happened it that, while a ribald coarseness pervaded the dramatic literature of England as of most other European countries that possessed any, so strict a decorum distinguished the French? We believe this effect to have been owing, in a great degree, to the personal character of an individual, Louis XIV. Louis renounced, and his courtiers followed his example, much of that grossness of outward form in which his predecessors had clothed their vices. He discountenanced frequency of oaths, and grossness of language. About the same time the imitation of the

* 'Of rude and uncultivated nations,' says Mr. Mill, 'and also of rude and uncultivated individuals, it is a characteristic to admire only the system of manners, of ideas and of institutions to which they have been accustomed, despising others.'—History of British India, vol. ii. p. 142. An exemplification of the truth of this remark is afforded by the critics of the William Gifford and Quarterly Review school. Those writers have been in the habit of attacking everything American since the American revolution, and everything French since the French revolution. According to them, it would appear that every species of immorality has been imported from France into England. It is curious, though not less than a correct reasoner and close observer of human nature would expect, that the French vulgar make a somewhat similar charge against the English. Any one who has resided in France may have observed that many French substantives, which in themselves have a very innocent signification, assume a totally different character, and are taken *in sensu malo*, and sometimes *in sensu obscœno*, by having the adjective *Anglais* joined to them. It has almost the effect that the adjective 'French' had on the English mob when applied to the unfortunate Turk in Mr. O'Connell's celebrated story.

ancient models in all kinds of literature became common. These two circumstances together gave rise to what has been termed (with what accuracy it is not our present business to inquire) the French classical drama—the drama of Corneille and Racine—we may perhaps add of Molière and Voltaire. The stiff and hypocritical decorum of Louis's stately court would seem to have transmigrated into the pens of his dramatists. For aught we learn from them, the morals of their age, and of the court of their *grand monarque*, might have been as pure as those of the fabled Arcadia. And yet, that this was not the case we have abundant evidence, and that too of undoubted authority. From this evidence it appears that France, at a time when her dramatic literature was so pure, was at the least as licentious as now, when her dramatic and her novel and romance literature are what may appear the reverse. In one of his satires Boileau thus measures the numbers of the women of his age who were irreproachable in conduct:—

> —— 'dans Paris, si je sais bien compter,
> Il en est jusqu'à trois que je pourrais nommer.'

We say that this literature was the literature not of the French court in general, but of that of Louis XIV. in particular, because the stiff decorum and absence of grossness which distinguish it are not found in the French court writers of other eras. If the writer who is shocked at the licentiousness of Rousseau, and what he calls his sect, will read Brantôme, he will find that the wildest licentiousness which the wildest imagination of modern writers can paint, is tameness compared to the actual state of things, to the sober reality, described by Brantôme. He will find existing at the courts of France and Spain about the time of Francis I. a society as free in its notions and conduct, as to some branches of morality, as that described by voyagers as existing, or as having existed, in Otaheite. And by extending his research to a few out of the hundreds of memoirs and other documents, published and unpublished, relating to the social condition of the French court and aristocracy, he will find small cause to eulogize the superior strictness of the *ancien régime*. From this it appears that so far from the French aristocracy having become more licentious towards the end of the eighteenth century than they ever were before, they were much less so than they had been two or three centuries previous.

But we have bestowed a length of notice upon this writer, proportioned rather to the claims of his subject than of himself. To the one we trust we shall often return; to the other we bid farewell.

B. *

Art. III.

SIERRA LEONE.

The White Man's Grave. A Visit to Sierra Leone, in 1834. *By F. Harrison Rankin.* In 2 vols. Richard Bentley.

THE colony of Sierra Leone was founded in the year 1792 by a mercantile company, under the auspices of Granville Sharpe, Wilberforce, and others, with the double object of commerce, and of ameliorating the condition of the negro race. The first settlers were free blacks, who had been proprietors of land in the southern states of North America; and who, having in the war of independence belonged to the loyalist party, were in consequence deprived of their property. The English Government assigned to them as compensation certain tracts in Nova Scotia. The climate, however, proved injurious, and baffled an agricultural experience obtained in Carolina and Virginia. They, therefore, willingly agreed to be transferred to a country more suitable to their constitution and to their habits. In 1792 they arrived (to the number of 1,131) at Sierra Leone. It was during the rainy season. The water fell incessantly, covering the earth like a deluge for between four and five months. No houses were ready for their reception. The ground was uncleared. All was impenetrable rush. Food and raiment were deficient. The store-ship, so anxiously desired by the starved multitude, was filled only with watering-pots by the friends of agriculture, who had heard that Africa was a hot country. Disease raged amongst the settlers. Sick men lay exposed on the bare ground, or crawled beneath the bushes for protection. Many died; few expected to survive. Out of eleven hundred, seven hundred were ill; six or seven perished daily. Hundreds died, and this, according to our author, was the first cause of the reputation of Sierra Leone for pestilence. He attempts to prove that on the whole the climate of the colony is a good one, and that the former mortality amongst the white men resulted from their excesses and follies.

'Intemperance* may be cited as one of the most general and potent causes of disease; profuse perspiration, and a thirst increasing on gratification, easily lead to frequent excesses, even where habits have previously been moderate.

'The mode of life amongst the first white colonists was a series of experiments. Different climate, and different food, required departure from usual habits. Healthy exercise became fatal fatigue. Morning exposure to the outer air, bracing in England, is prejudicial in Sierra

* 'Rum costs a "cut-money," or thirteen-pence, a bottle; "Hodgson's mild ale," the only malt liquor to be there obtained, the same price: with such a choice it is easy to judge to which the lower classes would give preference.

Leone. Champagne, which exhilarates in one temperature, may convey a stream of fever in another. A cooling breeze will refresh here, and there prove fatal. In England, woollen clothing is considered more suitable to winter than summer. In Africa, the person ought to feel it in immediate contact when the air is most sultry.

'A party of gentlemen at Sierra Leone determined to brave the heat, and insult its power, by a game of cricket, with the thermometer probably at 98 deg. in the shade; they selected the scorching plain of the race-course for the exertions of this exciting sport, and in full exposure to the meridian sun. Twelve or fourteen only blinded themselves to the folly. Abundant wines and liqueurs were at hand for refreshment and hospitality. They left the cricket-ground, burning with fever voluntarily sought; and after a fortnight one only is said to have been living. The death of so many was not referred to the right cause, but was instanced as a fresh and melancholy proof of the pestilential climate. Examples might be multiplied.

'Of the particular causes of the unhealthy reputation of the colony, one more remains to be noticed,—the mortality amongst the seamen.

'This class of men is exposed to every danger of climate, and upon the destruction of life amongst them are founded the most formidable arguments on the subject. This destruction has been appalling; cases have occurred in which a crew has been entirely swept away. The wages of a sailor to Sierra Leone are on the highest scale, and difficulty is occasionally found in procuring hands. A fact, however, is established; men who have once been there, and have seen the real state of the country, seldom object to return.

'A few words will explain much. The great loss of life amongst the seamen *does not take place at Sierra Leone.* Although the vessels are nominally chartered to that port, they chiefly seek distant rivers, in the flat unhealthy part of the coast, already distinguished from the Peninsula of the British, and in possession of the savage aborigines. These pestilential streams, far from Sierra Leone, being favourable to the shipment of the teak, or African oak, of the bordering forests, are frequented by the British merchant-ships. They load at factories held by factors through the permission of the native chiefs, who receive for the privilege annual payments. The supply at Sierra Leone is inadequate to the demand. As, however, the merchant and the custom-house are at Freetown, every timber-vessel, although in reality bound to the land of the Sherbro's or Soosoos, must enter at the British custom-house in Sierra Leone. In England all their custom-house papers are consequently made in reference to this arrangement, and to this colony they are chartered. Thus, although anchoring for a single day off the colony, according to custom, and then sailing for the distant Scarcies or Malacourie for a sojourn of many weeks, in Lloyd's list and elsewhere they are simply referred to Sierra Leone. It is in these foul rivers that disease infects a crew: and at Sierra Leone it is notorious, and it is a matter of daily occurrence, that the sick of these timber-ships are sent from the unhealthy country to Freetown for recovery: and, of those who reach the British colony, few die. This circum-

stance is not generally known in England; where all losses upon the coast *within some hundred miles* are incorrectly connected with Sierra Leone from the circumstance of the formal custom-house entries. The rivers which receive the greatest proportion of teak-ships are the Malacouric and the Scarcies, both dreaded by seamen; the first particularly: it is a dull stream, bordered by swamps and mangrove, and breathing fogs; prolific only in disease, musquitoes, and the hippopotamus. Its weary heat, its sluggish close atmosphere, its clouds of musquitoes, are attributes never forgotten by the sailor who has lived to tell his experience of the Malacourie.'—p. 168—174.

Though our author succeeds, we think, in showing that with proper precautions the white man need not fear the climate of the colony, nevertheless it can be but a disagreeable residence for him. The following description of a night at Sierra Leone is anything but enticing:—

'Night, the friend of the weary, here becomes his foe, and calls in an army of enemies to join in hostility. The enormous cockroach crawls over the body, and, if permitted, nibbles the end of the fingers, producing a wound of tedious cure. The praying mantis swarms; a fat, loathsome, green insect, held in great awe by the blacks, who believe that it causes blindness by attacking the eye with its crablike claws. Musquitoes are not frequent, it is true; since, according to report, the climate of Sierra Leone is too deadly even for these persecutors of the human race, the offspring of pestilential marshes: yet, a single musquito in the chamber will destroy all hope of repose. The little bug-a-bugs, small amber ants, infesting every house, and eating away its wood work, spread themselves thickly over the bed; large tarantulas fall from the ceiling upon the sleepers; gigantic black crickets ingeniously perch themselves near the ear in some hidden nook, and "grate harsh music:" but, above all, the intolerable prickly heat plunges into the white man its thousand stings, and makes him start from his couch in despair. For long I attributed this torture to the malice of insects.'—vol. ii., p. 15, 16.

The black race are more happily constituted. An amusing account is given of the difficulty of arousing from their slumbers the negro servants of one of the principal persons of Sierra Leone:—

'Their deathlike drowsiness was mentioned, and that strange and unconquerable aversion to the repose of a bed, which leads them to choose for their resting-place any spot where they may chance to find themselves when dismissed from the labours of the day. On this occasion the heavy major-domo was discovered lying upon his back on the top of the staircase leading to the kitchen; his outstretched legs were dangling upon the steps, the upper portion of his body was reposing upon the floor of the verandah. Many rough efforts were necessary in order to still the booming tones issuing from his black proboscis; and, as soon as domestic arrangements had been concluded under his auspices, he again carelessly threw himself upon the bare boarding of the corridor, and recommenced his *sostenuto solo*. The

lethargy of sleeping negroes is miraculous; nothing short of excessive personal violence can shake it from them: the bite of the insects, and their excursions over the face and body at night, by no means disturb them; they acquire a habit of striking these intruders even whilst soundly asleep,—so that should they receive a smart blow upon the face or even a kick upon the head from a friend desirous of awakening them, the chance is that their hand is instantly and mechanically raised to clap the injured part or rub it, under the dreaming impression that the pain has been caused by a cockroach or musquito: the hand falls, and they slumber on.—vol. ii., p. 13, 14.

When, in 1807, the slave trade was abolished by an Act of Parliament, Sierra Leone was selected by the British Government as the abode of the liberated negroes, who now form the great mass of the inhabitants of Freetown, and the entire population of the rest of the Peninsula.

The Portuguese were the first who, about the year 1503, sent from their African settlements a few slaves to the Spanish colonies in America. In 1511 Ferdinand the Fifth, King of Spain, permitted them to be carried in greater numbers. After his death Bartholomew de las Casas, the Bishop of Chiapa, proposed to Cardinal Ximenes the establishment of a regular system of traffic in the persons of the native Africans. The object of the Bishop was to avert a similar evil from the American. The Cardinal, however, refused to accede to this proposal. After his death the Emperor Charles the Fifth encouraged the slave trade, and in 1517 granted to one of his Flemish favourites a patent conferring an exclusive right of importing four thousand Africans into America. Since that period the slave trade has gone on flourishing. The first importation of slaves by Englishmen was during the reign of Elizabeth, in 1562.

It had been supposed that slaves, on being brought to England and baptized, became free. In 1729 an opinion to the contrary effect was obtained from Yorke and Talbot, who were then attorney and solicitor general. In consequence of this opinion slaves absconding were advertised in the London papers as runaways, and rewards offered for their apprehension. They were advertised in the same papers to be sold by auction, sometimes in company with horses, chaises, and harness. A trade in kidnapping then commenced, and persons made agreements with captains of ships going to the West Indies to put them on board at a certain price. Granville Sharpe was the person who first took up their cause; in consequence of his exertions, at last, in 1772, a decision was obtained from the judges that as soon as any slave set his foot upon English territory he became free so long as he remained in England.

This was the first step. The next, the abolition of the slave

trade, was the last act of the Grenville administration. The Grey administration completed the holy work by emancipating the negroes in the colonies. It is a subject of rejoicing that England was able to free herself from the evils of slavery, and from the reproach of permitting it, by merely paying a sum of money. Would that the same means could be adopted in America with equal advantage! but the dreadful prejudices of the white race seem to render the satisfactory settlement of the question utterly impossible; and the aristocratic aversion of the American towards the man of colour,—a feeling almost inconceivable to Europeans,—creates despair in the minds of those who sincerely desire the prosperity of the United States. Some benevolent individuals in America have conceived the project of gradually transporting the negroes to the coast of Africa, and in consequence have founded the colony of Liberia, about three hundred miles to the south of Sierra Leone; but probably a more chimerical scheme never was framed by benevolent enthusiasts than that of transporting across the Atlantic more than two millions of a population, which is likewise rapidly augmenting. The colony of Liberia will, however, be useful in extending civilization amongst the negroes, and thus be the means of diminishing the slave trade, which as yet flourishes as much as ever.

For it is most incorrect to suppose that, as far as Africa is concerned, the slave trade is to any degree decreased, or the sufferings of its inhabitants alleviated. Never probably have more human beings been torn from that country than since this trade has been pursued in defiance of Great Britain. The evil principle, who is chiefly adored on those coasts, is still triumphant; and men are to be found bold enough to justify the traffic by strange, yet specious, pleas.

The time, indeed, is passed when members of the House of Commons would rise in their places, and maintain 'that it appeared to be the intention of Providence, from the system of the universe, that one set of men must always be slaves to another,'* and defend the slave trade by asserting that, though 'it was an unamiable one, so also were many others; the trade of a butcher was an unamiable trade, but it was a very necessary one, notwithstanding.'† These and similar arguments would justify the enslaving of the Caucasian equally with the negro races. But a distinct plea has been set up in favour of holding the latter in bondage, which deserves some attention. It is said that the negro race is a distinct and inferior species,—that the white man is as distinct from the black as the black from the monkey,—and that

* Debate on the Slave Trade, 1791; speech of Mr. Stanley.
† Debate on the Slave Trade; speech of Mr. Grosvenor.

the European has consequently the same right to hold the latter in bondage as the latter would have to enslave the monkey or any other animal. Many have contended that the black race is the connecting link between the human and the ape tribe, and those who deny the real existence of species, and support the hypothesis of the progressive development of animals, are not at a loss to find arguments in favour of this position. Species, however, seem to have a real existence in nature; that is, individuals may be arranged in natural, not merely arbitrary, classes, which are permanently and distinctly separated from one another, and which do not breed willingly together, or, if they do, the result of such union is a hybrid race, which is seldom or never prolific, and which never can be perpetuated.* It is undoubtedly true that with regard to organization, in many points wherein the Ethiopian race differs from the Caucasian, it approaches to the monkey; and a less striking dissimilarity than there is between the negro and the white man is often, in natural history, a sufficient characteristic of distinct species. Linnæus seems to have considered it excessively difficult so to define man as to include the negro and to exclude the monkey.† However, the fact that the black and white races willingly intermingle, and produce prolific offspring, is sufficient to prove that they are but varieties of the same species, and, until the same fact be proved with regard to the negro and the ourang-outang, the latter must be considered as a distinct species. The distinction which is sometimes attempted to be drawn between

* The Ethiopian comes nearer the monkey "in the greater size of the bones of the face, compared to those of the cranium; the low and slanting forehead; the protuberance of the alveoli and teeth; the recession of the chin; the form of the ossa nasi; the position of the foramen magnum occipitale; the outline of the union of the head and trunk; the relative length of the humeris and ulna, &c. This resemblance is most unequivocally admitted by those who have minutely examined the anatomical structure of the negro."—*Lawrence's Lectures.* The cutaneous secretion of the negro has a peculiar and characteristic odour, and is transmitted to the mixed breeds. Each species of animal, it is known, has its distinct species of parasitic animals: those by which negroes are molested are larger and darker coloured than those of Europeans; but we do not know whether they have as yet been ascertained to be of the same or of different species. Cuvier founds the distinction between man and the ape tribe upon the possession by the former of two, by the latter of four hands; but Soemmering states, with regard to several negroes which he examined, that "both hands and feet terminate in beautiful, but very long, and therefore almost ape-like fingers and toes; and they had all sesamoid bones, which are certainly rare in Europeans." These were probably the difficulties which puzzled Linnæus. Regnard thought the Laplanders still further removed from the human race than the monkey, and concludes his description of those people in the following terms, 'Voilà la description de ce petit animal qu'on appelle lapon, et l'on peut dire qu'il n'y en a point, après le singe, qui approche plus de l'homme.'

† The words of Linnæus are 'nullum characterum hactenus eruere potui unde homo a simia internoscatur.' 'Mirum,' (he says in the Systema Naturæ), 'adeoparum differre stultissimam simiam a sapientissimo homine, ut iste geodætes naturæ etiamnum quærendus, qui hos limitet.'

the human and the brute creation, on the ground of the former being alone possessed of a mind endowed with reason and intelligence, is one beset with so many difficulties, and liable to so many objections, as to have puzzled both philosophers and divines.*

* It is said that Parmenides, Empedocles, Democritus, and Anaxagorus, taught that all beasts are endowed with intelligence. Pythagoras and Plato held nearly the same opinion, though, according to them, beasts did not act rationally, on account of defective organization and the want of speech. Porphyrius considered that they had a kind of language, by means of which they could communicate with each other, and which was intelligible to some persons. Undoubtedly the cries of beasts perform many of the services of a language, but may perhaps be distinguished from a language, properly so called, as being merely the natural expressions of their feelings, and not conventional signs of those feelings. Those who supported the doctrine of the soul of the world, and held that all living bodies contained a portion of that soul, were naturally of the opinion that the souls of beasts were of the same nature as the souls of men. In this manner Virgil affirms the instincts of bees may be explained. Arnobius considers that there is very little difference between the souls of beasts and of men, that both are equally mortal, and that those of the latter will exist in Paradise only through the pure grace of God. Lactantius followed the opinions of his instructor, Arnobius, and affirmed that the only distinction between men and brutes consisted in the worship of God; this would not be a sufficient distinction with regard to those negro tribes who worship a devil. Xenocrates, the Carthaginian, did not deny that animals had a knowledge of God, and, according to Pliny, the elephant worshipped the sun, the moon, and the stars. Solomon seems (*Ecclesiastes*, iii. 19, 20.) to say that the souls of men and of beasts are of the same nature. Maimonides attributes free will to beasts as well as to men. The early Socinians were of opinion that beasts are not endowed with free will, virtue, and vice, but with qualities very analogous to them, in consequence of which they might justly be punished or rewarded. In strict accordance with this analogy, there ought to be something analogous to a Paradise for beasts; indeed, some ancient sects (as old as the prophets, according to Maimonides, as quoted by Arnauld) extended the providence of God to the whole creation, and believed in a future state for beasts. The words of Arnauld are as follow :—'Quand on leur demandait quelle justice il y avoit dans la mort des bêtes, quel peché elles avaient commis, et pourquoi Dieu vouloit, puisque sa providence s'étendait à tout, qu'un rat innocent fût dechiré par un chat, ils répondaient, que Dieu l'avoit ainsi ordonné, mais qu'il recompenseroit ce rat dans le siècle à venir.' It is difficult to say what were the opinions of Aristotle on the subject; it would seem, however, that he only recognised a difference of more or less between the minds of beasts and of men; thus men reason easily and clearly, whilst beasts only reason in a confused manner, like, for instance, idiots and madmen. This distinction would separate some of the negro tribes from the Caucasian race, as the former certainly (though probably from the want of education) are far inferior in reasoning powers to the latter. It should be remarked that the ancients hardly recognised a real distinction between mind and matter; mind, they thought, was a light and subtile matter, like air, or any other gas, in its essence as material, therefore, as water or stone; according to them the mind of man differed from that of beasts in being composed of more or less of this subtile matter, or of matter more or less subtile. Such seems to have been the opinion of the Epicureans, of Lucretius, and of Galen.

Aristotle, in his History of Animals, draws a distinction between men and brutes, on the ground that the former are alone endowed with reminiscence (*αναμνησις*), though many of the latter possess (*μνημη*). This distinction deserves some explanation, as we know no English words which will exactly square with it; indeed, the philosopher himself has not clearly explained in what the difference consists; we shall extract the passage in which he seems to have come nearest to the stating of the distinction intended. *Διαφέρει δὲ τοῦ μνημονεύειν τὸ ἀναμιμνήσκεσθαι οὐ μόνον κατὰ τὸν χρόνον, ἀλλ' ὅτι τοῦ μὲν μνημονεύειν καὶ τῶν ἄλλων ζώων μετέχει πολλα, τοῦ δ' ἀναμιμνησκεσθαι οὐδὲν ὡς εἰπεῖν τῶν γνωριζομένων ζώων πλὴν ἄνθρωπος· αἴτιον δ' ὅτι τὸ ἀναμιμνήσκεσθαι*

Consequently the plea for enslaving the negro, to which we have referred, is not valid; on the contrary, the tendency of the whole

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ἐστιν οἷον συλλογισμός τις· ὅτι γὰρ πρότερον εἶδεν ἢ ἤκουσεν ἤ τι τοιοῦτον ἔπαθε, συλλογίζεται ὁ ἀναμιμνησκόμενος· καὶ ἐστιν οἷον ζήτησίς τις. Distat vero memoria a reminiscentia non solum ratione temporis, sed in eo quoque quod et complures aliæ animantes memoria participant; reminiscentia nulli ex omnium animantium numero quorum natura comperta explorataque habeatur, præterquam homini concessa sit: causa est quod reminiscentia veluti syllogismus quidam, id est, ratiocinatio est, *nam qui reminiscitur, quod prius audierit viderit aut quippiam id genus fecit ratiocinatur.* Thus we are said to remember a sight, a sound, or any other state of consciousness, when we conclude or recognise that we have seen the sight, heard the sound, or experienced the state of consciousness *before.* It is this recognition which constitutes the distinction between reminiscence and the mere calling up by association of a previous state of consciousness without any recognition, which we conceive Aristotle calls *μνημη.* For instance, the sight of a rose may call up the idea of its smell, without any distinct consciousness of a previous occassion on which it had been smelt; yet, as we could not have the idea without having had the sensation, we merely recal a past state of consciousness without recognition; but if, when the rose calls up the idea of its smell, we at the same time recognise the feeling to be similar to that which we had when we presented a rose to an object of ardent affection, we are then said to have *αναμνησις.* Now Aristotle says brutes have not *αναμνησις,* but only *μνημη.* For instance, we find that our dog has killed a sheep; we show him the dead body, and beat him; the next time he perpetrates the same offence he runs away from us, and, when we bring him near the scene of his transgression, he trembles, struggles, and betrays alarm. Now, according to Aristotle, he does not *remember* that we had at a previous period beat him; but the sight of the consequences of his improper conduct calls up by association the idea of the blows of our stick, and the idea of consequent sufferings, and thus creates emotions of alarm; just in the same manner as the sight of an ugly insect may create emotions of fear in a young lady, or the witnessing a benevolent action calls up emotions of pleasure in a well-constituted mind; though the one may not remember that an insect had once stung her in her youth, nor the other recollect that a similar benevolent action had been productive of good to him, both, however, recall past emotions without the recognition of having experienced them before. So does the dog, says Aristotle; he assigns, however, no reason whatsoever for this position, and we know of none which in any way proves that animals want the power of reminiscence in Aristotle's sense.

Some authors have attempted to show that Aristotle considered beasts as mere automata. This position Mr. Bayle refutes, and proves that Aristotle in no way denies that beasts both think and feel, but merely contends that they do not reason, meditate, reflect, or deliberate. The doctrine that beasts are automata originated with Pereira or Descartes, and is chiefly celebrated as being supported by the authority of the latter writer. However, the ease with which animals can be taught to acquire habits, and to obey conventional signs, clearly distinguishes them from automata. For instance: we hold up our hand, the dog crouches; we call to him —he comes to us if we use one expression; he runs away from us if we use another expression: we perform exactly the same progress in teaching him as we do in teaching our children; unless, therefore, we contend that the human being is likewise an automaton, we must class beasts with the former instead of with the latter. The doctrine of Descartes, however, can easily be defended against the Peripatetics, for the latter (as we have already stated) affirm that, though beasts often act in a manner similar to rational beings, nevertheless they do not reason; in the same manner, said Pereira, though beasts often act as if they had feelings, nevertheless they do not feel. One author, following out the hypothesis of Descartes, proves to his readers 'que non seulement il n'est point besoin d'âme pour marcher, pour boire, pour manger, pour se plaindre, mais encore pour parler, et pour parler aussi longtemps que fait un prédicateur dans un sermon d'une heure, ou un avocat dans un long plaidoyer.' Certes we have heard both sermons and speeches which tended to confirm the truth of this position. It is contended that animals are devoid

argument is to confound some of the higher orders of the monkey with the man, and to prove that there was injustice in confining in the Zoological Gardens the late lamented Chimpanze.

It is useless to examine any of the other arguments in vindication of the slave trade. The one to which we have referred is the most logical one; and though few probably but would shudder at stating it as clearly as we have done, nevertheless it is the basis upon which almost all Americans reason when they justify slavery, and their aversion to the negro; for it is the only one which is consistent with their democratic principles.

To return to the subject of Sierra Leone. The colony is admirably situated for putting down the slave trade, if that result be possible. A few years ago it was the chief mart on the coast of Africa for the sale of slaves. It lies midway between the ports of Gambia and Senegambia, where the greatest number of slaves were embarked. It has driven, to a great degree, this hideous traffic to other shores; but, as long as there is a demand, unfortunately there will probably be a supply.

'The Portuguese were the first to visit this line of coast, and established slave factories at the mouth of nearly every stream which would allow the entrance of a vessel. To the north of Sierra Leone the number of these factories has diminished, owing to the frequency of British vessels passing to and from the Gambia, and the presence of British residents engaged in the African teak-trade. The petty chiefs claiming the banks of these rivers have found it more profitable, as well as more safe, to supply timber, than to continue their original speculations. Thus the Scarcies, Malacourie, and other rivers, cease to furnish slaves; the principal depôt for whom is the Rio Pongas. To the south of Sierra Leone, however, the scene changes. The Gulf of Guinea is studded with fleets of prison-ships that steal into every river, and forcibly convey to the new world from the old the population of kingdoms. The old and new Calabar, the Bonney, Whidat, and the Gallenas, contribute an inexhaustible supply for the French islands of the West

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of moral feelings; now the devoted attachment of a dog to his master, and the courage with which he sometimes will defend the latter even to death, prove that the animal possesses generous and disinterested feelings, and surely places him on a footing (as far as morality is concerned) with the generality of lawyers, whose devoted attachments are only to their briefs, who will defend any cause or any principle for a fee, and whose glory is to prove that wrong is right. Rorarius, who strongly insists upon the position that beasts possess both reason and virtue, narrates a tale with regard to a horse, which we must disbelieve:—'Testantur literarum monumenta, fuisse gregis custodem equum qui, ut matrem iniret, nunquam inducere potuerit; et quoniam ambo eximi speciei erant, fraude tamen illusisse, velatis oculis, ne matrem videret; detracto postmodum operimento, et agnito cum matre concubitu, petiisse prærupta et se patrati sceleris reum pessundedisse.' Without crediting this anecdote, we think that the intellectual distinction between the human being and the beast is rather in degree than in kind, and therefore we must rest the claims of the negro to be included in the human species on his possessing *only* two hands, and not (as far as we are acquainted) breeding prolifically with the ape tribe.

Indies, Rio Janeiro, Havannah, and the Brazils; where, notwithstanding every opposition and hindrance from the British cruisers, 100,000 are supposed to arrive in safety annually, five times that number having been lost by capture or death. Death thins the cargoes in various modes; suicide destroys many, and many are thrown overboard at the close of the voyage; for, as a duty of 10 dollars is set by the Brazilian Government upon each slave upon landing, such as seem unlikely to survive, or to bring a price sufficiently high to cover this custom-house tax, are purposely drowned before entering port. Those only escape these wholesale murders who will probably recover health and flesh when removed to the fattening pens of the slave-farmer, a man who contracts to feed up the skeletons to a marketable appearance.'—vol. ii. p. 70.

Slavery is the custom of Africa, but amongst the natives it is not attended with the horrors and cruelty which characterize it amongst the European nations. The slaves are little more than servants, and are almost on an equality with their masters. 'Some tribes, as the Timmanees, often give towns and a district to slaves, leaving them to their own internal regulations. The owner simply retains the title of headman, and claims from the annual produce of the soil a kind of ground-rent in the shape of rice, palm oil, and fowls.' It is only, therefore, when they become an article of commerce that their state is one of peculiar suffering. Vast numbers are sent to the markets of Egypt, whence they are exported to Asia. It is supposed that the actual number carried into the interior for sale exceeds that exported to America. In these distant journeys a small proportion only survive the perils and the fatigues of the way. 'Paths lately passed by one of these armies of travelling captives may be traced by white heaps of bleached bones, which mark the spot where hundreds have lain down and died.' But their sufferings are nothing when compared to the horrors of a slave-ship. The author gives the description of the interior of a captured vessel employed in this traffic, which well shows what those horrors are.

'One fine day in May the signal-gun told of the approach of a vessel, which the lookers-out on the signal-hill announced, by the usual mode of hoisting a coloured ball to the top of a staff, to be a schooner or brig from the south. A sharp-built schooner with crowded canvass glanced up the estuary like lightning. Her nature was obvious—she was a prize. A painful interest prompted me to visit as speedily as possible this prison-ship. A friend offered the advantage of his company to a scene which has sometimes so completely overwhelmed a novice as to render the support of a friend advantageous. The Timmanee crew of the official boat swiftly shot us alongside. The craft showed Spanish colours, and was named "La Pantica." We easily leaped on board, as she lay low in the water. The first hasty glance around caused a sudden sickness and faintness, followed by an indignation more intense than

discreet. Before us, lying in a heap, huddled together at the foot of the foremast, on the bare and filthy deck, lay several human beings in the last stage of emaciation, dying. The ship fore and aft was thronged with men, women, and children, all entirely naked, and disgusting with disease. The stench was nearly insupportable; cleanliness being impossible. I stepped to the hatchway: it was secured by iron bars and cross bars; and pressed against them were the heads of slaves below. It appeared that the crowd on deck formed one-third only of the cargo, two-thirds being stowed in a sitting posture below between decks; the men forward, the women aft; 274 were at this moment in the little schooner. When captured, 315 had been found on board; 40 had died during the voyage from the old Calabar, where she had been captured by H. M. S. Fair Rosamond, and one had drowned himself on arrival, probably in fear of being "yammed" by the English. It was not, however, until the second visit, on the following day, that the misery which reigns in a slave-ship was fully understood.

'The rainy season had commenced, and during the night rain had poured heavily down. Nearly 100 slaves had been exposed to the weather on deck, and amongst them the heap of dying skeletons at the foremast. After making my way through the clustered mass of women on the quarter-deck, I discovered the slave captain, who had also been part owner, comfortably asleep in his cot, undisturbed by the horrors around him. The captives were now counted, their numbers, sex, and age written down, for the information of the Court of Mixed Commission. The task was repulsive: as the hold had been divided for the separation of the men and the women, those on deck were first counted; they were then driven forward, crowded as much as possible, and the women were drawn up through the small hatchway from their hot dark confinement. A black boatswain seized them one by one, dragging them before us for a moment, when the proper officer in a glance decided the age, whether above or under 14; and they were instantly swung again by the arm into their loathsome cell, where another negro boatswain sat, with a whip or stick, and forced them to resume the bent and painful attitude necessary for the stowage of so large a number. The unfortunate women and girls, in general, submitted with quiet resignation, when absence of disease and the use of their limbs permitted. A month had made their condition familiar to them. One or two were less philosophical or suffered more acutely than the rest. Their shrieks rose faintly from their hidden prison, as violent compulsion alone squeezed them into their nook against the curve of the ship's side. I attempted to descend, in order to see the accommodation. The height between the floor and ceiling was about 22 inches. The agony of the position of the crouching slaves may be imagined, especially that of the men, whose heads and necks are bent down by the boarding above them. Once so fixed, relief by motion or change of posture is unattainable. The body frequently stiffens into a permanent curve; and in the streets of Freetown I have seen liberated slaves in every conceivable state of distortion. One I remember, who trailed along his body, with his back to the ground, by means of his hands and ancles.

Many can never resume the upright posture. La Pantica was condemned; the "slaves," so designated in the official order of the writing registrar, AFTER THEIR EMANCIPATION, were brought ashore. Their comfort was as yet little consulted; 50 were conveyed in each canoe; one expired during the transit, and another, a few minutes after landing, died before my eyes. The apathy of the negro here displayed itself. Shuddering at the sight of the gasping man, whose fixed and glazing eye, emaciated body, and rattle in the throat, indicated coming dissolution, I requested a constable of the King's Yard, who stood by, to raise the dying slave from the mud and pool of water into which he had been carelessly laid down, and desired him to spread a mat for him on the dry ground under the shed. The request was not heeded. The constable walked away, simply remarking, "He no good; he go for die."'—Vol. ii. p. 118.

The greatest portion of the slaves are obtained in war. Criminals are likewise sold for slaves. Sorcery or witchcraft, which is of daily occurrence, murder, adultery, and insolence, or abusive language, are punished with loss of liberty. In the case of adultery the man alone is sold, whilst the woman is whipped by her husband. It is said not to have been an uncommon practice for the negro potentates to commission some of their numerous wives thus to entrap their unwary and incautious subjects; and their courtiers have sometimes adopted the same or similar means to get rid of a minister of whose power they were jealous, and with whose services they wished to dispense.

Debt is occasionally a cause of bondage. Secret associations called the Purrah, the Samo, and the Bundoo (the latter composed of women only), are sources of slavery.

'The Purrah, or law, is a solemn bond uniting in brotherhood and purpose individuals scattered through immense districts. Its definite object has not been clearly ascertained, or rather has not been promulgated. The rites are sealed to the uninitiated, and are only discovered to be in progress by the fearful howls and shrieks heard from the depths of the forest recesses at midnight, and by occasional flashing of torches; at which the profane intruder, though far off, is scared away, death following detection. Entire nations own the power of the Purrah, and tremble at the mere name. When the members of this dread fraternity visit a village, which is always at night, every inhabitant hides himself in order to escape death or slavery. The Samo is similar in principle, but differs in detail. The Bundoo deprives of liberty such women as, being admitted to its high privileges, contravene the laws, or disobey the awful head of the association, termed the Bundoo woman. This female potentate especially devotes her care to the punishment of witchcraft.'—Vol. ii. p. 84.

Kidnapping is another means of obtaining slaves practised by the most cultivated of the black tribes, who employ emissaries for that purpose, and send them amongst the other nations.

According to our author—

'The Mandingoes have discovered that Sierra Leone is an excellent field for this evil produce, offering a fair supply at little trouble or expense. That thousands have been stolen from the colony after liberation and resold into slavery is not disputed. (A late charge to a grand jury from a chief justice of the colony has admitted the fact and dwelt upon it.) Opposite to Freetown, on the right bank of the river Sierra Leone, stands the chief town of the Bulloms, under the authority of the black chief and usurper Dalla Mohammedoo. This powerful man has been enriched by the slave trade; his town is a depôt, and his political enmity to the British secures his slave mart from the inspection of the English. A canoe darts across the water in a short time, and the man, woman, or child, lying at the bottom of the boat, gagged and screened from sight, may be carried over without suspicion.

'An unpleasant circumstance happened in my own experience. Not long after my arrival at Sierra Leone, my sleep was one night broken by the sounds of a distant struggle. The windows open for circulation of air faced a plot of grassy ground jutting upon the river, rounded by a low copse and rocks, excepting at one corner, where a rude path had been cut to a small landing-place for canoes. Supposing it a mere midnight quarrel, I should have heeded it but little, but that I heard smothered cries, evidently of a female, and the voices of several men in threatening but subdued tones. When the party had arrived near the window the symptoms of personal violence increased, and I arose in order to discover the nature of the disturbance. Utter darkness concealed the persons; but the sound of feet, of occasional blows, of low harsh sentences, induced me to listen closely. I felt convinced that I could distinguish the dragging of an unwilling person over the dry grass, and could distinctly trace the receding party to a path leading down to the landing-place. The struggle for a few seconds seemed to be renewed. I heard a boat or canoe pushed into the water, then a splash of oars, and all was still. On mentioning the occurrence in the morning to a gentleman whose length of residence had made him better acquainted with native practices, I learned with horror that it had probably been a case of kidnapping; and that long before daylight the party had been safely deposited on the Bullom shore, beyond the English jurisdiction.'—Vol. ii. p. 88.

The author gives likewise an interesting description of the trial of a negro for kidnapping:—

'When I entered the court the evidence for the prosecution had commenced. In front of his Honour, and separated by dark-complexioned counsel, lazily leaning upon the railing of the bar, stood a creature whose appearance alone excited a pity almost amounting to favour in those who were unused to similar scenes. A heavy thing, formed like a young man, excepting the face, whose outline was that of a baboon, no forehead, no prominence of nose, but a formidable protrusion of mouth, with a countenance bespeaking ignorance of his situation or apathy; such a being was standing upon the question of life or death.

'A witness was called. He gave evidence that on a certain day Banna, the prisoner, had been detained in a canoe upon the river, in company with a Mandingo, having the boy in his possession, perfidiously entrapped and forcibly detained. The boy stated his case, of which this was the substance; adding, from various reasons, the distinct certainty of the object of his detention, and enumerating many cruelties practised upon him to secure his concealment, such as compelling him to lie at the bottom of the canoe, and covering him with sailcloths loaded with stones.

'The first witness I heard called was a negro, who could not speak a syllable of English. "What is your name?" inquired the counsel; no answer was given. Up rose the interpreter, a civil well-meaning black, but no great linguist. The question was now put in one of the twenty languages current in Freetown. When the name had been ascertained, his notion of an oath was sought, and, as might be expected, none was discovered. In vain the counsel spoke of heaven and of hell; in vain the chief justice queried as to truth and its reward, and untruth and its punishment. "Where will you go when you die?" The interpreter, having exchanged words with the witness, gave back his answer: "That man (pointing to witness) can say, him go in ground when him die."—Ay; but ask him where he will go if he tell a lie."—Interpreter. —"That man can say him go in ground." "But, after he is in the ground, where will he live?" Interpreter.—"That man can say, him dead, him no live." "Ask him if he will kiss this book?" handing a closed volume, which might have been the Testament or Childe Harold. Interpreter.—"That man say, him can kiss book." "Ask him what the book is?" Interpreter.—"He say, he no sabby the book." "Why, then, did he offer to kiss the book?" Interpreter.—"He say he can kiss book." "Ask if in his own country there exists any ceremony by which he would feel himself bound to tell the truth?" This was a long sentence to be interpreted; and the interpreter, having paused to consider, exchanged a word or two with the witness, and then said, "He say, him can tell truth." Witness descended from the box unquestioned as to evidence, being lamentably ignorant of the force of an English oath. His sole excuse was, that he had never before heard of it, nor comprehended it now. "Call the next witness, King Tom."

'King Tom came forward; a tall, upright, splendid form. He was a Crooman by nation, and wore the sparing loin-cloth; the utmost an independent Croo will yield to the exacting modesty of the whites. His majesty spoke the usual English of the place, that Lingua Franca of the blacks, sometimes well termed the talkee-talkee language. Few of the barbarous African tribes possess a form of oath; of these few are the remarkable inhabitants of the Croo coast. King Tom was sworn; first, according to the Croo rite, and next, to make assurance doubly sure, upon the English Testament. After putting himself into various dignified attitudes, King Tom drew himself up to his full height. An officer of the court approached him, bearing a paper containing salt. King Tom extended his hand, and, having placed the tip of his finger to his tongue, took up upon it a portion of the sacred article. He paused;

raising his eyes to heaven, he slowly pointed his salted finger upwards, at the utmost perpendicular stretch of his arm; then stooping, he steadfastly looked upon the ground, mingling its dust with the salt: lastly, with solemn visage and demeanour, he put to his tongue the imprecatory mixture. Not a word was spoken. He had probably dedicated himself to the Powers above and below. His truth was now inviolable. Death would not have conquered his veracity. But form required that he should now kiss the Bible; and this he did to the edification of the spectators. Its contents he did not understand, and if he had understood them he would have scoffed. No Crooman has ever been known to become a convert to Christianity, and I believe this tribe alone have to a man withstood the efforts of the missionaries. King Tom's evidence went clearly to the facts. The prisoner continued leaning upon the bar, apparently heedless of the whole affair. When informed by the interpreter that he might examine the witness, he muttered something unintelligible, and King Tom left his temporary elevation to remingle in the crowd. The next witness spoke in a tongue singularly "unknown." The interpreter confessed himself foiled; no one comprehended. His Honour, at length, addressing the grand jury, petty jury, honourable members of the counsel, and the swarm of hearers at large, begged to know whether any one in the court could speak the witness's language.

"Conticuêre omnes, intentique ora tenebant."

At last there rose a black gentleman in blue, who observed, "Me can sabby what dat man can talk;" and thus were the ends of justice satisfactorily fulfilled. One difficulty was passing strange, that of understanding the interpreter himself, and on one occasion the chief justice was actually forced to express a desire that some person would interpret the interpretation.

'Poor Banna was called upon for his defence, and to show reason why sentence of death should not be pronounced. This startling demand being explained, the unfortunate creature thrust forward his semi-human head, and burst forth into a perfect hurricane of words. His energy of action and violent torrent of language were appalling, nor did he appear to intend a conclusion; but foaming at the mouth, and convulsively clasping his hands, (*horresco referens!*) he continued uttering what seemed to be one crowded and endless sentence. When with difficulty his speech was checked, the interpreter was desired to give the meaning. This useful functionary having to condense, or perhaps eschewing literal translation, summed up the prisoner's defence in few words. 'Dat man,' pointing to the miserable naked object, "Dat man say him all lie-palaver; boy come to canoe for go to Aberdeen; him no sell him." He was condemned to death and executed.—vol. i. p. 241.

Amongst the various races to be found at Freetown the Maroons deserve to be remarked. They seem to be a mixture of European, American, and African blood. At the conclusion of the Maroon war in Jamaica they were sent first to Nova Scotia,

and thence (in 1800) removed to Sierra Leone. They are polygamists; and the following laughable scene is said to have occurred in Nova Scotia in consequence of the exertions of a worthy priest to put a stop to that oriental custom.

'When the Maroons, after their expulsion from Jamaica, were sojourners in Nova Scotia, a colonial chaplain was sent for their welfare by the English government. Their most obvious villany to be denounced from the pulpit was plurality of wives; a crime rare and punishable in the west, a legal social relation in the east. The worthy preacher took an early opportunity of exhorting his hearers to monogamy. He dwelt upon the enormity of their offence. He demonstrated that, although they called many wives, one alone could claim that honourable name; and finally besought them to select each the spouse he loved best, and to put away the others, applying to the majority of the ladies sundry harsh and ungallant observations, and denouncing everlasting discomfort to such as contumaciously persevered.

'The Maroons were struck, and listened. They were convinced, and acted upon their conviction. Each determined upon cleaving to the wife he loved best, and abandoning the remainder. So far all was well. But these unfortunates must be supported, and to those who had hitherto been considered their husbands, and who had maintained them, they could look no longer. His Excellency, one fine morning, was astonished by the noise of clamorous multitudes besetting the gates of his mansion. He inquired the cause. The repentant Maroons had come in a body to deliver into his hands and care a crowd of widowed wives.

' "What do you all want of me?" cried his Excellency in surprise.

'Upspake the Maroons:—

' "Preacher, good man; preacher say, wife no wife. Go to de Debbil, or put away wife but one. Well, den, here our wife all for you!"

'They were instructed to seek the chaplain. He had caused the inconvenience, and he must remedy it. The chaplain had probably not remembered his sermon so well as his hearers had done, or had hazarded advice without a dream that it would be accepted. Terribly was he overcome when the throng of consorts abandoned at his bidding were brought to him.

' "Him take away wife," said his flock; "she no sabby where get yam-yam. Have no home, no sunting: missa parson, who take away wife, good man, can feed and keep her."

'The affair ended in the chaplain declining to maintain the martyrs to his exhortation. The spouses returned home to their husbands, and lived as they had lived before, and so they live now. The sermon was not repeated.'

The Maroons are increasing in wealth and in numbers, whilst the original settlers are decreasing in both. Some Maroons have amassed fortunes as merchants and storekeepers, and have been enabled to afford their sons every advantage of an expensive education in England. Of the other races to be found at Sierra

Leone our limits will only permit us to notice the Croomen, a most singular race, who come from the Grain Coast, about 400 miles to the south of Sierra Leone. A peculiarity by which they are distinguished from all the other negro races is their detestation of slavery. In the colony they serve as labourers or out-door servants and cooks. At the age of 40 the Crooman has generally amassed about £30, and then returns to his country to live like a 'gentleman,' which, according to his description, consists in being 'rich too much, plenty of wife.' There are no Croo women in Sierra Leone, and the suburb in which the Croos live is a bachelor village, where a thousand males are congregated, and not a woman to be espied. The Croo is sparing in his expenses, frugal in his diet, and pays no tailor's bills, for he walks about either entirely naked, or with the smallest possible covering. The Croos appear to be the only negroes who seek active bodily exertion as a pleasure.

With the exception of the Foulahs and Mandingoes, who are Mahometans, the well-known characteristic of the religion of the negroes is the worship of an intelligent evil principle. The existance of an evil principle, though not always an intelligent one, has been, directly or indirectly, allowed by the followers of most religions, as the easiest means of explaining the existence of crime and suffering; but few sects, except amongst the negroes, have worshipped the evil principle, and considered the source of good to be irrational. The attempt of those who endeavour to trace a similarity between the religions of the negroes and the dualism of the ancients* is as absurd as the notion of those who fancy that

* We shall briefly state the characteristic distinction between the manner in which the ancient philosophers explained the existence of evil, and that adopted by the negroes.

Lactantius more forcibly states the philosophical difficulties which beset this subject than any divine with whom we are acquainted. He puts them into the mouth of Epicurus, and says, 'Deus, inquit Epicurus, aut vult tollere mala et non potest; aut potest et non vult; aut neque vult, neque potest; aut et vult et potest. Si vult et non potest, imbecillis est; quod in Deum non cadit. Si potest et non vult, invidus; quod æque alienum a Deo. Si neque vult neque potest, et invidus et imbecillis est; ideoque neque Deus. Si vult et potest, quod solum Deo convenit, unde ergo sunt mala; aut cur illa non tollit?' The attempt to solve these difficulties has occupied the attention of philosophers since the beginning of the world. Zoroaster adopted the doctrine of two coequal and coeternal principles in strife with each other, the one the cause of evil and the other the cause of good. As long as this strife existed all was chaos, wherein there was neither good nor evil. In the beginning of things these two principles acceded to a truce, by which the one gave up a certain portion of his power to do good, in order that he might do some good; the other gave up a certain portion of his power to do evil, in order that he might do some evil. According to this doctrine the followers of the good principle contended that everything was for the best; for if the good principle attempted to do more good, the contract with the evil principle would be broken, and there would be chaos. At the same time the followers of the evil principle, who most resemble the negroes, equally contended that everything was for the worst; for if the evil principle attempted to do more evil, the contract with the good principle would be broken, and chaos would result. Thus evil was designed for the sake of good, and

they have found the lost tribes of the Jews in the deserts of Africa, having imported thither the religion of Zoroaster, with which they had become embued whilst in captivity.

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good for the sake of evil. Similar in ideas, though dissimilar in words, are the doctrines of some of those who are called Optimists and Pessimists.

Thus an answer, such as it is, is given to the question, 'unde sunt mala?' by making each of the principles, with reference to the other 'imbecillis,' (otherwise the one would annihilate the other,) and by acknowledging one of the principles to be 'invidus.' The Manichans, the Gnostics, the Cerdonians, the Marrionites, the Paulicians, &c., all held this doctrine, though they differed from each other in the conclusions which they drew from it. Indeed Dualism, that is, the doctrine of two independent principles, has been the ground-work of almost all the religions and the philosophies of the ancients, which have chiefly differed from each other as they have attributed to the principles one or more of the epithets of Lactantius, or denied the intelligence of one of them. The Platonists, for instance, considered that an intelligent and beneficent principle has framed the universe out of self-existing and independent matter, which is the other principle. Their answer to the question, 'unde sunt mala?' would be this, that the cause of evil in the works of the beneficent principle is matter. His design is always good, but evil results from the means which he is obliged to employ to bring about that good. Thus in order that there may be beings who see, hear, or talk, the benevolent principle has been obliged to frame out of matter eyes, ears, &c., which are instruments admirably contrived for the purposes designed by him, but are necessarily subject to the imperfections which naturally result from the materials of which they are framed: hence the diseases and painful afflictions of those organs, and the other evils incident to humanity. Thus the beneficence of the intelligent principle was vindicated by supposing his power to be limited by an unintelligent principle. Few of the ancients had the idea of a *creative* principle, for they almost all allowed the dogma 'e nihilo nihil fit.' Consequently the position, that he was obliged to employ means to obtain ends, limited his power in so far as it assumed that he could not effect those ends by a mere act of volition. In his works perfect wisdom is shown, inasmuch as they possess the fewest possible imperfections; and similarly perfect goodness, for, though he permitted the existence of a certain amount of evil, it was the smallest possible amount, and as the only means of producing the greatest possible amount of good. Thus the doctrine of the followers of Plato was the alternative, 'vult tollere mala et non potest,' 'quod (as Lactantius justly observes) in Deum non cadit.' We are not acquainted with any of the ancient philosophers who were so impious as to adopt the converse of this doctrine, in the same manner as the negroes have done, namely, by affirming 'neque vult neque potest;' that is, by postulating an intelligent evil principle and unintelligent matter as the source of the small quantity of good which exists, they say, in this world. These negroes may truly be termed Pessimists.

The religions of the Romans and the Greeks were essentially dualistic, for deities both good and evil, in immense numbers, were acknowledged by them. In the same manner some of the negroes have their good as well as their evil fetiches. The Stoics, without denying that there was a great number of gods, made them all subordinate to Jupiter, who was the sovereign dispenser of all things, and was infinitely good and infinitely perfect. They did not view him in the same light that Homer did, who thus accounts for the existence of good and evil:—

> 'Two urns by Jove's high throne have ever stood,
> The source of Evil one, and one of Good;
> From thence the cup of mortal man he fills,—
> Blessings to these, to these distributes ills;
> To most he mingles both. The wretch decreed
> To taste the bad, unmixed, is curst indeed:
> Pursued by wrongs, by meagre famine driv'n,
> He wanders, outcast both of earth and heav'n;
> The happiest taste not happiness sincere,
> But find the cordial draught is dashed with care.'

According to Mr. Bernard Picart, in his work on the ceremonies and religious customs of the idolatrous nations, the inhabitants of the coast of Guinea consider that God 'is black like themselves; and, instead of being their bountiful benefactor, he acts like a tyrant and an oppressor;' and contended 'that they were

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Plato considered this doctrine as most infamous, as it adopted the alternative of 'potest et non vult,' one almost as repugnant to our religious feelings as that of the negroes. The Stoics denied that Jupiter was the cause of evil. Cicero asks, why, then, have so many powerful cities been destroyed? In the celebrated letter, written to Cicero by Sulpicius, the latter gives the account of a scene of desolation: 'Ex Asiâ rediens cum ab Ægina Megaram versus navigarem cœpi regiones circumcirca prospicere. Post me erat Ægina ante Megara: dextra Piræus; sinistra Corinthus; quæ oppida quodam tempore florentissima fuerunt, nunc prostrata et diruta ante oculos jacent.' Cicero says to the Stoics, 'At subvenire certe potuit (Deus) et conservare urbes tantas atque tales. Vos enim ipsi dicere soletis, nihil esse quod Deus efficere non possit, et quidem sine labore ullo; ut enim hominum membra nullâ contentione, mente ipsâ ac voluntate moveantur, sic numine Deorum omnia fingi, moveri, mutarique posse. Neque id dicitis superstitiosè, atque aniliter, sed physicâ, constantique ratione. Materiam enim rerum ex quâ et in quâ omnia sint totam esse flexibilem et commutabilem ut nihil sit quod non eâ quamvis subito fingi, convertique possit. Ejus autem universæ rectricem et moderatricem divinam esse Providentiam: hanc igitur quocunque se moveat efficere posse quicquid velit. Itaque aut nescit quid possit, aut negligit res humanas, aut quid sit optimum non potest judicare.' This alternative is omitted by Lactantius, and, strange to say, was adopted by the early Socinians, who denied the foreknowledge of the good principle. The Stoics attempted to solve this difficulty by affirming that evil resulted from the vices of mankind, and vice was necessary in order that there should be virtue. Plutarch loudly protested against this doctrine, as only removing the difficulty one step further, and being tantamount to the position that Jupiter was unable to produce moral good without moral evil, which is the same as the alternative of 'vult et non potest.'

As our object is not by any means to discuss the various religious hypotheses of the ancients, but merely to mark the characteristics of those which referred, directly or indirectly, to the existence of two principles; we need not comment upon the religious belief of those philosophers who acknowledged the existence of only one principle, and yet with unassisted reason were unable to solve the difficulties propounded by Lactantius with regard to the origin of evil; nor need we examine the positions of those who, like the followers of Democritus, Pyrrho, and Epicurus, denied the existence of an intelligent principle, and considered that intelligence was merely the result of a peculiar organization of matter; in short, that matter was the cause of intelligence, not intelligence the cause of matter. Those who wish to study these subjects must refer to the works of the divines, to Lactantius, St. Augustine, Luther, Calvin, the Jesuits, the Jansenists, &c., who most admirably refute the errors of each other, as well as those of the heathens. All piously agree that there is one good principle; and that since moral and physical evil exist, it is not contrary to the nature of things that the good principle should permit their existence; as the position that five and five make ten, is not more certain than that what actually exists is possible, for 'ab actu ad potentiam valet consequentia'—the irrefragable groundwork of sincere religious faith. (*Vide* the Divines, *passim.*) These discussions are foreign to our purpose, which is to show how unfounded are the suppositions of those who have attempted to assimilate the religions of the negroes to those of the ancients. For in all the religious dualism of the ancients, an intelligent benevolent principle is recognised, and the efforts of all the philosophers were to reconcile that benevolence with the existence of evil. The negroes, on the contrary, postulate an intelligent malevolent principle, and their difficulty consists in accounting for the existence of good.

in nowise indebted to the Deity, but to the earth, the waters, the plants, &c., for the many blessings they enjoyed.'—Vol. iv. p. 436. Some of the people of Mandigna (says the same author) 'refuse ascribing the blessings which they receive to God's goodness. For, say they, if he was really good and gracious, he would never suffer his creatures to be at such trouble and fatigue to attain them.'—Vol. iv. p. 433. These negroes worship idols, which they call Fetiches, and which they consider as the source of evil to them. Of these Fetiches the author gives an interesting account from the work of Villault de Bellefond.

Villault de Bellefond has given us a description of another sacrifice of these blacks, dedicated to one of those evil or mischievous Fetiches which we have already mentioned:—

'I saw,' says he, 'a man and a woman at the door of a certain house in one of their cantons, or provinces, who had killed a chicken; and when draining its blood upon some leaves, which they had strewed upon the ground, and when the blood would drop no longer, they cut it all in pieces, looked wishfully at the leaves, and turning one towards the other, kissing their hands, cried out "Mecusa! Mecusa! Mecusa! be propitious to us! be propitious to us!" I would not interrupt them during the ceremony; but after all was over, I begged they would inform me of what they had been doing. The *fetiche*, they said, of that district, had most sorely beaten and abused them, and that, therefore, they had been providing some victuals for him, in order to appease his vengeance. This *fetiche* was nothing but a *tile*, wound round about with straw. I broke the tile, and planted a crucifix in the room of it. The author of this narrative served all the fetiches in the same disrespectful manner, and substituted crosses in their room, after he had convinced the blacks that a chicken so sacrificed was not food for any mortal, as they vainly imagined. He exhorted them, likewise, if ever their fetiche should attempt to molest them again, to take some little crucifixes and kiss them, and make the sign of the cross. Many of them listened to his wholesome admonitions, and exchanged their fetiches for crosses.'

Our zealous traveller resolved to push the reformation he had thus happily begun still further:—

'I got a guide,' says he, 'to conduct me to their fetiche major, which was erected on the plain, and set apart for the celebration of their sacrifices. This idol was a large stone covered with earth, which I first cleared off, and then broke above five hundred hooks or grapples which were about it; after this I applied myself to one of their priests, and asked him whether he had any fetiches to dispose of. He replied that I had one (meaning one of the aforesaid hooks which I had taken away), and that he expected to be paid for it. I prevailed on him to go with me to the before-mentioned fetiche major, and when he perceived that I had broke it down, he immediately assembled all his fellow-priests together and informed them of what I had done, who unanimously cried

out that it was the greatest miracle in the world that I was not struck dead upon the spot. "In order to make you ample restitution," said I, "I plant here this cross; and if any one of you presumes to touch, or approach it, unless with awful reverence, and on your bended knees, he shall die that very moment." They ran back howling to their respective apartments in the utmost disorder and confusion. It must be supposed that this zealous reformer added proper instructions to his outward performance, without which the blacks would have added profanation to idolatry, and looked upon crosses as more formidable fetiches than their own. What other idea could these ignorant and idolatrous people entertain of two pieces of wood, the innate virtues whereof are perfectly unknown to all the world but Christians?'—Vol. iv. p. 439.

'Dapper assures us that the natives of Benin worship the Devil, and offer up both men and beasts in sacrifice to him. They acknowledge, notwithstanding, that there is a Supreme Being, who created the universe, and governs it in his all-wise providence, though they make no manner of solemn vows or supplications to him; for, say they, 'tis needless, if not impertinent, to invoke a Being that in his nature is good and gracious, and, by consequence, incapable of injuring or molesting us. But that is not the case with respect to the Devil. They endeavour to appease his wrath and soothe him with sacrifices, being conscious of the mischief he does, and is capable of doing. Moreover, each of them have their Fetiches and their Fetissero, who is a kind of father confessor, by whose assistance they consult their Fetiches on all emergent occasions. This oracle, according to the same author, resolves their queries through a pot with three holes in it. They are likewise profuse in their sacrifices to the sea, in order to ingratiate themselves into her favour; and when these people swear in the most solemn manner, it is either by the sea or the king upon the throne.'—Vol. iv. p. 442.

Thus they reverse the principles of religious belief, and consider that the good which befals them results, not from Divine Providence, but from their own exertions, whilst the evil which they suffer is occasioned by devilish malevolence. To that malevolence they ascribe the storms which desolate their coasts, wars, pestilence, and the visits of the white men, whom they consider as the favourite children of the evil principle on account of the sufferings produced by the slave-trade. Out of good, they contend, evil is made to come, and pleasure is contrived as the means of pain. Intelligent malevolence is shown in the adaptation of the means to the end. The spirits wherewith they are intoxicated, the fire-arms wherewith they destroy each other,—the only gifts of the white man,—are curious instruments of seeming pleasure, but of real pain, and tend to the augmentation of human suffering. In all our intercourse with uncivilized nations we have, alas! afforded but too many grounds for this pernicious belief. We have demoralized them in order to exterminate them or to mal-

treat them worse than the vilest beasts. The Indians of North America are hourly disappearing; the tribes of New South Wales are in the progress of extermination; violence and deceit mark our conduct towards the Caffres. Wherever we appear, we raise temples to the worship of the Devil; and, in mock atonement, we lavish thousands upon a church without a congregation. The Established Church at Freetown is said to have cost the country about £80,000. In the colony there are about 100 whites, and almost all the negro Christians are Dissenters.

'In the wide streets of Freetown one sight only bears an English stamp—the RUM-SHOPS, corresponding in comparative number, in attraction, and in custom, with the gin-temples of London. The stranger may stroll day after day without discovering any similarity between the metropolis of this colony and that of the mother-country other than this, the most repulsive and degrading. He may yield to the flights of an imagination excited by perpetual novelty, by the glowing climate, the luxuriant vegetation of the tropics, the never-ending variety of race and costume, manners and customs, of wild tribes of men whose ignorance of what is right leads him to look leniently upon their errors, but the pleasurable is succeeded by regret when he beholds the throng of rum-drinkers choking the entrance of the spirit-shop.'—Vol. i. p. 72.

The Mahometans are the only negroes who do not indulge in this degrading practice.

We cannot conclude this article without expressing our sincere gratitude to the author of the most interesting work from which we have made so many extracts, and from which we would willingly make more if our limits permitted it.

B. L.

Art. IV.

POOR-LAWS IN IRELAND.

1. *Third Report of the Commissioners for Inquiring into the Condition of the Poorer Classes in Ireland.*
2. *Remarks on the Evidence taken in the Poor Inquiry (Ireland), contained in the Appendices D, E, F.* By one of the Commissioners.
3. *Advantages and Evils of a Public Provision for the Destitute, exhibited in the Comparative States of England and Ireland.* By John Revans, Esq. Printed by C. and W. Reynell, 16, Little Pulteney-street, Golden-square. Not yet published. Pamphlet.

4. *On Local Disturbances in Ireland, and on the Irish Church Question.* By G. Cornewall Lewis, Esq. B. Fellowes, Ludgate-street. pp. 458.

THESE four works all relate to the question, what can be done for the poorer classes in Ireland? and all, in some degree, spring out of the Commission which was appointed to inquire into the condition of those classes, and the mode in which relief can be afforded to them.

The first is the final Report made to his Majesty by the Commissioners appointed to inquire into the condition of the poorer classes in Ireland, and is against poor-laws. The second is by one of the Commissioners (Mr. J. E. Bicheno), and is also against poor-laws. The third is by Mr. Revans, who has had opportunities to form a correct opinion upon the subject which have fallen to the lot of no other man, having been engaged as secretary in the poor-law inquiry in England, which led to the amendments of the law made in 1834, and afterwards as secretary of the Irish Poor Inquiry Commission. To him the public is mainly indebted for the extensiveness and admirable arrangement of the evidence which the Irish Commission has printed respecting the poor of Ireland. Mr. Revans is strongly in favour of the workhouse system. His views respecting poor-laws are partly new, and in a high degree interesting; and his pamphlet commences with a *raisonné* summary of the evidence.

The fourth is also in favour of poor-laws, and is written by Mr. George Cornewall Lewis,* who has the advantage of having been employed on the Irish Poor Commission, as an Assistant Commissioner; he is also, we believe, an Assistant Commissioner of Poor-laws in England, and is the son of the chairman of the English Board.

The main object of Mr. Lewis's book is to establish, which he does by an almost superfluous weight of evidence, both circumstantial and testimonial, that the disturbed state of Ireland is the consequence neither of politics nor religion, but wholly and exclusively of the entire dependence of the people upon the land. The Whiteboy combinations have for their principal object, to protect the labouring classes from being ejected from their holdings; because, in the absence of a legal provision for the destitute, to be ejected from the land is to be deprived of the only means of earning a subsistence. The conclusion is obvious: give

* Mr. Lewis has appended to his work a Paper on the Irish Church Question, which was first published in the 'London Review,' No. III. It gives us much pleasure to have this opportunity of making our public acknowledgments to him for that valuable contribution to our journal.

to the destitute a subsistence, however humble, assured by law: the Whiteboy combinations will be broken up; the insecurity which prevents English capital, which flows into every other part of the world, from flowing into Ireland, will be at an end; the vast productive resources of Ireland will, for the first time in her history, be called into full operation; wages will rise; the people, instead of their present abject misery, will have hope, and with hope will come prudence, and the habits of civilized beings, instead of those of a race never yet thoroughly redeemed from the savage state.

But to understand the force of this argument it is necessary to begin with an accurate picture of the state of the Irish peasantry, as it appears from the valuable body of evidence recently published by the Commissioners of Poor Inquiry in Ireland, and from that already given to the world by various committees.

Only a very short summary of the evidence will be here attempted.*

The population of Ireland is chiefly agricultural, yet there are no agricultural labourers in the sense in which that term is employed in Great Britain. A peasant living entirely by hire, without land, is wholly unknown.

The persons who till the ground may be divided into three classes, which are sometimes distinguished by the names of small farmers, cottiers, and casual labourers; or, as the last are sometimes called, 'con-acre' men.

The class of small farmers includes those who hold from 5 to 12 Irish acres. The cottiers are those who hold about two acres, in return for which they labour for the farmer of 20 acres or more, or for the gentry.

Con-acre is ground hired not by the year, but for a single crop, usually of potatoes. The tenant of con-acre receives the land in time to plant potatoes, and surrenders it so soon as the crop has been secured. The farmer from whom he receives it usually ploughs and manures the land, and sometimes carts the crop. Con-acre is taken by tradesmen, small farmers, and cottiers, but chiefly by labourers, who are, in addition, always ready to work for hire when there is employment for them. It is usually let in roods, and other small quantities, rarely exceeding half an acre. These three classes, not very distinct from each other, form the mass of the Irish population.

'According to the census of 1831,' says Mr. Bicheno, 'the population of Ireland was 7,767,401; the "occupiers employing labourers" were 95,339; the "labourers employed in agriculture" (who do not exist

* For a fuller summary, enriched with many valuable remarks, see Mr. Revans's pamphlet. See also Mr. Bicheno's Remarks on the Evidence.

in Ireland as a class corresponding to that in England), and the "occupiers not employing labourers," amounted together to 1,131,715. The two last descriptions pretty accurately include the cottier tenants and cottier labourers; and, as these are nearly all heads of families, it may be inferred from hence how large a portion of the soil of Ireland is cultivated by a peasant tenantry; and when to these a further addition is made of a great number of little farmers, a tolerably accurate opinion may be formed of the insignificant weight and influence that any middle class in the rural districts can have, as compared with the peasants. Though many may occupy a greater extent of land than the "cottiers," and, if held immediately from the proprietor, generally at a more moderate rent, and may possess some trifling stock, almost all the inferior tenantry of Ireland belong to one class. The cottier and the little farmer have the same feelings, the same interests to watch over, and the same sympathies. Their diet and their clothing are not very dissimilar, though they may vary in quantity; and the one cannot be ordinarily distinguished from the other by any external appearance. Neither does the dress of the children of the little farmers mark any distinction of rank, as it does in England; while their wives are singularly deficient in the comforts of apparel.'—(Report, p. 4.)

The whole population, small farmers, cottiers, and labourers, are equally devoid of capital. The small farmer holds his 10 or 12 acres of land at a nominal rent,—a rent determined not by what the land will yield, but by the intensity of the competition to obtain it.—(Revans, p. 5.) He takes from his farm a wretched subsistence, and gives over the remainder to his landlord. This remainder rarely equals the nominal rent, the growing arrears of which are allowed to accumulate against him.

The cottier labours constantly for his landlord (or master, as he would have been termed of old), and receives, for his wages as a serf, land which will afford him but a miserable subsistence. Badly off as these two classes are, their condition is still somewhat better than that of the casual labourer, who hires con-acre, and works for wages at seasons when employment can be had, to get in the first place the means of paying the rent for his con-acre.

Mr. Bicheno says—

'It appears from the evidence that the average crops of con-acre produce about as much or a little more (at the usual price of potatoes in the autumn) than the amount of the rent, seed, and tenant's labour, say 5*s*. or 10*s*. Beyond this the labourer does not seem to derive any other direct profit from taking con-acre; but he has the following inducements. In some cases he contracts to work out a part, or the whole, of his con-acre rent; and, even when this indulgence is not conceded to him by previous agreement, he always hopes, and endeavours to prevail on the farmer to be allowed this privilege, which, in general want of employment, is almost always so much clear gain to him. By taking con-acre he also considers that he is *securing* food to the extent of the crop for himself and family at the low autumn price;

whereas, if he had to go to market for it, he would be subject to the loss of time, and sometimes expense of carriage, to the fluctuations of the market, and to an advance of price in spring and summer.'

Of the intensity of the competition for land the following extracts from the evidence may give an idea:

'*Galway*, F. 35.—" If I now let it be known that I had a farm of five acres to let, I should have 50 bidders in 24 hours, and all of them would be ready to promise any rent that might be asked."—(Mr. *Birmingham.*)—The landlord takes on account whatever portion of the rent the tenant may be able to offer; the remainder he does not remit, but allows to remain over. A remission of a portion of the rent in either plentiful or scarce seasons is never made as a matter of course; when it does take place, it is looked upon as a favour.

'The labourer is, from the absence of any other means of subsisting himself and family, thrown upon the hire of land, and the land he must hire at any rate: the payment of the promised rent is an after consideration; he always offers such a rent as leaves him nothing of the produce for his own use but potatoes, his corn being entirely for his landlord's claim.—(Rev. Mr. *Hughes*, P. P., and *Parker*.)

'*Leitrim*, F. 36 and 37.—So great is the competition for small holdings, that, if a farm of five acres were vacant, I really believe that nine out of every ten men in the neighbourhood would bid for it if they thought they had the least chance of getting it; they would be prepared to outbid each other, *ad infinitum*, in order to get possession of the land. *The rent which the people themselves would deem moderate, would not in any case admit of their making use of any other food than potatoes;* there are even many instances in this barony where the occupier cannot feed himself and family off the land he holds. In his anxiety to grow as much oats (his only marketable produce) as will meet the various claims upon him, he devotes so small a space to the cultivation of potatoes, that he is obliged to take a portion of con-acre, and to pay for it by wages earned at a time when he would have been better employed on his own account.'—(Rev. *T. Maguire*, P. P.)

The land is subdivided into such small portions, that the labourer has not sufficient to grow more than a very scanty provision for himself and family. The better individuals of the class manage to secrete some of its produce from the landlord, to do which it is of course necessary that they should not employ it on their land: but if land is offered to be let, persons will be found so eager for it as to make compliments to some one of the family of the landlord or of his agent—to undertake to pay *the arrears* of the *outgoing* tenant, amounting often to a very considerable sum —to allow the road that passes before the door, or the river that skirts the little property, to be measured in. The landlord sometimes avails himself of this strong desire, and takes not only a *nominal*, that is, in these cases, more than a rack-rent, but even a *premium* from the tenant.

The Report of the Commissioners states that 'Agricultural wages vary from 6*d.* to 1*s.* a-day; that the average of the country in general is about 8½*d.*; and that the earnings of the labourers, on an average of the whole class, are from 2*s.* to 2*s.* 6*d.* a-week, or thereabouts, for the year round.'—(Report, p. 3.)

'Thus circumstanced, it is impossible for the able-bodied, in general, to provide against sickness or the temporary absence of employment, or against old age or the destitution of their widows and children in the contingent event of their own premature decease.

'A great portion of them are insufficiently provided at any time with the commonest necessaries of life. Their habitations are wretched hovels; several of a family sleep together upon straw or upon the bare ground, sometimes with a blanket, sometimes even without so much to cover them; their food commonly consists of dry potatoes, and with these they are at times so scantily supplied as to be obliged to stint themselves to one spare meal in the day. There are even instances of persons being driven by hunger to seek sustenance in wild herbs. They sometimes get a herring, or a little milk, but they never get meat, except at Christmas, Easter, and Shrovetide.'

The peasant finds himself obliged to live upon the cheapest food, *potatoes*, and potatoes of the worst quality, because they yield most, and are consequently the cheapest. These potatoes are 'little better than turnips.' 'Lumpers' is the name given to them. They are two degrees removed from those which come ordinarily to our tables, and which are termed 'apples.' Mr. Bicheno says, describing the three sorts of potatoes—apples, cups, and lumpers—

'The first-named are of the best quality, but produce the least in quantity; the cups are not so good in quality as the apples, but produce more; and the lumpers are the worst of the three in quantity, but yield the heaviest crop. For these reasons the apples are generally sent to Dublin and other large towns for sale. The cups are grown for the consumption of smaller towns, and are eaten by the larger farmers, and the few of the small occupiers and labourers who are in better circumstances than the generality of their class; and the lumpers are grown by large farmers for stall-feeding cattle, and by most of the small occupiers and all the labourers (except a few in constant employment, and having but small families) for their own food. Though most of the small occupiers and labourers grow apples and cups, they do not use them themselves, with the few exceptions mentioned, except as holiday fare, and as a little indulgence on particular occasions. They can only afford to consume the lumpers or coarsest quality themselves, on account of the much larger produce and consequent cheapness of that sort. The apples yield 10 to 15 per cent. less than the cups, and the cups 10 to 15 per cent. less than the lumpers, making a difference of 20 to 30 per cent. between the produce of the best and the worst qualities. To illustrate the practice and feeling of the country in this

respect, the following occurrence was related by one of the witnesses: "A landlord, in passing the door of one of his tenants, a small occupier, who was in arrears with his rent, saw one of his daughters washing potatoes at the door, and perceiving that they were of the apple kind, asked her if they were intended for their dinner. Upon being answered that they were, he entered the house, and asked the tenant what he meant by eating *apple* potatoes when they were fetching so good a price in Dublin, and while he did not pay him (the landlord) his rent?"'

Lumpers, dry, that is, without milk or any other addition to them, are the ordinary food of the people. The pig which is seen in most Irish cabins, and the cow and fowls kept by the small farmers, go to market to pay the rent; even the eggs are sold. Small farmers, as well as labourers, rarely have even milk to their potatoes.

The tenant takes land, promising to pay a 'nominal rent;' in other words promising to pay a rent he never can pay. His rent falls into arrear, and the landlord allows the arrear to accumulate against him, in the hope that if he should chance to have an extraordinary crop, or if he should obtain money from any unexpected source, the landlord may claim it for his arrears.

The tenant goes upon the land without capital, or, if he still retain a pound or two, he secretes it from his landlord with the greatest care—as well as all that he can contrive to accumulate while on the land. All he accumulates is so much subtracted from the landlord, and of course it never appears in his cultivation. He begins without any capital to cultivate the land, and he goes on to the end without letting any capital be seen on his land. He exhausts the soil by striving to get crop after crop out of it, and, when he can get no more, he leaves it not in fallow, but neglected, and covered with a scanty crop of weeds, to recover its powers. He knows nothing of a rotation of crops, nor of sheep-husbandry, nor, if he did, could he work his land upon those systems without capital.

The land is thus tilled very inartificially; a large proportion is always idle, and the Commissioners say that it is supposed to 'yield not one-third of the produce that it might under proper management.'

The crop of potatoes, as managed in Ireland, is a much dearer crop than it is in England. If we take into consideration the quantity of land prepared to receive the seed, which, when the season comes for sowing, the peasant has not the means to buy; the quantity of bad seed sown; the ruinous waste which ensues from digging the potatoes before they are ripe; the breadth of land covered with potatoes, to feed the people in a year of ordinary produce, and the waste which arises in years of large crops, when they are often carted on the ground as manure—the loss

must be enormous. For it is among the inconveniences of the potato, as the food of the mass of the population, that from the bulkiness of the crop the surplus of one district cannot be carried to relieve the deficiency in another, nor can the excess of one year supply the scarcity of the next.

'An annual famine, therefore, is the consequence of the use of the potato.

'Potatoes become bad about the end of June or in July, and the new crop does not come in until the end of August or until the middle of September.

'A period consequently precedes each crop, during which the population is compelled to be content with food unwholesome in quality.'

Usually, too, it is insufficient in quantity.

The reason why the peasants' potato crop is so tardy, is, that they usually put off the sowing until late in the season, because they can get wages for work, which will help to pay their rent.

During a period which 'generally prevails through the months of July and August, and has been known to extend over three months,' the Irish peasants are in great distress. They get meal on loan at from 20 to 40 per cent. advance of price, if they can give security; they dig up the young potatoes when they are of the size of marbles, and while they are green and unwholesome; feed on one meal per day of potatoes, and on another of cabbage; eat the wild charlock, which makes them as yellow as its own flower, and is esteemed so unwholesome, that in some places the farmers set persons to pull it up, to prevent the peasants from eating it.

When all this will not do, they send their wives and children forth to beg, themselves remaining at home, as their presence would be rather hurtful than beneficial to the success of their family. Many petty crimes are committed, but nobody prosecutes, for all know that they proceed from want.

Mr. Revans says—

'So severe are the sufferings of the peasantry during the months of June, July, August, and September, that even the most quiet and best disposed yield to the cravings of nature; and remarkable as the Irish peasantry are for patient endurance of misery, they are then continually driven to commit depredations. Provisions of every description are stolen by them; and pits and outhouses containing potatoes are frequently broken open. Potatoes, cabbages, and turnips, are rooted up whilst growing. Provision boats on the canals and provision carts on the roads are either robbed, or the sale of their contents enforced, to prevent them from leaving the district. Sacks are cut whilst standing in the markets, or in carts on the roads, and the provisions thus strewn on the ground. Corn stores and bakers' shops are broken into, and cows are milked during the night.'

Mr. Revans has collected much evidence in proof of his assertion, for which see his pamphlet.

'Robberies which are punishable with imprisonment, and even with transportation, are numerous during those months, and sufficient in number to crowd the prisons. But no one will in such cases prosecute. All seem to recognise the severity of the distress which can instigate the peasantry to such acts, and consequently anger gives place to pity.'

Not only do the wives and children of labourers beg when potatoes fail, but the small farmers, the cottiers, are often driven to have recourse to mendicancy. A man, who in the prime of life is ejected from his farm, must, until he gets land, have recourse to begging. The old man whose powers begin to fail, (which, owing to the bad quality and scantiness of the food, they do early in Ireland,) unable longer to pay his landlord the rent which a strong man could pay, is driven out from his little farm to beg, unless he has children to maintain him. It has often been remarked, that the feelings of the poor only are poetic. The feelings of an Irish peasant towards his parent are much more intense than anything of which we have experience in England; the child looks upon it as a sacred duty to support his parents, and this feeling is intensified by the remembrance that he will himself be old shortly.

When the husband dies, his widow and children generally beg. They strive to keep the land the husband held, and do so for a short time by the aid of their neighbours—

'Who assemble on Sunday mornings before service, on holidays, and before and after their own hours for working, to dig the plots of ground, and get in the crops for the widows.'

The possession of land is thus of immense importance to a peasant; without it, he must lead the life of a mendicant. The only way in which a woman can get an interest in land is by marrying, and the only chance of protection from beggary when she loses her husband, or when his powers fail, is to have children. The poorest Irish peasant is therefore always married. If any are unmarried, they are always to be found among those who had something to lose.

Mr. Bicheno says—

'Many of the inducements to marriage are such as are unknown in Great Britain. In the opinion of the peasantry, substantial benefits are the consequence. As no property can be saved, children are the provision for old age, furnishing them with a subsistence when their own strength is exhausted. Their children are their wealth. The women and children, too, in their turn, become subservient to the support of the men, by begging when the potato is spent. "The value of children," Adam Smith remarks, "is the greatest of all encouragements to marriage."'—(Bicheno, p. 18.)

He adds abundant evidence to show that it is precisely the poorest who marry earliest, and that those who have anything look out with extreme caution for a wife who has at least as much. Mr. Revans has selected much evidence to the same effect in pp. 56, 57 of his pamphlet. In Ireland the marriage of a man who possesses a cow, or a pig, or some article of furniture, is a curious scene of bargain-making between him and the father of the girl, who is obliged, before the marriage is agreed upon, to give her, for everything the husband brings, something of equal value.

The complete dependence of the Irish peasantry upon the possession of land is the cause of nine-tenths, or ninety-nine one hundredths, of all the crime in Ireland.* There is first the whole system of Whiteboyism, and the atrocities connected with it. A general combination exists among the poorer classes to protect themselves against the richer—to protect the tenants from being ejected—to enable them on their death to divide the land they hold among their sons—to prevent the wages of those living in towns from being lowered, or to compel them to be raised—to punish those who have taken 'land over the head' of another—to punish those who have given evidence against a Whiteboy, or to intimidate magistrates from taking evidence against one.

Mr. Revans says, p. 36—

'The outrages committed are apparently most disproportionate to the injury which they are intended to punish. But when it is considered that loss of land in Ireland means, in most cases, a life of mendicancy, in many cases starvation, and in all a state of misery more to be dreaded than death, the disproportion of the punishment to the offence will not appear so great. Again, it is necessary to consider that more lenient punishments are impossible where secrecy and expedition are imperative conditions.

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* Witness the following table of "Nature of all the Crimes committed in Munster, 1833, as far as can be collected from the Reports of the Inspectors-general:"—

Crimes connected with the occupation of land	140
,, ,, employment of labour	67
,, ,, collection of tithe, rent, and local taxes, and the enforcing of their payment by law	71
,, ,, payment of tithes	10
,, committed in order to obtain arms	65
,, connected with forced marriages	13
,, ,, religious feeling	2
,, ,, political feeling	3
,, ,, local party feeling (factions)	28
Miscellaneous	12
	411

—(*Lewis*, p. 106.)

In addition to these facts, Mr. Lewis cites the *opinions* of very many competent witnesses, which corroborate the conclusion in the text.

'It is worthy of the most serious consideration that the same peasantry who sanction the greatest atrocities, both against person and property, give daily proof of possessing in the highest perfection the finest sympathies which adorn human nature. No points connected with the Irish peasantry are better established by the evidence, than their universal affection towards their relatives and friends, and their humanity to the wandering stranger. In the various relations of child, of parent, and of friend, they appear to be unrivalled. Frequently the man, who at night deprived his fellow-creature of life, had a few hours previously divided his last potato with the widow and the orphan; and those who witness and sanction his crime return to shelter and to comfort the houseless and hungry.

'All ranks concur in stating, that however destitute may be the condition of the peasantry, outrage on the person for the purpose of robbery, breaking into dwelling-houses, horse, cattle, and sheep-stealing, are almost unknown.

'Political outrages are nearly as rare, and do not bear the proportion of 1 per cent. upon crimes connected with landholding. Religio-political outrages are nearly confined to the north, where the population is mixed. In the provinces of Connaught, Leinster, and Munster, the number of Protestants in a parish are so few as to render feuds between them and the Catholics impossible. These statements will appear incredible to those who have been in the habit of concluding that all disturbances and outrages in Ireland are political, instead of being in almost every case connected with food. It is a very common error in England to suppose that outrages in Ireland are by Catholics on Protestants, whilst nine-tenths of them are committed by Catholics on Catholics, and have not the slightest connexion with religious feeling. Protestants are rarely concerned in agrarian disturbances, their condition being generally more comfortable than that of the Catholics.'

Mr. Bicheno, indeed, says,—

'That penury and want are auxiliary causes in producing agrarian violence, cannot be doubted; yet they seem by themselves an unsatisfactory explanation, with this irreconcilable fact before us, that the people of Mayo and Galway are more wretched and destitute than those of Tipperary, Queen's County, and Kilkenny, and yet the former exhibit no outrages.

'Some persons have attempted to connect religious hostility with these aggressions. None of the evidence leads to this conclusion. The mischief is perpetrated by Roman Catholic on Roman Catholic, and the Protestant, if he be poor, screens the offender like the others. In more than one instance, the Catholic gentleman of hereditary family has been the object of their revenge; and he has become an absentee, equally with the Protestant, in consequence of his uncomfortable connexion with his tenants.'

The fact that certain counties in which there is much crime are less wretched than other counties where there is less, is not at all irreconcilable with the supposition that wretchedness is the

principal cause of agrarian violence. It only shows that the violence is to a certain extent successful in its object.

This being the state of the people, those who think that poor-laws are the remedy to be applied, do not reason thus: 'The Irish are miserable, therefore something ought to be given to them.' They are perfectly aware that all schemes founded on this principle must fail. They are in favour of a poor-law, because a poor-law seems to them the only practicable measure by which the peasantry can be led to improve *their own* condition; because a poor-law would permanently remove the mass of the population out of a situation in which they have no means of saving, no motive if they can save furtively, to employ capital on the land, and no inducement to be prudent in marriage, but, on the contrary, in which they have abundant motives to a reckless increase of population, and abundant motives to crime.

From this state the peasant cannot raise himself, neither can the landlord raise him by any means which would be so advantageous to himself as a poor-law.

Mr. Lewis says, p. 320,—

'If an Irish landlord wishes to improve his property, he finds that he cannot venture to lay out capital upon it without increasing the size of the buildings; he cannot erect farm-buildings on plots of a few acres—the construction and repair of farm-buildings by the landlord implies the existence of large farms, and a respectable tenantry. A landlord has no hold on a cottier tenantry; they are not responsible persons, nor can they be trusted with valuable property. In Ireland the difficulty of living by wages makes every man look to the land for a maintenance: hence arises the practice of tenants dividing their land among their children, and erecting a mud hovel for each new married couple. As a man cannot hope to maintain himself *by his own labour*, he always looks to the principle of *inheritance* for support; and thus the father is induced to divide among his children whatever he has any power over.

'It is impossible (says Mr. Furlong, the agent of the Earl of Devon's estate in the county of Limerick) to prevent the subdivision of land among the sons, for whether there is a lease or not, they deal with their ground in the same manner. They often make wills, even when they have no lease, and they even give leases when they have none themselves.

'With this constant and irresistible tendency to subdivide land, it often happens that the landlord, at the expiration of a lease, finds 30 or 40 tenants, and as many mud cabins, instead of the one tenant to whom the farm was originally let. What is a landlord under these circumstances to do? Either he must surrender to the evil, which will inevitably go on increasing, or he must set about clearing his estate, in order

to consolidate holdings. Now, there are only two ways in which a landlord can set about clearing an estate: he may buy out the tenants, and furnish them with the means of emigration, an expense which few persons are able to incur; or he may forcibly eject them, and throw down their cabins, and thus produce the mischief already explained.

'The consequence of this crossing of interests is, that the system is at a dead lock; no individual can, by his unassisted energy, hope to extricate himself from its shackles: and the evil is constantly progressive, enlarging itself by its own action, and creating the necessity for its own continuance. There seems no hope that the society will, by its spontaneous efforts, work out a cure; so far from it, that the rapid and inevitable tendency is from bad to worse. The law alone can furnish a remedy; by its assistance alone can the transition of the peasantry from the cottier to the labourer state be effected. What is wanted is to give the peasant some third alternative besides land and starvation, by which he may be induced to relax that desperate grasp with which he clings to his potato-ground. This alternative (as it seems to me) can alone be furnished by a *Legal Provision for the Poor*.'

Of the objections made in the Report of the Commissioners to such a provision, that which is usually urged with the greatest effect is, that a rate sufficient to feed all the people would swallow up all the rent. To which the answer is—The people are already fed; and fed, too, at the expense of the landlord. It is quite clear that with a people situated as the Irish are, all that is expended in alms falls upon the landlord, that is, he gets so much less rent than he otherwise would. The custom of the country, in the absence of poor-laws, has made it as much a necessary of life as the food they eat, that the tenants should have wherewithal to support the mendicants. The landlord, leaving in their hands only the bare necessaries of life, leaves so much more on account of this custom. But, throw the expense of maintaining the beggars upon the landlords directly, and they would take exactly so much more in the shape of rent from their tenants.

The maintenance of all the present mendicants, whether sick, aged, impotent, or simply destitute but able-bodied, falls upon the landlords. Let it cost what it will, £5,000,000 or £500, they bear it; and they would not be worse off than at present, if they bore it avowedly.

The landlords would collect the additional rent at the time when the crop was ripe; and all that they would lose by their inferior mode of collection (for inferior their mode would be to that adopted by the beggar, who raises his maintenance in kind, and by single potatoes) would probably be more than made up by the saving of expense occasioned by maintaining considerable numbers together.

One result of this alteration would be that the funds already

employed to maintain the destitute would be taken out of the hands of those who could maintain them only as beggars, and placed in the hands of those who could and would find useful employment for many of the able-bodied.

Instead of laying out his accession of rent in maintaining a pauper class in idleness, the landlord might, and in many cases would, employ many of them on his land: he might hedge, and ditch, and drain, his estate, and thus make it yield more without any additional expense to himself, and with great advantage to the labourers. The funds for the employment of labour would then be increased, not merely by the annual sum which would thus be converted from the maintenance of beggars to the employment of labourers, but also by the annual savings from the produce of that sum.

Supposing, therefore, that the persons who would require relief from the poor-rate would consist only of those who are beggars now, and supposing them to be maintained by the poor-rate for the same number of weeks in the year as they now are by mendicity, the landlords would be great gainers by the change.

But it will be said, though the class who already live on charity could be maintained by a poor-rate without imposing any additional burthen upon any one, a much larger class than this would claim relief if a poor-law were established.

This increase must either come from persons already living, or it must come from an increase of *population.*

First, as to those who are already living.

People often allow themselves to be carried away by such an argument as the following:—The class of able-bodied labourers are extremely *poor*. They have nothing but an insufficient quantity of dry potatoes for food, and all persons in England who were so poor as they are, would go into the workhouse. But into what workhouse? An English workhouse. It is possible (though, for reasons which we shall hereafter mention, not probable) that the excellent food of an English workhouse might tempt large numbers of Irish, who now support themselves by labour, to take advantage of it. But it is not intended that the Irish should be fed in the workhouse upon better food than they already get when in employment. They would have a sufficiency when in the house, which, when out of it, they cannot always get; and this would be the only difference.

The evidence shows that the labourers generally do not venture to look higher than to plenty of potatoes for two meals in the day, and meal for a third; so that, even after they had got all they aspire to, they would be so poor that Englishmen would rather go into an English workhouse than live upon such food.

The poverty which would suffice to drive an able-bodied Irishman into the workhouse must be actual destitution of the lowest class of food. Ireland is not in a state in which a workhouse, with its strictness and regularity, would offer many attractions to the peasant. The people, never having had constant employment, have acquired habits of idling about; and the love of uncontrolled freedom is strong in them. Who imagines that a workhouse, with its restraints, would be sought after by a tribe of wild Indians, even although they were in a state of misery? The English have acquired habits of order and regularity greater than any people that ever existed; and, all other things being the same, would be infinitely more likely to enter a workhouse than the Irish. The Irish, too, have not had their pride broken by the abuses of poor-laws; and that they have a pride, which would not allow them to live by alms when they could get even a scanty maintenance, is seen in the habit which all mendicants in Ireland have, of going to beg where they are not known.

The Irish are, moreover, a more mercurial race than the English. They have more sensitiveness than our peasantry, and would feel more acutely the degradation. The evils of misgovernment have rolled over them without breaking their spirits, as they would probably have broken those of the English.

The Irish peasantry would thus be extremely unwilling to come into a workhouse. Still, so grinding is the pressure of *nominal* rents, that some of them, more than are now supported by charity, might possibly come in; or might be inclined to stay in when they had once been forced there by distress. And this the friends of Irish poor-laws would rather desire than deprecate. By diminishing the intensity of the competition for land, it would compel the landlord to reduce his *nominal* rents to *real* ones; by which he would lose nothing even for a time, and would gain greatly by the increased productiveness of his land. It is the opinion of Mr. Revans, and appears most certain, that, if the whole tenantry of Ireland had their lands set for the next five years at the rent they have *actually* paid for the last five, they would be well able to pay the rent, and their condition as a class would rapidly rise. They would bring out their little hoards, which they have hitherto secreted from their landlord; they would gradually improve in cropping and tilling their farms; they would exert themselves to make the farm yield something beyond the rent, because that something would be their own; and, when yielded, much of it would be employed on the land. The emigration of small farmers would then cease. They would find employment at home for their capitals, at rents which they could pay. Capital would also flow to the land from other

quarters. The superabundant capital of Great Britain is only prevented from flowing to Ireland by the insecurity of property; and that insecurity, the result of the Whiteboy outrages, would be at an end if the people were ensured against destitution. The land, however unproductive in the hands of the present tenants, would yield a good profit to an *English* farmer going on it with his *capital*. This opinion is borne out by those of the Rev. Mr. Clarke and Mr. Gisborne. The former, one of the Assistant Commissioners in the Agricultural Inquiry, says—

'I do not consider the rents high, if reference be had to the capabilities of the land; but much too high if the agricultural knowledge and capital of the farmers be taken into account. In Ireland the imposts, generally, are not high, the tithe mostly very low, but in some townlands the county cess, from its inequality, is very oppressive; but altogether in these matters he has an advantage over his English competitor. In the district which I visited, the West of Ireland, nearly the whole of the land is in a very impoverished state. I saw many farms of good land, which I should have had no objection to have had at the rent charged for them, but they were in that condition that they would have required a large outlay of capital, on account of their being so much exhausted. I am more particularly acquainted with the rent of land in the counties of Norfolk and Suffolk than in any other part of England, and I think that rents are certainly not higher in Connaught than here.'

W. J. Gisborne, Esq., Assistant Commissioner, says—

'In the province of Munster the general quality of land appeared to me to be superior to that of England, and, putting the quality out of the question, the rents paid by the Irish tenantry were certainly below the average rents in England. I conceive that similar quantities of land in England are let from 10 to 30 per cent. above the rents in Munster, the best land there being the most beneath English prices. I must make an exception in the cases of cultivated, marshy, or peaty ground, and also of very steep land that can only be cultivated by the spade; in such instances the rent is at least equal to what could be obtained for such land in England.

'The remaining payments off land in Munster are much, probably 50 or 60 per cent., below the English parochial and other taxes.'—(Bicheno. pp. 28, 29.)

'It is difficult to estimate and compare the loss which the Irish farmers suffer by making and repairing all their buildings, and by not receiving the assistance of their landlords in making drains, fences, and many other improvements, which is so constantly granted in England. The cost of the buildings and their repairs are comparatively small, because Irish farmers submit to so many inconveniences; but in the course of a long tenure they must amount to a considerable sum, though I am not inclined to rate it equal to the advantage they have over the English tenantry in the small amount of their taxes. The farmers in

Munster suffer also a disadvantage by paying rent for the roads and river-courses adjoining their land, which may increase the rent of the cultivated land from two to five per cent. They also frequently pay a considerable sum to the preceding tenant for the "good-will" of the land; but as they may expect, on leaving the farm under common circumstances, to receive an equal sum from the next tenant, that payment can only be regarded as a similar sum laid out in dead unimproving stock.'

Mr. Bicheno and Mr. Revans quote these opinions with approbation.

This is the land in its present exhausted state. When in vigour and high cultivation, the Commissioners say that it would yield more than three times its present produce.

Manufactures too, in which a great proportion of unskilled labour is employed, would be attracted to Ireland by the cheap rate at which such labour could be procured.

Mr. Revans says—

'It has been urged as the reason why manufactures are not more extensive in Ireland, that the people of that country cannot successfully compete with the English. The linen manufacture of the North of Ireland, which is unrivalled by Great Britain or by any other country, might perhaps be a sufficient answer. But in Dublin there is a very extensive establishment for printing cottons. The proprietor, Mr. Henry, a native of Scotland, told me that he bought most of his cloths in Glasgow and Manchester, and that when printed they were returned to Glasgow or Manchester, or sent to London for sale; so that, with the disadvantage of two freights, the cheap labour of Ireland enables him to compete with those who print their cloths in the towns in which they are made. There is also in Dublin a cloth manufactory, which was established about 20 years since by its proprietor, Mr. Willans, an English gentleman, who, I believe, has also an establishment at Leeds. I do not know whether I am right in stating that the cloths of this establishment are frequently sent to the English markets for sale, but I think Mr. Willans informed me to that effect. Upon one material point I can speak confidently. His wools are mostly German; they are landed at Hull, carried across England, and are reshipped at Liverpool. His cloths, therefore, when sent to the English market, have to contend under the disadvantage of the cost of double carriage, between England and Ireland; which, upon bulky goods is considerable. The following is another instance, of lace made in Ireland being sent for sale to the town in England in which lace is principally manufactured.

'*Meath*, D. 37.—With the exception of one establishment, there is no employment for children of either sex worth speaking of. The establishment alluded to is one in Kells, which furnishes employment to a considerable number of girls and young women of the town and neighbourhood, and the example of which has caused the occupation to be followed by many other girls at home, and to be adopted in other districts, and even distant parts of Ireland. It is the lace manufactory, established some years ago in that town by Mrs. Colston. *The lace is*

sent to Nottingham for sale, and it is only the cheapness of labour that enables it to withstand English competition. There are altogether in Kells near 300 girls employed at that work, whose weekly earnings vary, according to their skill and industry, from 2*s*. to 4*s*. per week; some of the girls in the country employ themselves in this way, and pedlers go round to the cabins to buy the lace of them.

'The limited extent of the manufactures in Ireland is entirely owing to the want of capital amongst the Irish, and to the opinion which the English and Scotch entertain of the insecurity of person and property in that country.

'A native of Great Britain, who possesses a manufactory in one of the principal towns in Ireland, told me that he had often been asked by English and Scotch manufacturers whether it would be safe for them to establish works in the rural districts of Ireland, and that he had felt compelled to dissuade them from the attempt. He felt that it would be dangerous to have dealings in the relation of capitalist and workman with a people who had by necessity been taught to make and execute laws in defiance of those made by the Legislature.'

The rapid influx of capital which would take place would raise so quickly the rental of the country, that the landlords would be almost immediately placed in a far better state than that in which they are.

For reducing their rents from *nominal* to *real*, and for supporting the *additional* number of tenants who would quit their lands or be ejected in consequence of the poor-law, the landlords would receive an equivalent in a greatly increased power over their land. The Irish proprietor has not purchased, and has not, the power over his land which an English landlord has. He gives a smaller consideration for it than he would have given for land in England. But he bought the land subject to obstructions which prevent his land from yielding more than one-third of the produce which it would yield if well worked. These obstructions, like the tithe, were allowed for in the price. He did not purchase, and has not, the power of getting his natural share of the other two-thirds which his land would yield if it were well worked. This it is purposed to sell him; and with it, security for his own life, and for the lives of those who are dear to him; for his herds and his flocks; for his crops; for his farm and his farm-buildings—on consideration that he, in some way or other, support the persons ejected from his farms.

If maintenance were found by law for those who are driven off their farms, the Whiteboy outrages would be at an end. Ejectment being no longer a sentence of death or beggary, the combinations to avenge it would be broken up.

'It is not possible to make a sudden improvement in the general morality, or the skill or the knowledge, of a whole population; but it

is possible suddenly to ensure them against the consequences of despair. That the Whiteboy system is the creature of CIRCUMSTANCES, not of MORAL HABIT, appears from the conduct of the Irish who have migrated to Great Britain. The Irish, who settle in the large towns of Scotland and Ireland, may be said on the whole rather to be deteriorated than improved in their moral character; and yet crimes of combination, in any way resembling those arising from the Whiteboy spirit, are utterly unknown among them. The Irish in England have never hitherto shown more disposition to avenge the cause of a dispossessed tenant than the English themselves. If the change produced in the circumstances of the Irish peasant in England by the change of place, should be produced in his circumstances in Ireland by a change of laws, there is every reason to expect that similar consequences would ensue. "We hold it of great importance," says Dr. Chalmers, "in estimating the probabilities of any eventual reformation among the people, to distinguish between the virtues of direct principle and the virtues of necessity: the former require a change of character, the latter may only require a change of circumstances; to bring about the one, there must either be a process of conversion, which is rare, or a process of education, which is gradual; the other may be wrought almost instantaneously by the pure force of a legal enactment." '—Lewis, p. 326.

The landlords, then, would not lose, but gain, to a very great extent, by the change, so far as concerns the people now living.

It remains to be considered what the chance is of an increase of pauperism from an increase of the population. And here it appears that the counteracting causes would greatly overbalance the tendency which a diet of mere potatoes, given in a workhouse, would have to increase population. All persons now marry; the motives to early marriage would then be diminished. A peasant would not look to the possession of children as affording him the only chance, and that but a precarious one, of being saved from beggary at the close of his days; he would look upon them as a burthen, which would prevent him from raising himself, and be more likely to bring him to the workhouse, than to maintain him out of it.

Caution with respect to marriage, which now is so distinguishing a habit among the poor Irish who have anything, would then, it might be hoped, become the habit of most.

But this is not the only check upon marriages which would be created by the poor-law. It would, more obviously than at present, become the interest of the landlords that the population should not increase with its present rapidity; and landlords would exercise a powerful check upon marriages by refusing cabins and land.

The expense of introducing the workhouse system would, in Ireland, be much less than is generally supposed. The advan-

tages, in point of economy, of living together in masses, are very great. From information obtained from Mr. Chadwick, of the English Poor Law Commission, it appears that the dietary of an English workhouse, consisting of white bread, meat, soup, and beer—luxuries unknown to an Irish labourer—costs but 1*s.* 3*d.* per head per week; a sum on which an individual living separately could not exist.

The highest earnings of a labourer in Ireland, it has been seen, are 2*s.* 6*d.* per week: out of this sum the man has to maintain himself, his wife, and his children—on an average three in number—in all five individuals. If he can maintain his family out of the workhouse on this sum, it may, at least, be fairly assumed that in the workhouse they could be maintained much better on the same sum: and a family of five individuals would, therefore, cost not more than 2*s.* 6*d.* per week. Nor would the outlay for the building of workhouses be so great as many apprehend. In England, after the passing of the Poor-Law Amendment Act, a similar error was committed, in the anticipation that much more room would be required to receive the number of persons who would apply to be taken in when the overseers should refuse to give out-door relief. Many parishes and unions set about building large houses—which are now generally stopped.

To defray this outlay, however, the Government might issue Exchequer bills, to be paid off by instalments. And, lest it might be found that the immediate effects of poor-laws should press upon the landlords before they had time to realize the advantages with which poor-laws will be accompanied, the Government should be empowered to issue Exchequer bills in aid of the poor-rate generally—calling upon the landlords to pay the interest on them, and such portion of the principal, for the first few years, as the Government should think they could bear.

No country every afforded such favourable circumstances for the establishment of a poor-law as Ireland does at the present time. With a fertile soil, which yields less than one-third of the produce that might be extracted from it;—with the superabundant capital of the richest nation in the world, ready to be poured in to absorb its labour;—with bog almost all capable of reclamation, amounting to nearly one-third of the land in tillage, and upon which is, as Mr. Arthur Young observed, 'to be practised the most profitable industry in the King's dominions;'—with a people the very reverse of stupid,* eager for work, and as yet demanding but small wages.

* "There is a misapprehension with regard to the education of the poor of Ireland. If elementary knowledge be regarded as education, it is more universally diffused in Ireland than in England. Where in England could the Ordnance surveyors find persons among the lowest class to calculate the sides and areas of their triangles, at one halfpenny a triangle, as they do in Ireland, and abundance of them?"—(Mr. Bicheno, p. 41.)

In cases like this of poor-laws, where the effects produced, either good or evil, would manifestly be great, the Legislature has to consider only whether the measure is, or is not, correct in principle; the details of the effects which would be produced hardly admit of discussion. The magnitude of the good which will be produced, if the principle is correct, will be much greater than any person can now contemplate. All the effects of a measure are almost necessarily underrated in argument before it has been tried; and the good much more than the bad. There are many things which no one, before trial, will venture to state otherwise than problematically. Many of these will, when reduced into practice, yield their full crop of good effects; yet who would enlarge upon the effects of a thing problematical? In tracing the effects we usually confine ourselves to a few of them, which are most immediate and certain: we strive to get proof of these, by showing that analogous effects have been produced on a small scale under the present system; all the more distant effects are left out of consideration, or are anticipated in vague terms, which produce little impression. Even of the immediate effects many are necessarily spoken of in very vague language when we have no experience of like effects, or are rendered insignificant in appearance by being compared with something insignificant, where we have experience of something similar on a small scale. Accordingly it continually happens that great measures of reform (for instance, the Poor-Law Amendment Act, and the opening of the trade to India,) have produced effects in practice greater than were ever anticipated by their warmest friends.

The landlords of Ireland would reap most of the advantage, therefore they should bear the charge; but if they think there is anything of risk in establishing poor-laws, it would amply repay the United Kingdom to have the scheme tried, and guarantee the landlords against loss in case it should fail.

We have now briefly sketched the leading features of the state of society for which the introduction of poor-laws into Ireland is designed as a remedy. We have given our reasons for deeming it to be an effectual remedy; and we have anticipated, the most serious of the objections to which it may appear to be liable. It is necessary, however, to examine somewhat more particularly the statement of the case against poor-laws by the Commissioners in their Report, and by Mr. Bicheno, one of them, separately; and to consider the worth of the remedies which they propose, as available substitutes for what appears to us the only remedy.

Mr. Bicheno's observations on remedies are remarkably concise:

'The remedies,' he says, 'which are devised will be of no avail, unless the causes of the mischief be removed. If those causes are to be dis-

covered in the positions we have laid down, then the method of removing them is not by the establishment of a general poor-law, which can only aggravate the evil, but by a cautious and gentle repression of the encouragements to early and improvident marriage; of the subdivision of land; of the strong attachment of the peasants to the soil as their chief dependence; of the middlemen, who are the secret encouragers of over-population; and of the needy and embarrassed proprietors, who are not their own masters. Some good will be obtained by the diffusion of education, and by instilling into the minds of the peasants prudence and foresight. Neither landlords nor peasants are, however, likely to shape their future conduct by any reasoning, however plain, that may be urged upon them, though they will eventually find out what their true interests are.'

Now if, instead of striking at a few secondary causes of the evil, Mr. Bicheno had struck at the evil itself, and had said, 'The Irish people are poor, give them riches—give them plenty of roast beef and beer'—his scheme would not have been a more impracticable one, and would have had a beautiful simplicity which it wants at present. The only difficulty would be *how* to give them riches——*how* to give them plenty of roast beef and beer.

But this difficulty, joined, too, with many others, meets him here. How is that 'cautious and *gentle repression*,' which he recommends, to be applied to the '*encouragements* to early and improvident marriages?' How is it to be applied to the subdivision of land—to the 'strong attachment of the peasants to the soil as their chief dependence?' The cause of these three evils is, that the soil really *is* their sole dependence. Give them another dependence, and these evils will cease with their cause.

The last two items in Mr. Bicheno's catalogue of things which require a cautious and gentle repression are *middlemen, who are the secret encouragers of over-population*; and *needy and embarrassed proprietors, who are not their own masters.*

This passage has been tried, without avail, through all its various meanings, literal and figurative, to find an answer to the question, how the cautious and gentle repression is to be applied to those two classes of men, and to discover what Mr. Bicheno would be at.

The main argument of the Commissioners against poor-laws is the following :—

'If workhouses were determined upon for Ireland as an actual means of relief, they must be established for the purpose of setting vast numbers of unemployed persons to work within them, and of so providing for such persons and their families. Now, according to the third Table annexed, we cannot estimate the number of persons in Ireland out of work and in distress during thirty weeks of the year at less than 585,000, nor the number of persons dependent upon them at less than 1,800,000, making in the whole 2,385,000.

'This, therefore, is about the number for which it would be necessary to provide accommodation in workhouses, if all who require relief were there to be relieved; and we consider it morally, indeed physically, impossible so to provide for such a multitude, or even to attempt it with safety.

'The expense of erecting and fitting up the necessary buildings would come to about £4,000,000, and, allowing for the maintenance of each person 2½*d.* only a-day, that being the expense at the Mendicity Establishment of Dublin, and at other similar establishments in Ireland, the cost of supporting the whole 2,385,000 for thirty weeks annually would be something more than £5,000,000 a-year; whereas the gross rental of Ireland (exclusive of towns) is estimated at less than £10,000,000 a-year; the net income of the landlords at less than £6,000,000; and the public revenue is only about £4,000,000.'

To this we answer, that *out of work,* and therefore *in distress,* which would be a necessary consequence to an English, is not so to an Irish labourer. This must have been known to the Commissioners. That it was known to one of them, Mr. Bicheno, is evident to any one who has read his pamphlet, and remarked his accurate description of the state of the people. As we have already remarked, a labourer who lives wholly by his labour, and has no land, is rare in Ireland. Every man is either the occupier of a small piece of land, or hires con-acre by the crop, to grow potatoes on, and works when he can get employment, as a means, in the first place, of paying his rent. His being out of work is no sign of his being in distress. He *must* be out of work sometimes, or his con-acre could not be cultivated; and, although he is out of work, he has all which he has at any time, dry potatoes, unless his stock becomes exhausted or rotten before the new crop is fit to be dug. Dry potatoes are all that it has been proposed to give him in the workhouse, and for dry potatoes he will not come into the workhouse when he can get them out.

If, therefore, the Commissioners mean anything at all which can be applicable to the question between them and the friends of poor-laws in Ireland, it must be that 2,385,000 people are in want of potatoes for 30 weeks of every year, and of course, there being no provision by law, that they subsist for those 30 weeks by begging; that is, that nearly one-third of the population gets its living from the charity of the other two-thirds for 30 weeks in the year, among a people consisting almost entirely of peasants and landlords, of whom the latter give very little in charity.

Lest this should seem too preposterous an opinion to be held by the Commissioners, we ask, Why do they make a distinction between this one-third of the population for 30 weeks, and the mass? The mass lives entirely upon potatoes, those called small farmers as well as those called casual labourers; all are in what,

according to English notions, would be termed distress. The only difference there can be between them is the having potatoes or the having none; and the consequence of having none is always begging. The Commissioners must therefore have meant that one-third of the population are without potatoes, and beg, during 30 weeks in the year.

Now out of what do the other two-thirds maintain them?—The Commissioners state—

'That agricultural wages vary from 6*d.* to 1*s.* a-day; that the average of the country in general is about 8½*d.*; and that the earnings of the labourers come, on an average of the whole class, to from 2*s.* to 2*s.* 6*d.* a-week, or thereabouts, for the year round.'—p. 3.

The class of labourers in agriculture consists of 1,131,715, 'and, as these are all heads of families,' they must be multiplied by 5, leaving about 2,000,000 persons for all other classes—including the manufacturing labourers, who earn almost as little as the agriculturist.—(Bicheno, p. 4.) Besides what they earn as wages, there is the produce of the labour bestowed on their con-acre. This Mr. Bicheno estimates at 5*s.* or 10*s.* And here is all that agricultural families earn; for there is no demand for the labour of either wives or children.—(Bicheno, p. 6.)

Suppose the labourer to earn in all 2*s.* 6*d.* per week: in the first place, this must support his wife and three children on an average; 2*s.* 6*d.* per week for five persons gives less than 1*d.* per day for each person. Can any one suppose that this family has so much superfluous wealth, that it can take upon itself the support of two persons, and half the support of another, for 30 weeks in the year?

The Commissioners then proceed to say that to maintain these persons would cost more than £5,000,000 per annum; that is, they say that labourers out of the house get only 2*s.* or 2*s.* 6*d.* per family to keep them, while, in the house, they would cost nearly 6*s.* per week, with all the advantages, in point of economy, of living together in masses.

The wages of the whole number appears, by their own Report (p. 6,) to amount to but £6,800,000 for the whole year; and the maintenance in the workhouse of somewhat less than one-third of the whole number, for 30 weeks, would amount to more than £5,000,000.—(Report, p. 3.)

The things here called facts are probably as little worthy of credence as the conclusions which have been drawn from them; but enough has been shown for our purpose.

Now, suppose that all the Commissioners say were correct; that so large a proportion of the people as they affirm were maintained by mendicancy. If this were the case it would make not against, but in favour of, a system of poor-laws.

As already remarked, all the persons who now beg are already maintained by the landlords. If the landlords maintained them directly, they might be employed in productive labour; at present they are maintained in idleness. The greater, therefore, the number who now beg, the greater would be the benefit of substituting, as their means of support, wages for alms.

The Commissioners urge but two other arguments against the workhouse system; the first is this:—

They are 'satisfied' that it would have no effect, for no able-bodied labourer would accept of relief in the workhouse.

'We are persuaded that it would be regarded by the bulk of the population as a stratagem for debarring them of that right to employment and support with which the law professed to invest them.'—p. 5.

The second is—

'That if any did go into the workhouse, the strict discipline which, as in England, it would be needful to enforce, separation of families, and so forth, would produce resistance, that tumults would ensue, and that, after much trouble, expense, and mischief, the system would necessarily be abandoned altogether.'—p. 2.

To these arguments is to be attached as much weight as generally belongs to vague promises of results opposed to the ordinary laws of human nature and human affairs.

The Irish will not go into a well-regulated workhouse while they can get food elsewhere: if they would, poor-laws would then be really an evil. But when an Irishman found he had no food, and could get none by begging for it, his sentimental aversion to a workhouse would vanish.

As to the predictions respecting tumults and resistance, they were made with equal confidence in England, and with far more plausibility: for, in England, food, on unpleasant conditions, was to be offered to persons accustomed to have food given them on pleasant conditions; while, in Ireland, it is to be offered to persons never before admitted to have any claim to it at all. In England the phantom was defied, and it has vanished. We have no fear of a less fortunate result in Ireland.

This is all the Commissioners have to urge against poor-laws. It seems very little, and the Commissioners appear to have felt its littleness and its weakness.

Their first three pages and a half being occupied with this matter, and with some preliminary statements having relation to the condition of the people, they proceed, through 30 folio pages, to recommend with minute, and in some instances ludicrous detail, a vast heap of measures, many of which it can scarcely be surmised that they ever intended should be put into execution.

The following is their description of the general character of their own propositions:—

'With these feelings, considering the redundancy of labour which now exists in Ireland, how earnings are kept down by it, what misery is thus produced, and what insecurity of liberty, property, and life ensues, we are satisfied that enactments calculated to promote the improvement of the country, and so to extend the demand for free and profitable labour, should make essential parts of any law for ameliorating the condition of the poor. And, for the same reasons, while we feel that relief should be provided for the impotent, we consider it due to the whole community, and to the labouring class in particular, *that such of the able-bodied as may still be unable to find free and profitable employment in Ireland should be secured support only through emigration*, or as a preliminary to it. In saying this, we mean that *those who desire to emigrate should be furnished with the means of doing so in safety*, and with intermediate support, when they stand in need of it, at emigration depôts.'—p. 8.

They here promise to supply every able-bodied man, who is desirous of emigrating, with the means. After quoting a great quantity of evidence, covering eight pages of their Report, to show that many would be desirous of going, and that the numbers who have already gone (upon an average 40,000 a-year for the last 10 years) have not affected the wages of those who remain, they conclude their remarks upon emigration with a passage quite at variance with that with which they commenced them.

'We must here observe, that we do not look to emigration as an object to be permanently pursued upon *any extensive scale, nor by any means as the main relief* for the evils of Ireland, but we do look to it for the present as an auxiliary essential to a commencing course of amelioration.'

According to the common estimate, the population of a country, increasing without restraint, will double itself in 25 years. Unless emigration is adopted on a scale sufficiently large to meet this increase of population, all the money bestowed on it, so far as its object is to relieve the people, is worse than thrown away. The expense of carrying away a man and his family would much exceed the cost of maintaining them a long time where they are.

'We proceed,' say the Commissioners, 'to submit a series of provisions for the improvement of Ireland, and the relief of the poor therein, including in the latter means of emigration.'

The first thing recommended is to establish a Board of Improvement, with 'suitable salaries,' and a Court of Review, consisting of the President and Vice-president of the Board, and two of the Judges. This Board is to appoint Commissioners to make a partition of the waste lands; of which 'it appears there are 5,000,000 English acres that are considered to be almost all reclaimable.' There is to be a Board of Works to drain and make roads through these waste lands, for which it is to have an

allotment of the waste to cover its charges. This allotment it is to fence, and to build such model hamlets upon it, and make such other improvements, as the Board of Improvement may think proper.

'We come now to lands already in cultivation. There is throughout Ireland,' say the Commissioners, 'an urgent necessity for drainage. There is also in most parts of Ireland a want of boundary fences.'—(Report, p. 19.)

The Commissioners gravely propose to take this whole affair out of the hands of the landlords, and to drain and fence all Ireland. They 'recommend that both draining and fencing, wherever necessary, shall be enforced by law;' and propose that another host of Commissioners shall be appointed for this purpose.

The Board of Works is to issue Exchequer bills for the whole of its charges, and to make *a rate* equal to 5 per cent. interest on the amount. It is also to appoint an engineer for each district.

They further recommend that 'an agricultural model school shall be established for Ireland; and that a school, having four or five acres of land attached to it, shall be established in each parish' which the Board of Improvement shall appoint, to teach those who have no capital how capital may be most beneficially applied to the land. It is certainly true, as the Commissioners state, that, at present, the Irish are 'utterly unacquainted with any good course of cultivation,' and 'that it is supposed they do not make the land they hold yield one-third of the produce that it might under proper management;' yet this is not owing wholly to ignorance; a sufficient cause for it has been shown in '*nominal*' rents. How are the recommendations of the Commissioners to remedy these?

The Commissioners recommend, also, the establishment of a Fiscal Board in each county, and that the Board of Works shall be authorized to make such roads and bridges, to deepen or remove obstructions in such rivers, and to do such other works, as the Board of Improvement shall think proper.

All these, and many other plans, are given in minute detail, and enriched with sundry disquisitions in this sort:—

'Those who complain of the introduction of Irish agricultural produce into England should be informed, too, that it *takes no money* from England; that part of it goes to pay the rents of Irish absentee landlords, and that the rest is exchanged for English manufactures; that, if it did not go into England, English manufactures could not come into Ireland; and that there would not be one penny more than at present applicable to the purchase of the agricultural produce of Great Britain.' —p. 24.

Now, the veriest tyro in political economy knows that the im-

portation of Irish produce might take money out of England, or it might not; but who cares, or has cared, since the mercantile theory was exploded, whether it would or would not?

Another specimen:—

'Sec. XIV.—Connected with the error that exists as to the effects produced in England by the introduction of Irish corn, or other agricultural produce, is a very common notion, that the migration of Irish labourers to Great Britain is injurious to the labourers there. To prove how much delusion there is in this respect, we pray leave to refer to a very valuable Report that has been made to us on the state of the Irish poor in Great Britain, by Mr. George Cornwall Lewis, one of our Assistant Commissioners, and which we give in the Appendix marked G. It shows that the Irish labourers who settle in towns in Great Britain do not cause a redundancy, but supply a deficiency of labour; that they keep work going, not wages down; and that without them capital could not increase and fructify as it does to the general good of the community. All this is proved by one striking fact,—wages are highest where the Irish are most numerous. Then, as to the labourers who go to Great Britain at the time of harvest, it is notorious that the crops in many places could not be saved without their aid; the complaints, therefore, made of their "incursions," as they are called, are equally unfounded and unjust.'—p. 24.

The Irish, in towns, do not 'cause a redundancy, but supply a deficiency of labour.' This is paying themselves with words. The same thing may be either redundant or deficient, according as the standard referred to is high or low. The only question is, Whether the Irish do not perform work, which the English would have to perform if there were no Irish? and the answer must be, *Yes;* but they would not do it for the *same sum*. Then the Irish do keep 'wages down.'

Perhaps there is still another argument which must be met. The Commissioners seem to think it a *striking fact* that wages are highest where the Irish are most numerous. This may be accounted for by supposing that the Irish are attracted by the high wages, which does not seem a very *striking fact;* but, if it is meant to be asserted that the Irish attract the high wages, this is indeed a striking fact; and the Commissioners have spoken only too modestly of the advantages which England derives from having the Irish here.

Taking the recommendations of the Commissioners as serious, they amount to attempts, by expensive and cumbrous machinery, to find employment for the poor of Ireland. Now, it is obvious to any one that these methods, instead of increasing, would diminish the efficacy of the fund (whether their own or borrowed) which the landlords are already able to employ in that country. The scheme would substitute a bad mode of employing capital for the

best which private interest suggests. It would substitute expensive public management for private. Let the landlord hedge and ditch his land, for to him will the profit go. Let the district which would be benefited by a road or a bridge make the road or bridge. Let that part of the country, in which embankment is necessary, embank. Give them legal powers to do so with as little expense as possible; lend them all the money for which they can give good security, at a rate sufficiently above that which it costs to Government, to cover the expenses attendant on the transaction; and appoint Commissioners, where many persons are interested, to determine what share each shall bear of the burthen, and what each shall have of the advantage gained. Thus far good laws may be efficient; but attempting to take the management of works out of the hands of those whom you profess to benefit, and to place it in the hands of an army of Boards and Commissioners, &c., can never be aught but highly detrimental to the interests both of the rich and of the poor.

It would seem, from the statement of Mr. Bicheno, one of the Commissioners, that they never contemplated any such result, nor ever imagined that the improvements, about which they affect to take so much pains, would be put into execution.

Mr. Bicheno (who signed the Report) says,—

'If we have seemed to place more reliance on the employment to be furnished by public works, and on improvements forced on the proprietors, than such attempts usually deserve, it must be remembered that it is our business to point out what *ought* to be done *by the proprietors* as well as by *the public*. We are *well aware that these measures will be found very inefficient* if they do not spring from the desire of improvement felt by the proprietors themselves, and that legislative schemes of employment, as they imply an unwilling sacrifice of revenue, can have but a very limited effect without their cordial assistance.'—p. 42.

Yet the Report recommends the establishment of Boards, Commissioners, &c., which could not be meant to be done by *proprietors*, but must, if done at all, be done by the *public*.

Why did the Commissioners, who were 'so well aware' of the inefficiency of the measures they recommended, (except in a case which has never happened,) gravely, and at so much length, recommend to the public to establish these hosts of Boards, and not say a single word about that inefficiency of which they were 'so well aware,'—not one word respecting the *duty* of *proprietors*, without which the *public* could do next to nothing.

It has been shown that neither emigration nor forced works were 'intended to be pursued upon any extensive scale, nor by any means as the main relief for the evils of Ireland.' Measures of

direct relief are the only head which remains; and there [illegible] it is to these measures we must look for the 'main relief for the [illegible]s of Ireland.'

'We come now to measures of direct relief for the poor.'

The Commissioners say,—

'Upon the best consideration which we have been able to give to the whole subject, we think that a legal provision should be made, and rates levied as hereinafter mentioned, for the relief and support of incurable as well as curable lunatics, of idiots, epileptic persons, cripples, deaf and dumb, and blind poor, and all who labour under permanent bodily infirmities,—such relief and support to be afforded within the walls of public institutions; also for the relief of the sick poor in hospitals, infirmaries, and convalescent establishments, or by extern attendance and a supply of food as well as medicine, where the persons to be relieved are not in a state to be removed from home; also for the purpose of emigration, for the support of penitentiaries to which vagrants may be sent, and for the maintenance of deserted children; also towards the relief of aged and infirm persons, of orphans, of helpless widows with young children, of the families of sick persons, and of casual destitution.'—p. 25.

As is their custom throughout this Report, the Commissioners, at the outset, state very largely what they are going to do. They declare that a legal provision should be made for every one in distress. It has been shown how their language respecting emigration dwindled down; it will now have to be shown how their talk respecting relief will melt away. The Commissioners proceed:—

'Sec. XIX.—We propose that there shall be so many asylums in Ireland for the relief and support of lunatics and idiots, and for the support and instruction of the deaf and dumb and blind poor, so many depôts for receiving persons willing to emigrate, and so many penitentiaries for vagrants, as the Poor Law Commissioners shall appoint; that these several establishments shall be national; and that for maintaining them, and for other purposes hereinafter mentioned, the Commissioners shall be authorized to assess a national rate upon the whole of Ireland, and to require the Board of Guardians of each district to raise a proportional share.'—p. 26.

'Sec. XXVII.—Besides these several provisions, we think, as we have stated, that provision should be made by law towards the relief of the aged and infirm, orphans, helpless widows with young children, and destitute persons in general.'—p. 28.

'There is, however, a difference of opinion amongst us as to the best means of so doing: some think the necessary funds should be provided in part by the public through a national rate, and in part by private associations, which, aided by the public, should be authorized to establish mendicity houses and almshouses, and to administer relief to the indi-

gent at their own dwellings, subject, however, to the superintendence and control of the Poor-Law Commissioners; while others think the whole of the funds should be provided by the public, one portion by a national rate, and another by a local rate, and should be administered, as in England, by the Board of Guardians of each district.

'We give in the Appendix (H.) the reasons stated for each opinion; the majority of us think that the plan of voluntary associations, aided by the public in the way we shall subsequently mention, should be tried in the first instance.'—p. 29.

It appears, then, 'upon the best consideration which' they have 'been able to give to the whole subject, that a legal provision should be made towards the relief of aged and infirm persons, of orphans, of helpless widows with young children, of the families of sick persons, and of casual destitution;' and this 'legal provision' is simply a system of voluntary associations, aided by the public in the manner following;—

'We propose that the Poor-Law Commissioners shall frame rules for the government of all associations that may become connected with them; that each association shall, before a certain period in each year, transmit to the Commissioners an estimate of its probable expenditure and of its funds for the year ensuing, specifying the particulars thereof; and that the Commissioners be authorized to award such grant to it as they shall think proper.

'We propose that the Commissioners shall be authorized to advance for any voluntary association, out of the national rate, the whole sum which may be necessary for the building and outfit of a mendicity or alms-house for any parish or parishes; and that, if such mendicity or alms-house be not afterwards duly maintained, the sum advanced shall be repaid by the parish or parishes for which the same shall be established by four instalments, such instalments to be levied by the Board of Guardians, and the amount paid over to the Central Board, to the credit of the national rate.

'Sec. XXXIII.—We recommend that the respective Boards of Guardians, and also all charitable associations which may be aided by the Commissioners, shall be required to conform to all such regulations as the Commissioners shall from time to time make for their guidance, and to account annually before them, or as they shall appoint.'—p. 29.

Now the public of Ireland 'have as yet established but nine houses of industry in the whole country.'—(Rep., p. 25.) It may be easily imagined what relief is to be expected from this source: —none at all.

The Commissioners seem to have felt the insufficiency of the arguments they urge against a poor-law, and yet to have had a strong conviction that a poor-law would not do in Ireland. They signed a Report under this prejudice, which is prepared just as it would have been had the following been the plan:—

'We will say as little as may be of the state of the people of Ireland, lest we should excite commiseration for them in the breasts of the British Parliament. We will exaggerate, as much as may be, the numbers that would have recourse to the workhouse, for thus we shall frighten the landlords, and get their powerful support. We will state our opinion against poor-laws very positively—we are 'satisfied' of this—we are 'persuaded' of that—throw out sneers at those who think poor-laws are the proper remedy, in this style:—'Legislation, *we submit*, should have reference to *circumstances* as well as to *principles*.'—(Rep., p. 4)—and finding that, with all this, we shall have but weak arguments in support of a feeling which is strong, we will string together a farrago of proposed remedies, answers to objections, and disquisitions, consisting of everything we can think of that will pass muster, and add it to our Report. It will serve as a tub to the whale, who will be long retarded in his course, while engaged in turning over and over his many-coloured package, before he finds that it contains nothing on which he can satisfy his hunger.'

The Commissioners were appointed by the Government (many of whose members really wished for a well-considered answer to the question) to inquire into the state of the poor in Ireland, in order to determine whether a poor-law should or should not be established. This question directly concerned nearly 8,000,000 of people, in their most important interest, their subsistence. A weighty responsibility was incurred by every man who allowed his name to be put upon that commission. He incurred the obligation of carefully watching and weighing the evidence—of meditating diligently on every question even collaterally connected with the inquiry—of viewing the subject as a whole—forming the best judgment he could on the subject—and of pronouncing his opinion exactly as he had formed it.

Can it be believed that all this has been done? Does the Report bear the marks of being the result of careful consideration? Could each of ten Commissioners, all of whom had given their minds to the subject, have left such gross errors in that important calculation respecting the number of persons who would have recourse to a workhouse? Could Archbishop Whately, late Professor of Political Economy, have left in the Report doctrines so absurd in that science?

The Commissioners have made an off-hand Report, dictated by their prejudices, or the prejudices of some among them, and in which, for the sake of satisfying others, or the public, some little is said in favour of everybody's nostrum, and the one effectual remedy is the only one which is absolutely rejected.

"It remains to state the particular form in which we are of opinion that the principle of a poor-law should *be* introduced into Ireland.

We propose that every person in want should have a legal right to be admitted into a workhouse, and to be there maintained in a manner not superior to that of an independent labourer when in employment; and that the workhouses should be placed, as in England, under the control of a Central Board with Assistant Commissioners. The funds should be provided for by a national rate. This would have the advantage of equalizing the burthen upon the whole country, that is, of imposing it upon each individual in proportion to his means, and therefore should be adopted in establishing a system of poor-laws where none existed before. But there are some advantages in a *parochial* rate, when the parishes are small, which it would be very desirable to obtain if practicable. Perhaps some plan like the following might be made to answer: The end in view is, to give the landlords an immediate interest in finding employment for the poor around them, and in checking improvident marriages, by limiting the number of cabins on their estates. It is also desirable to furnish them with motives to find employment for their tenants when they eject them, rather than to eject them in great numbers and throw them upon the rate, which they might do without being sensible of any inconvenience to themselves if the rate were simply a national one. The following plan, if capable of being put in practice, would combine all these advantages. The country might be divided into small territorial districts, and the assessment divided among these in certain proportions which might be fixed for a certain number of years, say ten. The rate-payers of the district should then, until the expiration of the decennial period, be allowed to have the benefit of any saving they could effect in the maintenance of their own poor, and forced to bear the burthen of any increase of pauperism in the district.

For this purpose a simple system of settlement by birth should be established, but no person should be liable to be removed; and thus all the expense of removing paupers would be avoided. The parties who complained that any one of the inmates of the workhouse was not a native of their district should send the proofs to the Commissioners, who would send them down to the district in which the party was born, where the operation of that party on the pauper list might or might not make it worth looking into.

All details respecting the readjustment of rates should be decided in the first place by the Assistant Commissioners, with an appeal to the Board; and the number to the Board would not be a great matter, for only in those districts where the diminution or increase were considerable would there arise any question.

The Board should consist of so many persons as might be found necessary to give full consideration to the various questions that would come before them; not each giving his judgment on everything, and therefore judging ill; nor the greater part giving their attention to nothing, while some one active person does, well or ill, as the case may be, all the business which the idlers will let him do, and does it without responsibility in the name of the Board, and with all the unnecessary expense of a Board. Each Commissioner should take a certain department, 'marked out by territory or subject matter,' and should sign all papers issued from his department. One Commissioner, however, (the chief,) to insure uniformity of system, should have every paper from all the departments submitted to him for his signature before it was issued.

The Commissioners should all be Englishmen or Scotchmen, to have the confidence of the Irish people, and should live in England, to keep it. In like manner the Assistant Commissioners should be Englishmen or Scotchmen. By the time that anything can be done for Ireland, many of the Asssistant Commissioners employed under the English Board will have finished their labours, and the Government will be able to make terms with some of them, who are men admirably trained, to be Assistant Commissioners in Ireland.

This suggestion must not be supposed to be dictated by any unfavourable feeling towards Irishmen. Give to the same number of Irishmen employment in England, of equal value; but no impartial Irishman would wish to intrust an Irishman with any office in Ireland, in which he has to exercise the discretion looked for in a Poor-law Commissioner. Party feeling runs so high in that country, that, wherever anything is left to the discretion of an Irishman, the people will always imagine, let him decide how he will, that his private feelings dictate his decisions.

In order to facilitate the reclamation of bog, of which there appear to be 5,000,000 of English acres, an extent more than equal to one-third of the land now in cultivation, the Poor-law Board might also have the powers of Commissioners for enclosing waste lands. The object of this would be to enable parties to enclose waste with little expense, and to facilitate the employment of the poor.

G.

ART. V.

TRANSLATORS OF THE FAUST—HAYWARD, ANSTER, &c.

1. *Faust. A Dramatic Poem, by Goethe. Translated into English Prose by the Translator of Savigny's 'Of the Vocation,' &c. (A. Hayward, Esq.)* Second Edition. London, 1833.
2. *Faust. A Tragedy, by J. W. Goethe. Translated into English Verse by John S. Blackie.* Edinburgh and London, 1835.
3. *The Faust of Goethe. Attempted in English Rhyme by the Hon. Robert Talbot.* London, 1835.
4. *Faustus. Translated by Dr. Anster.* London, 1835.

A SECOND edition, following rapidly upon the first, and an almost constant deference paid by the subsequent translators of the 'Faust,' seem to assign to the translation of Mr. Hayward the first place in point of reputation and success. We allow the reputation, but we earnestly contest the success, if the word means that Mr. H. has succeeded in translating well. In our opinion he has produced an inaccurate version of no great value, and an ill guide to those who seek for assistance in the understanding of the original. In promulgating this opinion we are bound to enter into such ample details as will justify us for the sweeping judgment we have pronounced upon a work of great vogue.

In judging of the merit of a work, it is always a happy occurrence if the author himself has laid down the standard by which he wishes to see his merits tried. Mr. Hayward has done this, in a passage concerning a translation of 'Faust' by a celebrated Frenchman, who at the present moment is ambassador at Vienna. The passage in question stands in the Preface, page lxix., and runs thus:—

'M. St. Aulaire has, in his translation, invariably shunned the difficulties which various meanings present, by boldly deciding upon one, instead of trying to shadow out all of them, which I regard as one of the highest triumphs a translator can achieve.'

A sentence which presents two meanings may be meant for a quibble, and quibbles, we should think, are that part of a language which is seldom accessible to a translator; but a sentence which presents 'various meanings' must be wrong, for it is ambiguous, obscure. The obscurity, however, may only reside in the mind of the reader. Foreigners, for instance, occasionally see various meanings when a native only sees one clear meaning; and the same circumstance occurs sometimes in grammar schools between the scholars and the teacher. When authors make themselves guilty of obscurity, they do so either because they do not understand themselves—then they certainly deserve no translation—or because they are not perfect masters of style, or the subject they treat is difficult. In the two latter cases the author may still be worth translating. And if he is translated? Then certainly the

author should be no longer obscure to the translator, whose first requisite is to understand the work he undertakes perfectly. Was it the intention of Mr. H. to say that he brought to his task such an imperfect knowledge, either of the language or of the ideas of his author, as allowed him to see 'various meanings, instead of the one meaning which was in the author's mind? Whatever else he may have meant, it is evident he desires his translation to be tried by the highest standard of translations, whatever that may be, for he informs us that it was written expressly to correct the false impressions made upon the public mind by the errors of former translators. In the Preface (p. ix.) he says—

'With one or two exceptions, all attempts by foreigners (foreigners as regards Germany, I mean) to translate even solitary or detached passages from "Faust" are crowded with the most extraordinary mistakes, not of words merely, but of spirit and tone, and the author's fame has suffered accordingly (?) For no warnings on the part of *those who know*, and would fain manifest the truth, can entirely obviate the deteriorating influence of the sort of versions I am alluding to in my mind.

'Now I print this translation with the view of proving to a certain number of my literary friends, and through them to the public at large, that they have *hitherto*' (before Mr. H.'s translation) 'had nothing from which they can form any estimate of "Faust;" and with this view, and this view only, I shall prefix a few words' (87 pages) 'on the English and French translators who have preceded me.'

If Mr. Hayward's translation had come before the world in as unassuming a manner as some of its competitors, we should have felt no disposition to look closely into its deficiencies. No one can think it otherwise than creditable to him that, in the intervals of a life devoted to a laborious profession, he should have indulged in studies so remote from the beaten track of the mechanical drudges of that profession, and should have taken as much pains to understand a foreign language and a foreign literature as is implied in even the most unsuccessful translation of so difficult a work. But to him that shows no mercy none will be shown: he who undertakes to set others right must expect every error of his own, especially those he commits in the very passages where he triumphs over others, to rise in judgment against him.

Mr. Hayward begins with overthrowing Lord Francis Leveson Gower:—

'I stand prepared to prove that, far from bringing to his task a thorough knowledge of the language of his original, he has hardly construed any two consecutive pages aright. I proceed at once to establish these assertions by proofs.'—Pref. p. xii.

That is fair: and the proofs?—

'In the first six lines of the Archangel's song, generally considered one of the best-executed parts of the translation, there are two slight errors and one glaring one:

'"The sun his ancient hymn of wonder
Is pouring out to kindred spheres,
And still pursues, with march of thunder,
His preappointed course of years.
Thy visage gives thy angels power,
Though none its dazzling rays withstand."

'The sun is pouring out his hymn of wonder, as his Lordship is pleased to term it, *with*, not *to*, kindred spheres.'

(That is to say, they sing in chorus. Now let us see the German:

'Die Sonne tönt nach alter weise
In brudersphären *wettgesang*.'

Wettgesang is a poetical expression, denoting something very similar to a singing match: *wett* from the Sanscrit root *vi*, German (by the addition of a suffix), *wi-der*, against; thence *wettgesang*, ἀμοιβαῖον, a singing against each other, a singing alternately. Lord F. Gower's *to* is right; and 'his hymn,' or rather 'his ancient hymn,' can by no means be wrong. Does not *weise* mean melody? and is not 'ancient hymn' a literal translation of '*alte weise?*' But *weise* means likewise *mode, way*. Well, then, the stress lies upon the adjective *alter;* and the meaning is, that the sun has done so from time immemorial. It is impossible to see either of those two meanings in 'the sun chimes in *as ever*,' as Mr. Hayward was pleased to term it.)

'And *course of years* is a very incorrect mode of rendering *reise*, that is, journey.'

(The meaning of *reise* is given in the words *march* of thunder, which, by the by, is a *literal* translation of the German *donnergang*, and in every way superior to Mr. Hayward's 'roll of thunder,' for the sun is here a person, a king, who *marches*, and not a merry-andrew, or an unmannered imp, who *rolls*.)

'But the *thy* of the fifth line is the great blunder of the passage, as it proves Lord Gower to have supposed the *ihr* and *sie* of the original to refer to the Deity. I do most earnestly assure him that they refer to the sun.'—Pref., p. xvii.

And we most earnestly assure Mr. Hayward that they do *not* refer to the sun; and we hope to convince him of it, provided that our printer leaves us space to prove it in a note.

Mr. Hayward's translation of the whole passage runs thus:—

'RAPHAEL. The sun chimes in, *as ever*, with *the emulous music*' (wettgesang?) 'of his brother spheres, and performs his prescribed journey *with the roll* of thunder. *His aspect* gives strength to the angels, though none can fathom *him*, *and* the *inconceivably* sublime works *of creation* are glorious as on the first day.'—p. 1.

The German word *ihr* means *you, yours, his, hers, its,* and *theirs;* and Mr. H., according to his own theory, has probably

shadowed out all those various meanings?' No, he has boldly decided upon 'his aspect.' The word *aspect*, we must here remark, is incorrect. Aspect is in German *aussehen*. Did Goethe use this word? No: he says

'Ihr *anblick* gibt den engeln *stärke*.'

Anblick (and no various meanings are here to be shadowed out) refers, not to the object, but to the spectator, and means nothing but 'the sight of, or rather, 'looking at' a thing. Mr. H. should therefore have translated it 'to look at the sun.' But before finishing the phrase we must make another observation: *stärke* is indeed *strength*, as Mr. H. has it, but neither of the two words gives a clear meaning, unless we combine them with the opposite idea of *schwäche* (*weakness*), which distinguishes men from angels: the real sense of the passage therefore, in referring *ihr* to the sun, as Mr. H. has done, would be 'To look at him (the sun) gives to the angels the superiority which they have over man,' and would be little better than nonsense, for how could the superiority of angels over men be in a privilege which is common to both—to gaze at the sun? Lord Gower's 'The visage of the Lord gives the angels power, though none his dazzling rays withstand,' gives, at all events, good sense.*

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* Let us now examine what is the meaning of 'ihr.' The four latter lines of the song are

'*Ihr* anblick gibt den engeln stärke,
Wenn keiner *sie* ergründen mag:
Die unbegreiflich hohen werke
Sind herrlich wie am ersten tag.'

Ihr, in the fifth line, is the pronoun of the plural *their*, and refers to the sun, together with his brother spheres (in the two first lines, which can be found in the text above), or to the subject which the poet had in his mind—all the *works* of creation. The meaning of the fifth line, therefore, is, 'to look, or to enjoy the sight of *them* (all the works of creation), constitutes the superiority which angels have over man.'

Ergründen, in the next line, means to find out the *grund* (*bottom, the ground under us*, or *cause, reason*). Whether it must be taken in its material or abstract sense depends upon the material or abstract nature of the object to which it refers. The sun is a material object; and the angel who, in looking at the sun, could not find out its *grund*, or beneath, would certainly be less clearsighted than any man on earth who is not blind. But the *grund* (for the reason that it is only *one* grund) of all, or even of various material objects, cannot be but an abstract *grund*. It is only in taking *sie* as *them*, the works of creation, that we get any sense for the sixth line.

The whole seventh line is of such a vagueness of expression that it scarcely gives sense in itself. Mr. H. felt this, and added 'and' and 'of creation.' If *sie*, in the line above, is taken as *them*, namely, the works of creation, the seventh line comes naturally in as an apposition to it—'these inconceivable sublime works.' The adjective (*unbegreiflich*, not the adverb *unbegreiflich*, as Mr. H. has read it, for 'inconceivably sublime' would make the superlative of a superlative) 'inconceivable' sums up the whole preceding line; for that which cannot be *ergründet* is *inconceivable*, and thus the connexion between the two lines is rendered as close as possible.

In one word: the works of creation coming above and beneath the pronouns *ihr* and *sie*, and the pronoun of the singular giving no sense, the taking them as the pronouns of the third person plural can be justified. We allow *ihr* (the sense of *sie* becomes obvious from *ergründen*) is an odd expression here. One explanation,

We have examined the first six lines with which Mr. H. begins his triumph, or translation, and we have seen that they contain almost as many mistakes. Mr. H. calls Lord G. 'a man of acknowledged taste and talent, and a professed scholar of German.' (p. x.) If he became convinced that such a man 'had hardly construed two consecutive pages aright,' what should have been his first impression? If not diffidence of his own success, at least some indulgence to the failures of others.

Mr. H. was forewarned of the difficulties of the work 'by the first of living critics,' as he calls him, 'A. W. von Schlegel, who, in *Kritische Schriften*, p. 14, has awarded his Lordship the praise of having displayed a distinguished talent in a very difficult undertaking.'—Pref., p. xi.

But it is so agreeable to display in 'a very difficult undertaking' a more 'distinguished' judgment than 'the first of living critics;' and it is still more agreeable, while displaying one's own superiority to 'the first of living critics,' to cut to pieces a rival competitor, whom one has the modesty to call 'a man of acknowledged taste and talent, and a professed student of German literature,' well knowing to whom, a little later, people ought to apply all those fine titles in a still higher degree. Such things can be

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however, may be given already now. What we have said in the text of the word *stärke* may easily lead to suppose that *stärke* was suggested to the poet as the rhyme upon *werke;* and that, after having conceived the lines in the order 7, 8, 5, 6, he has transposed them into their present order. But we have a second, and we hope still better, explanation to offer.

The three Archangels sing at first singly *to* each other; indeed, they sing a real *wettgesang* (the same word which Mr. H. seems not to have perfectly understood while he was translating the very thing it denoted).

The Archangels, after the *wettgesang*, join in chorus, and repeat, with a few slight alterations, the four latter verses of Raphael's song, thus:

> '*Der* anblick gibt den engeln stärke,
> Wenn keiner *dich* ergründen mag:
> *Und alle deine* hohen werke
> Sind herrlich wie am ersten tag.'

Der, in the first line, refers to all the objects stated in the preceding song of Michael; *dich*, in the second, refers to the Lord. Mr. H. translates *der* by 'thy.' We must observe, first, that *der* is not *dein;* secondly, that *anblick*, without the genitive of its object or a possessive pronoun, always implies a whole set of objects, like *a sight, view:* if Goethe wished to express what stands in the translation, he *must* have said '*dein*.' If the *thy visage* of Lord Gower is wrong, Mr. H. should be the last person to blame him for it; for *ihr* may mean *yours*, and therefore *thy;* but *der* never can mean *thy*.

We come now to our second explanation of the *ihr* in the song of Raphael. We take it for a mistake of the printer, which escaped the notice of the author; for, if there we say likewise '*der* anblick,' instead of '*ihr* anblick,' the construction presents not the least difficulty, '*der* anblick' meaning in itself, already, the sight of *them*. The chorus, at all events, is intended to be a repetition of the end of Raphael's song; why, then, not make the repetition as complete as possible? It is true, the third line of the chorus has undergone considerable changes; but why? to bring it in connexion with the pronoun *dich* in the preceding line. This proves again for us, and against Mr. H., for it is the very same construction for which we have argued concerning the song of Raphael.

excused by nothing but success: and has Mr. Hayward succeeded? His outset, at least, is not of favourable augury.

We shall give to Mr. H. a much fairer chance than he did to Lord F. L. Gower. Far from going on the look-out for bad passages, we shall follow the track in which Mr. Hayward conducts us in his Preface, and only stop there where he raises the highest shouts of triumph over his competitors, and then adds, 'the literal meaning may be seen *post*, p..—.'

So we take, for instance, p. xxxv.

'In Faust's first speech, after seeing Margaret (POST, p. 101), there is a most ridiculous mistake:—

'"As, with her gown held up, she fled,
That well-turn'd *ankle* well might turn one's head."

I must say I think it extremely hard on Faust to represent him as excited by the view of Margaret's *legs*, and a little hard on Margaret herself to represent her as wearing her petticoats so short. The expression which Lord Gower supposes himself translating is "kurz angebunden." On looking out each individual word in his dictionary, Lord F. Gower would possibly find *kurz*, *short*; *angebunden*, *tied* or *fastened*; but idioms won't bear analyzing, and I do most respectfully assure him that the two words in combination are a very common mode of speech to express tartness, sharpness, or irritability.'—Pref., p. xxxv.

Here Mr. Hayward had an easy victory, for Lord F. Gower's translation was evidently wrong. Nevertheless, we 'most respectfully assure' Mr. Hayward, first, that 'a well-turned ankle' is no 'legs,' and then that idioms *will* bear analyzing, at least sometimes, as, for instance, in the present case. In a country where few people would mistake an ankle for a leg—we mean England—are certain persons called farmers, each of whom has an animal called a watch-dog, inhabiting a little house called a kennel, to which he is *attached* or *angebunden* (the first word of the idiom which will not bear analyzing) by a chain or cord; and the *shorter* (that is, *kurz*, which is the other word of the same idiom) the chain or cord is made, the fiercer the animal will become, and the more ready to snap at persons coming too near him; in short, he will exhibit some such 'sharpness, tartness, or irritability,' as Mr. Hayward sees in 'kurz angebunden.'

The phrase 'kurz angebunden' has, it is true, degenerated a little from its primitive signification, in consequence of the second word, *angebunden*, being closely connected with style. *Gebundene rede* means rhymed or metrical language, and *bündiger styl* a condensed and energetic style, like that of Tacitus. Thus the phrase *kurz angebunden* may be explained by the very same phrase which we have found in a book not more rare in this country than watch-dogs. The book is called 'Castle Rackrent,' and written by a certain Maria Edgeworth. Some 30 pages from the beginning we read—

'Nobody chose to interfere or to ask any impertinent questions, for they knew my master was a man very apt to give *a short answer* himself, and likely to call a man out for it afterwards.'

Indeed, a person who is 'kurz angebunden' is a person *who gives a short answer.*

Mr. Hayward translates the passage in question: 'And how sharp she (Margaret) was; it was absolutely ravishing!' Though 'the short answer she gave; it was absolutely ravishing!' would be more literal, we give with pleasure the preference to Mr. H.'s translation: it is quite correct, and we should be very sorry to miss such a good opportunity of awarding praise to him; but we think we have shown that, if Lord Gower has misunderstood the idiom, Mr. H. has not perfectly understood it.

'From the first scene between Mephistopheles and Faust' (says Mr. Hayward) 'I shall take an example of the noble translator's mode of dealing with philosophical passages, where the utmost caution is obviously required:—

"Mephist. I am a part of the dark which once was *at the head,*
Part of the darkness *from which light was bred:*
Proud *element,* which now disputes the right
His mother has to govern space in night."

'It will be found that, by the change of "all" (in the literal meaning) into "at the head," Lord Gower has destroyed the analogy which gives the passage its force. *If darkness was at the head, light must have been contemporary of it, and the "Let there be light, and there was light," is nonsense.*'—Pref., p. xxix.

And Mephistopheles, against whom Mr. H. is arguing so cleverly, would certainly be the last man to assert anything which would make nonsense of a passage in the holy Scriptures. An excellent *argumentum ad absurdum:* we must observe, however, that darkness means here the absolute negation of light, or no light at all; it does not therefore to us seem so very clear that, where darkness is *at the head,* or sways, light must be contemporary to it. How would the argument run in these words?—'If no light at all was at the head, light must have been contemporary to it.'

'The second line is couched in the language of Tattersall's, and would lead one to suppose that darkness was a brood mare.' To avoid which, Mr. Hayward's literal meaning has 'a part of the darkness which *brought forth light.*'

'Again,' says Mr. H. immediately after this (for we should think it unfair to curtail one single syllable of his argumentation), 'Again, if light was bred out of darkness, it could not be an element (as is said in the third line).'—Pref., *id.* An admirable argument to prove that darkness cannot be poetically called the mother of light. And who is it that Mr. Hayward thus crushes

to atoms under the weight of his arguments?—Mr. Hayward himself, who has in his 'literal meaning,' 'I am part of the *darkness which brought forth light:* the proud light, which now contests her ancient rank and space with *mother night.*'—p. 45.

There is a scene in 'Faust' which reminds us much of Tubal communicating to Shylock the latest news of his daughter: it is Mephistopheles relating to Martha the death of her husband. He makes her undergo the punishment in Dante's Hell, which consists in the poor soul's being continually thrust from a red-hot oven into a frozen pool, and from the pool into the oven. The effects of the experiment are very visible upon Martha, who passes through all kinds of passion in the most rapid succession; but Mephistopheles, who does wilfully what Tubal did unconsciously, covers his play under an air of indifference and a delicacy of language, which our readers may conceive if they substitute M. de Talleyrand in the place of Mephistopheles. He (we mean Mephistopheles) plays only once a more open play, in a passage which we transcribe from Mr. H.'s translation:—

'A fair damsel took an interest in him (the husband) as he was strolling about, a stranger in Naples. She manifested great fondness and fidelity towards him, so much so that he *felt it* even unto his blessed end.'—p. 119.

The 'felt it' is less explicit than the German 'spürte.' *Spüren* is derived from *spur,* the vestige of a wild animal. This word, which is also nearly allied to the English 'spear' and 'spur'—*Spüren*—implies something hostile or destructive; thence it is chiefly applied to diseases, as, for instance, *ich spüre kopfweh, ekel, übelkeit,* &c. Mr. Hayward has taken away something of the pointedness of the original; and if this was to spare the delicacy of his readers, by veiling an allusion which the very *place* in which the scene is laid shows to have been intended, we have nothing to say against it. But Mr. Hayward, not satisfied with having translated the passage passing well, quotes Lord Gower's version:—

'"He, as in Naples once he promenaded,
By a fair gentlewoman was regarded;
And so much truth and love she show'd my friend,
He *bore their tokens* to his latter end."
'See *post*, p. 119.'—Pref., p. xxxvi.

Well, we have seen '*post*;' and what is the result of the comparison? That Lord Gower's 'bore their tokens' comes much nearer to Goethe's 'spürte' than Mr. Hayward's 'felt it.' Is that what Mr. H. wished us to find out? No; he has coupled two quotations from Lord Gower together to point to both of them as instances of the grossest indecency, of which no trace was to be found in the original. What are we to conclude from this

criticism? That Mr. H. did not perceive the 'trace' contained in the word *Neapel*. The allusion, it is true, is unknown to the German language, and taken from the French; but this cannot excuse any mistake in Mr. Hayward, who knows French better than M. Dupin aîné, the whole French Academy, and all Paris, as he says himself, Pref. p. lxxviii.

'I lately witnessed a singular illustration of sinking. I had the good fortune to be present at the sitting of the French Academy, held for the reception of M. Dupin aîné. In replying to the inaugural oration, the acting president, M. Jouy, having occasion to speak of M. Dupin's works, ushered in what he had to say of one of them thus: "En parlant de votre grand ouvrage *en deux volumes*," &c. To the best of my recollection, there was not a Frenchman present who smiled, and not an Englishman who did not. *By way of testing, I told the story the day after to a mixed party, and the effect was precisely the same.*'—Pref., p. lxxviii.

Those Parisians are sad dogs, always moping and melancholy: they never laugh, but we think they *smile* sometimes; and 'none of them smiled.' Paris is, however, a populous city. If nobody smiled but foreigners, the thing was perhaps not ridiculous. Let us see: 'Your great work in two volumes' would be rather ridiculous, and so would the French '*Votre grande* ŒUVRE *en deux volumes*.' But M. Jouy only said, 'Votre grand *ouvrage* en deux volumes,' which may mean 'your larger work—in two volumes;' and this would not be ridiculous in English neither. We have a good authority for asserting that M. Jouy did not mean to say more: our authority is Mr. Hayward, who relates the affair thus: 'M. Jouy, having occasion to speak of *M. Dupin's works*, ushered in what he had to say of *one of them*, "En parlant de votre grand ouvrage en deux volumes," &c.'

If Mr. H. thinks he is a better authority in judging of a French expression than the French Academy and all Paris, we must not be astonished to hear him assert likewise that he knows German better than a German. A moment of patience, and we shall see.

'The following examples will exemplify the mode in which MM. Stapfer and Gérard express what they understand, and replace what they do not.'—Pref., p. lxxi.

Does Mr. H. know who M. Stapfer is? Certainly; for we read in the Preface, p. lxvi., 'The French translations in question are by M. le Comte de St. Aulaire, M. Albert S*** (Stapfer), and M. Gérard.'

He knows the man from his very initials. Then he knows probably also that the father of M. Stapfer resided in Paris in the character of Ambassador of Switzerland; that M. Stapfer himself is a German, who did not leave Germany before the age of 25; that from a German university he came to Paris, where

he obtained some reputation by a translation of a work of Kant. M. Stapfer is not an unknown individual; he is one of the regular writers in the *National*, which is both a sign of merit and a sure guarantee of notoriety. And to this same M. Stapfer Mr. H. is to point out what he did not understand in the German of Goethe! It is glorious for England to possess a citizen who knows German better than a German, and French better than all Frenchmen. But the fact will perhaps not be believed? Then we must look for the proofs.

Lord F. Gower, notwithstanding much real poetical feeling, which cannot be denied to him, has certainly made great mistakes in his translation, though not always in the places which Mr. H. has pointed out, or for the reasons he alleges. But we are now about to give a better antagonist and a better chance to Mr. H.: for, if Mr. H. can establish his superiority over M. Stapfer in the understanding of 'Faust,' he establishes himself at once as one of the highest authorities which England and Germany together have in matters of German literature. That is not enough: M. Stapfer, it is true, does not know French better than a Frenchman, but at least he knows it as well as a Frenchman, which is already something. The advantage, therefore, is all on the side of Mr. H., who, against such an antagonist, can show off his superiority both in German and French. And we find, likewise, a considerable advantage for ourselves in it; for, if we were only to pick up passages here and there, it might be thought that we selected only the bad ones; but now we will follow Mr. H., pace for pace, and count every blow, be it good or bad, which he gives to M. Stapfer. They are six in all.

1. 'The passage beginning

"Mit segenduftenden Schwingen,"—*post*, p. 10,

is given by M. Stapfer thus:

'"Quelle rosée délicieuse elles répandent sur la terre aride, et quelle ravissante harmonie le battement de leurs ailes imprime aux espaces du monde qu'elles parcourent incessamment!"—p. 30.

'The "*all das All durchklingen*" is here totally sunk.'—Pref., p. lxxii.

Let us now see how Mr. Hayward translates the passage:—

'How the heavenly influences ascend and descend, and reach each other the golden buckets,*—on bliss-exhaling pinions, press from heaven through earth, *all ringing harmoniously through the All.*'—p. 10.

It is therefore the 'all ringing harmoniously through the All' that M. Stapfer has completely sunk! That is no great loss. Mr. H., besides sinning a little against the rules of declension,

* The frequent use of this metaphor makes its sense very seizable for a German; but an English public will have some difficulty to find sun, moon, and other heavenly globes, in the 'golden buckets' of Mr. Hayward.

and mistaking *all* for *alle*, or, as it were, *omne* for *omnes*, has sunk a much better thing—the whole force of the most important word of the phrase

'Harmonisch all das All durchklingen;'

namely, *harmonisch*. The phrase exhibits an instance of that condensed energy of language of which German is capable. We shall try to give the sense: *durchklingen*, they pervade with their sound; *all das All*, each particle of the universe; *harmonisch*, and thus constitute one entire harmony for the universe. This harmony plays a very poor figure in Mr. H.'s 'harmoniously ringing.'

Let us now look again at M. Stapfer's translation:

'Quelle rosée délicieuse elles répandent sur la terre aride' (this is: bliss exhaling), 'et quelle ravissante harmonie' (Mr. H.'s harmoniously) 'le battement de leurs ailes' (pinions) 'imprime' (*durchklingen*) 'aux espaces du monde' (*all das All*), 'qu'elles parcourent incessamment' (Mr. H.'s golden buckets!).

M. Stapfer has not only managed the sense better than Mr. H., but has not even sunk the '*all das All durchklingen*.' We have pointed out where any man who had some knowledge of German and French might have found them without our assistance. Or did Mr. H. mean that M. Stapfer should have translated more literally, thus: 'qui sonnent harmonieusement à travers tout le Tout?' We suppose M. Stapfer refrained from doing so lest M. Dupin aîné and the French Academy should smile at it.

2. 'The specimens next following are also from M. Stapfer:

"Schon glüh' ich wie von neuem wein."

'"On dirait qu'une liqueur spiritueuse coule dans mes veines, et me brûle."'—Pref, p. lxxii.

Is that wrong? *Ich glühe von wein* means, I have a red face; *ich glühe wie von wein*, my blood runs quick, as if I had drunk wine; *ich glühe wie von neuem wein*, my blood is in a fermentation, like new wine; or, taking the word *neu* in another sense, I glow as with fresh wine. This is very near to what M. Stapfer says; he has certainly not missed the spirit of the passage. Or should he have said, '*Je brûle comme de vin nouveau?*' That is not French; it must be '*Je brûle comme si j'avais bu du vin nouveau;*' and that is silly, for new wine is not much stronger than water. How should it then be? Probably, as the 'literal meaning' has it,—

'Already glow as with new wine.'

This, however, gives no meaning; we must add what precedes:

'Already do I feel my energies exalted.'—p. 10.

'Already do I feel my energies exalted!' Is that a translation of the German

'Schon fühl' ich meine kraefte höher?'

Has Mr. Hayward read what precedes? Faust had opened the book of Nostradamus to contemplate the sign of Macrocosm, *i. e.*, the universe. What did he see there? That his faculties as man were too low to 'seize the infinite nature;' that is to say, he felt something different from the 'energies' which Mr. H. speaks of: he then turns the leaves indignantly, till he finds the sign of the Spirit of the Earth; whereupon he exclaims—

'How differently this sign affects me! Thou, Spirit of Earth, art nearer to me! *Already do I feel my faculties to be higher.*'

That is, to rise above the low position which the sign of the Macrocosm assigns to them. This is somewhat different from Mr. H.'s

'Already do I feel my *energies* exalted; already glow as with new wine.'

He should have drunk *old* wine if he wanted to exalt his energies. But, allowing Mr. H.'s translation to be the most perfect translation possible, he, who knows French better than the French Academy, will certainly concede to us that a literal translation of the original was in the present case *impossible* in French.

3. ' " Such er den redlichen gewinn,
Sei er kein schellenlauter thor!"

' " Laisse là ces folies, et cherche à gagner ton pain honnêtement." (See *post*, p. 14.)'—Pref., *id.*

This passage is part of a discussion, and stands in the scene between Wagner and Faust, which follows after the Spirit of the Earth has left the latter. The first speech which Wagner utters announces immediately the entry of a mere pedant. It is in a motley style, made up of Latin words, of very low and very choice expressions, and of long, solemn, inflated school phrases, the very sound of which brings before our eyes the grave Wagner in his nightcap and dressing-gown, holding his lamp so cleverly that his stockings prevent the oil from spoiling the floor. Wagner has his reasons for coming at so late an hour. Wagner being a man much like the parson who, in one of the novels of Jean Paul, studies the anatomy of the *glans lacrymalis* to learn how to move his auditory to tears, comes to learn from Faust what rules of rhetoric were the most likely to insure to him a certainty of leading all mankind.

('Wie soll man die welt durch überredung leiten?')

Faust answers to him: 'You will never subject hearts to you but by what comes from the heart.' Wagner, who is far too learned not to set a very low estimate on what may be done with a heart, objects:

'But it is delivery that makes the orator's success?'

We come now to the two lines which M. Stapfer is accused of having badly translated. It is easy to understand the original here, if we fix our attention well upon the state of the discussion. Wagner wishes for eloquence in order to persuade. Faust says, 'You cannot persuade unless you are yourself persuaded' (unless it comes from the heart). Wagner continues to see persuasion in mimicry, jests, figures of rhetoric, and all such trash, which a man may utter without being convinced of the truth of what he says. Faust very justly looks upon such eloquence, unaccompanied by the speaker's conviction, as mere sophistry, delusion, *dishonesty,* and so the first words he answers are:

'Such er den redlichen gewinn, Sei er kein schellenlauter thor.'	Betake yourself to the aims of *honesty,* Don't be a noisy, jingling *fool!*

That is, in acting up to your theory you must become either a *dishonest* knave, or a fool.

Now what has Mr. Hayward?

'*Keep the true object in view*, be no tinkling fool.'

In comparing Mr. H.'s 'Keep the true object in view' with the original, *such er den redlichen gewinn,* we find not even two words corresponding to each other in the original and the translation, unless we except *the* and '*den*,' which are both of them articles. The French translation, on the contrary, contains nothing but what stands in the original, with the exception of the single word *pain,* which, if it does not stand in the original, at least is not contrary to its sense. The idea of *honnêtement*, which makes the sense of the phrase, is completely sunk in Mr. H.'s translation; and Mr. H. was as wrong in his criticism upon M. Stapfer as he was in his own translation not only of the disputed passage, but of all that stands above and below it—an assertion we shall not have much trouble to prove.

Mr. H.'s translation.	The meaning of the original.
Wagner. But it is *elocution* that makes the orator's success.	But it is *delivery* that makes the orator's success.
Faust. Keep the true object in view.	*Faust.* Betake yourself to the aims of honesty.
Be no tinkling fool.	
Reason and *good sense are expressed* with little art.	Sound judgment and an upright heart *deliver* themselves as their own *deliverers*, and want little assistance from art.
And if you are *seriously intent* upon saying something, is it necessary to hunt for words?	And if you are in earnest to say something, &c.*

* For the sake of comparison we subjoin here the whole passage as it stands in the translation of Mr. Blackie:—

The two substantives in the third line of Faust's answer sum up the meaning of the two preceding lines—have *sound judgment* is equivalent to 'be no tinkling fool,' and have *an upright heart* as much as 'betake yourself to the aims of honesty.' Do Mr. H.'s *reason* and *good sense* perform the same office? A mistake in those two words, however, was pardonable, as they are of doubtful sense in the original, if not combined with what precedes; but the 'are expressed' in the next line is unpardonable. First, the German is *vortragen*, which is to *deliver* (pronounce orally, declaim), and not to *express;* and, the verb *vortragen* corresponding to the substantive *vortrag* employed by Wagner, the '*elocution*' of Wagner is not so clear an expression as *delivery*. The second fault is the using of the passive form, *are* expressed, which implies that somebody is, with some (though it be but little) *art*, seeking to express them. This is far inferior in force to the original, where Faust, in answer to Wagner's 'I want delivery,' observes, 'Seek for sense and thought, and you shall *not* want any delivery at all, for those are their own deliverers.' Mr. Hayward has mistaken a *reflective* verb for a *passive*.

4. 'Nur was der augenblick erschafft, das kann er nützen.'

'Rien n'est utile que ce que l'esprit féconde.'

At all events there is meaning in the words of the French translator. But what has Mr. Hayward?

'What the moment brings forth, in that only can it profit us.'

There are certainly plenty of people in the three kingdoms who might philosophize for whole years upon these words without ever finding out their sense; we, who unhappily have not so much time to spare, must confess even now that we are not able to say what Mr. H. has meant, or means.

The original itself is somewhat difficult here, from an abruptness in the sentences, which is a beauty, as it shows the disposition of mind which immediately afterwards drives Faust to an attempt at suicide. But we have only to fix our attention upon what precedes, and the sense is obvious. Faust is addressing the learned lumber which his father has bequeathed him, but which Faust had never made use of. As it is more difficult to under-

WAGNER. 'But the delivery is, sir, as you know,
A chief thing, and alas! here I have much to do.
FAUST. Be thine to seek the honest gain!
No shallow-sounding fool!
Sound sense finds utterance for itself,
Without the critic's rule;
And if in earnest ye intend to speak,
What need for words with curious care to seek?'

Here we have rhymes—in Mr. Hayward prose; in the first, sense; in the second, words.

stand from Mr. H.'s translation than from the original the train of ideas with which the view inspires Faust, we shall give both Mr. H.'s translation and the meaning of the original.

Mr. Hayward.	Faust.
1. To possess what thou hast inherited from thy sires, *enjoy it.*	1. If you wish to call yours what you have inherited from your sires, you must acquire it again by your own work.
2. What one does not *profit* by is an oppressive burden.	2. What one does not make use of is an oppressive burden.
3. What the *moment* brings forth, in that only can it *profit* us.'	3. And we can only put to use what we have created ourselves (by the labour of our own intelligence.)*

He is speaking of book-knowledge, and the science transmitted to us from our fathers, which certainly are of no avail to us unless by our own trouble we appropriate them to ourselves: this is expressed in No. 1.

But a man who draws all his information from past times, without finding a way of converting it to use by an application to the wants of his own time, is a pedant, and his learning lies as an oppressive 'burden' upon him.—(No. 2.) *Der Augenblick*, the moment, in No. 3, refers to the present time, in opposition to mere erudition, or past time; and thus, therefore, in our version we have suppressed it and substituted *we*, which makes the sense clear enough, and the expression of a most important truth which Mr. Hayward cannot be very familiar with, or he would have recognised it in Goethe's words.

It is, that *the usefulness* of all our learning depends upon what we are able to find out for ourselves, to *erschaffen*, create, as the German has it, which is an action of our *intelligence*, in opposition to learning, which is a mere matter of memory; that in short we cannot benefit by letting a book think for us, but must throw our own mind *into* the author's thought, and think it over again for ourselves. Thence it is pretty clear that the French translation of the passage in No. 3,

> 'Rien n'est utile (in matters of learning, of which the question is there) que ce que notre esprit féconde,'

is not only correct, but, considering its extreme brevity, rather happy.

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* Mr. Talbot translates:—

> 'What from thy sires to thee came down,
> That must thou earn to make thine own!
> Heavy the load by which we profit not;
> That profits only which the moment brought.'

5. 'Drum frisch, lass alles *sinnen* seyn,
Und grad *mit* in die welt hinein.

'"Allons donc, laisse en paix tous tes sens, et en route avec eux dans ce monde."'

The word '*sinnen*' is put for reflection, speculation; after '*mit*' in the second line it is to be understood in the sense of 'speculative faculties,' and the sense of Mephistopheles may be thus given: 'Faust, leave now thy speculative faculties alone, and quick into real life, where thou wilt find a much better employment for them.' The French translator has, therefore, not only not missed the sense, but seen it far better than Mr. H., who has translated:—

'Quick, then, have done with *poring* (?), and straight away into the world with ME.' (Mephistopheles!)

Mr. H. has five times missed his aim. He has now only a single arrow left in his quiver; once more, and for the last time, he has it in his power to kill the enemy—the string sounds! the arrow flies—did it speed? we shall see.

6. 'In the scene at the well Margaret says:—

'"Und segnet' mich und that so gross,
Und bin nun selbst der sünde blos.
Doch alles was dazu mich trieb,
Gott! war so *gut!* ach war so lieb!"

'It is given:—

'"Et je me signais, et je faisais le signe aussi grand que possible . . . Et maintenant je suis le péché même. *Hélas! tout m'y a entraîné. Dieu! il était si bon! il était si aimable!*" Compare *post*, p. 151.'

Well, we see, upon comparing 'post,' what Mr. H. thinks the error in the French translation—the end is entirely wrong: it should be, according to Mr. Hayward,

'Yet all that drove me to it was, God knows, so sweet, so dear!'

We will correct the error. M. Stapfer should have said:—

'Mais—tout ce qui m'y a poussé, Dieu, que c'était bon! ah! que c'était doux!'

Any one who knows French would, we think, laugh heartily at this version. The true translation is very different. *Gut* means virtuous, and the real sense of the phrase is:—

'But nothing of what drove me to it looked like guilt, and all was love.'

Poor Margaret!—and well might she look up to heaven conscious of speaking nothing but truth, for Faust, her seducer, before the door of the prison in which she expiates her crimes, exclaims:—

'Und ihr verbrechen war ein *guter wahn!*'

'And her crime was a virtuous (guiltless) illusion!'

which Mr. H., probably from a laudable desire of specifying the charge under which his brother lawyer committed her, translates 'and her crime was a *good delusion*.' We shall, perhaps, have by and by an opportunity of explaining the nature of this illusion, and in how far Margaret was guiltless. And now

> The hurlyburly's done;
> Is the battle lost or won?

Mr. H. has quarrelled with M. Stapfer where the latter had happily expressed the real sense of the original, and Mr. H. has quarrelled with M. Stapfer both where the genius of the French language had hindered him from translating literally, and where he had really given a literal translation of the German: how does it now fare with Mr. H.'s knowledge of German and French? Six instances of criticism, and every one of them on the wrong side of the question; and in all six instances his own translation as bad as possible, and in almost all those instances the next lines above or beneath in the translation still worse! We have not sought for faults, they crowded upon us at every step we made under the guidance of the prefacer himself. Have we not given him a more than fair chance? or will it be said that the combat was too unequal, and that Mr. H. was certainly no match for M. Stapfer? Well—we will give him another chance—we will commit him with the weakest hand that ever used a pen in a translation. A French schoolboy once translated *tanta ejus fuit superbia* by 'sa tante était une certaine Madame Superbie.' Or (to take an example from a more grave author), the English translator of Savigny's 'Of the Vocation of our Age for Legislation and Jurisprudence,' translated, in the first edition of his Faust, 'Jünger' (disciple) by 'young people.' Of mistakes of that form M. Gerard committed more than a hundred in his French translation of 'Faust.' As soon as his book appeared, the 'Morgenblatt' drew out of it a list of four pages in quarto, all full of M. Gerard's innovations in the structure of German. All Germany was as full of mirth and joy as at the third centennial anniversary of the Reformation; not a provincial paper which did not treat its readers with some spoils of M. Gerard! M. Gerard certainly deserved the honour. We have read his translation, and are able to quote from recollection two samples of his manufacture:

> 'Faust schlägt das buch *auf*.'
> 'Faust *frappe* sur le livre.'

> 'Durch die steine, durch den *rasen*
> Eilet bach und bächlein nieder.' (May-day night.)

'Ruisseau et rivière se précipitent *avec fureur* sur les pierres.'*

In any case we can assert in full assurance that it is impossible to open three different pages of M. Gerard's translation without meeting with blunders after the fashion of the two we have given. With this man we are now to commit Mr. Hayward. He has a great advantage over us, for we quoted our two instances from mere recollection, and he had his free choice from the book which lay before him. He has taken from it three passages—that is quite enough—from the two we have given, a German scholar can see already what ails M. Gerard. But why retard the pleasure any longer of indulging a hearty laugh?—we are quite ready.

'The following are from M. Gerard:—

'"Verfluchtes dumpfes mauerloch."

'"Misérable trou de souris."—(see *post*, p. 8.) Pref. lxxi.'

We can only smile—but no! it may be right. Faust, full of indignation, (for *verflucht* is only as far from d—d as 'cursed'!) calls his room a 'mauerloch:' '*trou de muraille*' would be a literal translation, but quite a different thing. Well, we think one can really call a narrow moist room *trou de souris*; or could it not be said, for instance, 'c'est une misérable mansarde! un véritable trou de souris!' This is not quite what we expected, and our 'Faust frappe sur le livre,' which in our own copy of 'Faust' stands upon the same page as this 'mauerloch,' must take precedence in blundering far before the 'trou de souris!'

2. 'Schon glüh' ich wie von neuem wein.'

'Déjà je pétille comme une liqueur nouvelle.'—Pref. id. *vide post*.

No, we must say *vide ante*, No. 2 of M. Stapfer's ill-doings.

3. 'Ja, kehre nur der holden Erdensonne
Entschlossen deinen rücken zu!'—Pref. id.

'C'est en cessant d'exposer ton corps au doux soleil de la terre.'

This line occurs *post*, p. 19.

The sentence is not complete: we can judge of little from such a curious quotation. *Post*, p. 19, we have

'Ay, only resolutely turn thy back on the bright sun of earth!
Dare to tear up the gates which all willingly slink by.'

The words are pronounced by Faust, who incites himself to a

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* A very analogous mistake occurs at the beginning of the 'Prologue on the Theatre,' in the 'Faust' of Mr. Hayward:—

'Und mit gewaltig wiederholten wehen
Sich durch, die enge Gnadenpforte drängt.'

'And with powerfully repeated *undulations* force themselves through the narrow portal of grace.'—p. 267.

'Undulations' is probably meant as a translation of the German das wehen (*the going* of the wind; in Latin *venire* and *ventus*)—be it so—but no infinitive used as a substantive (as Mr. H. knows) can be used in the plural; and Mr. H., who surely knows likewise the declension of the adjective, is perfectly aware that 'wehen' in the passage above is the dative plural, and therefore the plural of 'weh,' woe.

deed of self-destruction; and if we complete the French sentence from the English by saying, 'C'est en cessant d'exposer ton corps à ce doux soleil de la terre que tu pourras montrer du courage (*dare*) et emporter par la force l'entrée de cette porte que tout le monde hésite d'approcher,'—we have, 'Kill thyself,' and that is the sense of the original! Where now is the great blunder committed by the French translator?—that he has made one sentence of what makes two in the English? or does he who 'turns his back on the bright sun' quarrel with him who 'cesse d'exposer son corps au doux soleil' about elegance of language? Then certainly we cannot judge of the dispute, for, not being born a Frenchman, we should fear to betray more pretension than judgment in meddling with a subject above our reach. But are not our fears superfluous? Mr. H., before going to seek adventures, has said: 'The following examples will exemplify the mode in which MM. Stapfer and Gerard express what they understand, and replace what they do not understand.' That is another question, and we are quite at ease; for we think ourselves quite competent to pronounce that M. Gerard, in all the three instances given, has understood the original, and not once missed the sense. Mr. H. is no match for the famous M. Gerard—he cannot bring *him* down! a fault of omission which overweighs a hundred faults of commission.

To sum up our judgment of Mr. H.'s translation in a few words: he has a very superficial knowledge of German, and neither in point of poetical sentiment nor knowledge of German philosophy and literary history does he possess the qualifications indispensable for a translator of 'Faust;' he had, therefore, not the least vocation for the work he has undertaken; but his industry, unhappily obscured by too much pretension, has notwithstanding enabled him to produce a translation which is remarkable under such circumstances. So much for justice, which we owe to every body; but at the same time we must warn every learner of German, who seeks for assistance in the understanding of the original, from paying any attention to the translation of Mr. H., which must lead him into continual errors, as it almost always obscures or annihilates the sense of the original under a translation of mere words and phrases.

A recent Review, though by a somewhat different course of reasoning, arrives at exactly the same conclusions as we do; thus:—

'We can easily conceive that Goethe's meaning should be unfathomable, for this good reason, that *he had no meaning distinct or intelligible even to himself.* In the effort to be profound and imaginative, he tried and tortured his faculties on every side, and enveloped himself at last in *a cloud of words, presenting nothing but a chaos of images*

and abstractions. We appeal to the prose translations of Faust, by Mr. Hayward, an accomplished German scholar, and to the poetical translation of Dr. Anster. Both translations are excellent, each in his way, and should be perhaps read together for the sake of *the combined and complete light which they throw upon the original.*'*

And, with the help of this 'combined and complete light,' to which the Reviewer *appeals,* we are to discover 'a cloud of words, presenting nothing but a chaos of images and abstractions!' That, indeed, is the very thing which we have discovered in the 'Faust' of Mr. Hayward; and therefore we call that a bad translation which is called 'an excellent translation.' But the writer, it is evident, wanted to be ironical; or was the above-quoted passage really intended as a compliment to Messrs. Hayward and Anster? We should not think ourselves very competent to pronounce upon the merits of a foreign author, if we had only '*to appeal*' to translations.

These observations lead us naturally to examine the other translations in a summary way.

The 'Faust' of Dr. Anster has obtained considerable reputation. Like the 'Faust' of Lord F. L. Gower, it is no translation, but an imitation; we might almost say an original English work built upon the ideas of Goethe. It is unjust to try such works by the standard of translation—by a standard taken from the original. Such works must stand or fall by their own intrinsic value, and we cannot hesitate to say that the perusal of Dr. Anster's 'Faust' must give pleasure to any unprejudiced reader. But he who knows the original is certainly a prejudiced reader, and under this aspect we are dissatisfied with Dr. Anster, for this reason only, that he did not translate literally, but changed the ideas of Goethe. It is always dangerous to change anything in the work of a man of real genius. One of the most distinguishing peculiarities in works of genius is, that once brought into life they are like living beings, who must live their own life or none at all. In a living man we may be dissatisfied with the form of his nose, of his mouth, &c., but can we change them? Just as little as the work of a man of genius. This observation may be most justly applied to Goethe. Goethe himself avowed that he never changed a line in his works after they had once been written.†
If it was impossible for the master himself to change anything in his productions, what vocation can another have to change?

We were mistaken: Goethe really altered one of his works, the operetta *Claudine of Villa Bella.* But the alteration was so

* 'British and Foreign Review,' vol. i., pp. 215, 216.

† Schiller makes the same avowal concerning his *Robbers.* He was displeased with the work, but he could not change it. (See the *Preface* to this tragedy.)

complete that the two works have scarcely any resemblance to each other; and it is the general opinion of Germany that the first edition of it is by far a better work than the second.*

We will illustrate our assertion by a single instance, and the importance of the principle will be the more evident, as the alteration refers to nothing more than a stage direction.

In the scene where Faust steals into the chamber of Margaret, the original has the stage direction—'Faust lifts up the bed-curtain,' which Dr. Anster has left out. Did he think this an improvement? or was it from a sense of too scrupulous decency? He was wrong in either case; he has destroyed the most sublime hymn that the highest admiration of innocence has ever dictated to an inspired poet.

We allow him to imagine Faust filled with the grossest sentiments of the most brutal sensuality, for the more brutal we make Faust, the better for the poet. Faust, in this mood, approaches the bed and lifts up the curtains—what follows? 'Miserable Faust!' does he cry, 'what has brought thee hither?' and horror of his own condition shakes his whole frame. Astonished at the sudden change, he asks himself, shuddering: 'Are we the sport of every pressure of air?' Not of every pressure of air—but certainly of the breath of innocence, if we approach it with impure mind. Take away the stage direction, and we have a common-place scene not superior to a hundred others—re-establish it, and we have the heavenly creation of a genius.

A simple stage direction taken off, and one of the highest beauties destroyed, completely destroyed! This would be pardonable, but we go farther; this stage direction taken away, the leading idea of the 'Faust' is destroyed.

The most prominent feature in the conception of Margaret is innocence. When Mephistopheles meets with her at Martha's house, Margaret's behaviour forces from the scoffer the sarcastical exclamation:—

'Du guts unschuldig ding!'
'The good innocent fool!'

The highest eulogium from such a mouth. We have had, just now, the scene in Margaret's bed-chamber, and Faust, from only breathing in the atmosphere where she breathed, shudders at his perversity. But Margaret falls. We have seen Margaret in the scene at the well, already conscious of the consequences of her fault, looking up to heaven with the pure look of an angel never fallen, and saying in the face of her God:—

* The same is the case with Schiller's poem 'Die Götter Griechenlands.' The first edition is a much superior work to the second.

'Doch alles was dazu mich trieb,
Ach war so *gut*, ach war so *lieb*.'

Of which it is a poor translation to say only:—

'But nothing of what drove me to the sin
Looked like guilt, and all was love.'

And is she not guilty? No. And why not? Faust explains. Before he enters the prison where Margaret is waiting for death he exclaims:—

'Und ihr verbrechen war ein guter *wahn*.'

Here we have the explanation. *Wahn* is the firm belief of doing right while you are in the wrong. When used in speaking of religion it is the belief of fanaticism, and when it refers to intelligence it is madness, *wahnsinn*.* Civil law absolves the madman from any responsibility of his acts; we may hope that divine law will absolve the moral madman, the fanatic, from the responsibility of *his* acts. Margaret labours under a charm, under a frenzy, under the fanaticism of love; she thinks it her duty to obey blindly, to sacrifice soul as well as life to him who sways her affections. Certainly a grievous mistake; but do we, can we cease to admire her as an angel of innocence after as before her fall? We appeal to any person who has read 'Faust' if Margaret is not always uppermost in our affections. At last the charm is broken—'thy lips are cold,' says she; Faust loves her no longer, and Margaret, steeped in crime to the lips—Margaret, who has poisoned her mother, drowned her child, whose hands are spotted with the blood of her brother, can still say to Faust:—

'Faust, mir schaudert vor dir!'

'Faust, I shudder at thee!'

Margaret labours not under vice, her *body* sins from unconscious error—but her soul is always pure, and her soul was innocent till under the sword of the executioner.†

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* We have already seen that Mr. H. has translated this passage, 'And her crime was a good delusion,' which is very weak in itself; but, what is still worse, he quarrels with Lord Gower for having translated, '*Frenzy*, the crime for which her blood must flow.'

† This is the leading idea of the prison scene, where the *soul* of Margaret is judged. The charm of love is broken, her moral sight restored to her, and the door of the prison thrust open. On one side she has presented to her life and sin, and on the other certain death. She decides, without any hesitation, for death against sin. Mephistopheles has lost the soul, and, with the concentrated wrath of disappointment, he cries 'She is judged.' 'Is saved,' adds the voice from heaven. The drama ends by the following words:—

'MEPHISTOPHELES (*to Faust*). Hither to me. (*Disappears with Faust.*)
'VOICE from within, dying away. Henry! Henry!'

Upon which Mr. H. observes, in his Annotations, 'The Voice from within is Margaret's Spirit calling to her lover, *on its way to heaven*, whilst her body lies dead *upon the stage*. This, as it appears to me, is the only mode in which "the Voice from within dying away" can be accounted for.'

Thus we have the very thing which made us say that Dr. Anster had destroyed the idea of the whole drama. Without taking in this idea of Margaret, it is impossible to understand the poet's conception of Faust himself.

We reserve details for another occasion, but one side at least of the character of Faust we are able to set forth in few words. We may consider Mephistopheles simply as the Body; then Faust is Intelligence, or Reason.

What is the character of human reason? To be always progressive: and the history of mankind is nothing but that of the continual progression of our reason. Let us now see what is the compact into which Faust enters with Mephistopheles; the thraldom under which the mortal body can hold the immortal reason. The body binds the reason, by giving her desire; but as long as she is merely *pursuing* the object of desire, her faculties are called into action, and she does not lose her natural direction, which lies forward. But, the object attained, either the soul is freed again, and goes forward after new objects of new desire, or she becomes really shackled to *enjoyment*—to the body. She moves no longer, she looks backward; and Orpheus has lost his Eurydice; for, as Goethe says in the second part of Faust,—

'Geniessen macht gemein.'

'Enjoyment renders man vulgar.'

When, therefore, Faust enters into his compact with Mephistopheles, he asks him sneeringly,

'Poor demon! what hast thou to give? Hast thou food which never satisfies; gold which, like quicksilver, is ever melting away in the hand; a game at which one never wins; a maiden who, on my breast, is already contracting herself to my neighbour; the godlike joy of

* Margaret's body cannot be dead upon the stage, for the scene changes after Faust has disappeared, and follows him. *From within* is now from the interior of the prison, and the voice from the prison dies away upon the ears of Faust, who is rapidly moving away. The 'hither to me' implies that he follows the evil spirit; but he is not yet lost, for his good angel can still call after him 'Henry!' to win him back. The *Voice* is Margaret's; but the poet, by not attributing it expressly to Margaret, wishes us to take it in the more general sense of the warning of Faust's good angel.

A story similar to the judgment of Margaret's soul occurs in an old French fabliau. A monk, who had always lived a virtuous life, becomes at last ensnared by seduction. He leaves his monastery in the midst of the night, to render himself to the house of a lady. On his way he has a bridge to pass, which breaks under him, and he is drowned. The Devil claims his soul; the angels object his previous holy life, and that, as he had not yet gone further than to a sinful intention, it was not certain that he would really have committed the sin. To decide the question the monk is restored to life, and placed upon the same spot of the bridge from which he had fallen. Be it that his feelings of virtue had recovered their empire, or that the cold bath had opened his eyes (an expression of the fabliau), the monk turns round and walks back to the monastery, and the Devil returns home without his prey.

honour always vanishing like a meteor? Show me the fruit which decays before it is plucked, and trees which every day grow green anew.'*

This is to say, in one word, 'Poor demon! canst thou give me a perpetual desire without enjoyment?'

Faust further enters into his compact with Mephistopheles under the following condition (the passage is very badly translated by Mr. H.):

'If ever I lie down satisfied upon the couch of *laziness*' (the German *faulbett* means a sofa, but, according to etymology, it is a bed of laziness), 'then be I thine! If thou canst ever, by thy flatteries, deceive me so much as to make me be satisfied with myself—if thou canst cheat me by means of *enjoyment*—be that day my last!'

Though the subject is somewhat abstruse, we hope it will not now appear unintelligible. Margaret is Innocence. The death of morality, is conscious Vice, because then the mind is shackled to sin; but error—unconscious error—is the general lot of human minds, and does not exclude a possibility of attaining the height of virtue, otherwise there would be no room for virtue upon this earth. The death of Intelligence, is its being shackled or bound to Enjoyment, because it then loses its character of progressiveness, which must be as unbounded as our Intelligence herself, of which no man has yet come to the extreme limits or frontiers. Mere error, on the contrary, does not destroy the possibility of progress. And thus the intellectual Faust, quite contrary to the laws of *material* nature, is led by Goethe from fall to fall always further up the mountain. The same fact is exhibited in history. History relates almost nothing but the errors of mankind; and what is the general result? That not only notwithstanding those errors, but by those very errors, human intelligence has always been in progress. Man, or Faust, has been driven from error to error, but he has always gone on; and the Devil, or Matter, notwithstanding its weight, has never been able to render the wings of the soul entirely useless.

We are not stating these ideas as our own, but we are certain that they were those of Goethe, and that he intended the 'Faust' to be the embodiment of these, among many other ideas; for we have not stated its entire meaning; Faust and Mephistopheles are representatives of many other faculties. But we have already trespassed, we fear too much, upon the patience of our readers.

* In justice we must say that we have, with a few unimportant alterations, taken this passage from Mr. Hayward; but at the same time we must add what he says in the annotations upon this very passage, which he has so well translated: 'The most probable supposition is, that Faust's meaning was pretty nearly the same as in the subsequent speech, in which he expresses a wish to *enjoy* all that is parcelled out amongst mankind—pain and pleasures, success and disappointment, indifferently.'—p. 234.

To return to Dr. Anster. By the stress which we have laid upon the simple alteration of a stage direction, and by our dwelling so long upon the evil consequences we saw flowing from such a small source, it can be easily imagined what are our ideas of the *genre* of such productions as Dr. Anster's 'Faust.' We cannot pretend to judge him; we are prejudiced against the *genre*, and place Dr. Anster's 'Faust' far below that of Mr. Hayward. For it is our opinion, and we must repeat it, that we may dislike, put under the anathema of religion, morality, reason, taste, the work of a genius; but we say that, if it is the work of a genius (and modern Europe has produced only a very few of them), you cannot alter a comma or a conjunction in it, unless you have found a means to alter in a living woman an ugly pair of blue eyes into beautiful black ones.

We are very sorry that we have not room for any more quotations from the translations of Messrs. Blackie and Talbot than the one or two already given. They are both the productions of men who have spared no trouble to produce the best they could, which praise is likewise due to Mr. Hayward; but the two former are a considerable improvement upon Mr. Hayward's translation; they have always sought for the sense, and have (curiously enough) alternately been successful. For this last reason we hesitate which of the two to declare the better; neither of them is perfect, but many of their errors can be corrected by a reference to both; we therefore recommend both of them to the German scholar, and we are sure he will find with us that Messrs. Blackie and Talbot deserve just praise for their industry.

If we should, however, make a choice amongst all the different translators of 'Faust,' merely in respect of *talent*, we should—certainly after Shelley—not hesitate to declare for Lord F. L. Gower, whose knowledge of German is not much beneath that displayed by Mr. Hayward, and far above the rank which Mr. H. assigns to it in his Preface; and who has undoubtedly shown that he has powers of language and poetical feeling.

Z.

Art. VI.

STATE OF DISCOVERY AND SPECULATION CONCERNING THE NEBULÆ.

ALTHOUGH, in recent years, the subject of the Nebulæ, under various modifications, has occupied a considerable portion of the ground of physical speculation, it has not, in any case we are aware of, been brought into a popular form; nor have our men of science often thought of examining it in all its singular

bearings, or of minutely inquiring into the kind and amount of evidence which exists for the adventurous hypothesis now commonly received among those astronomers who have studied the subject. To supply in so far this double deficiency, these remarks have been undertaken; and we indulge the hope alike of bringing into relief the character of some of the most striking notions concerning the nature and structure of the Universe which modern astronomy has given rise to, and also of procuring the attention of industrious observers to the means by which alone new and satisfactory light can be thrown on the mysteries we are induced to discuss.

I. The existence of those dim spots or diffused luminous patches which have long been designated *nebulous* was recognised by astronomers soon after their possession of the telescope; but the phenomena were looked on as inexplicable, and regarded as barren marvels, until Sir William Herschel completely surveyed them all, studied their curious relations, and formally presented his views concerning their probable nature. Struck, in the first stage of his inquiries, by the fact that many of the spots which, to moderate Reflectors, showed only a faint and confused illumination, were yet easily discriminated by more powerful instruments, and resolved into galaxies; biassed, peradventure, by those well-known speculations concerning the arrangement of stars in groups, and the general architecture of the heavens, which, even if not wholly demonstrable, will always have the merit of having introduced us to more sublime and *truer* ideas concerning the extent of creation, and the nature of our position in it, than we might otherwise have aspired to—it is not wonderful that he should have gone with overhaste to the conclusion, that all those milky streaks or masses of 'veiled' light, which the highest power in his possession was unable to bring into distinctness, were also galaxies or clusters of glorious magnitude, but sunk so profoundly in space, that no telescope could decompose them, or reveal their individual constituents.*

But the single circumstance of objects concurring in the

* The speculations concerning the architecture of the heavens are probably our finest relics of Herschel's peculiar genius. They ought to be known to every one. After gauging the heavens, as he phrased it, i. e., piercing by his mighty telescopes through and through our firmament in most of its directions, and thereby obtaining the notion of its being a simple group with determinable boundaries, the conception was easy that other groups might exist as spacious, and that the nebulæ were similar groups, floating like our firmament through space, and perhaps all holding by each other in fine and harmonious relations. There is little doubt that in so far the idea is correct, and what a view of creation does it give us! We used to think the dimensions of our small planetary system to be wonderful; but now we can talk of systems of firmaments. And, after all, the range swept over by our telescopes may only be a small nook or corner of peopled space.

common attribute of being visible as a faint and diffused light by no means sustains the sweeping inference that they are all remote clusters of stars, or that they all have the same constitution; and Herschel was here misled by that disposition to generalize beyond their foundations, which is incident to most explorers of new regions. In this case, however, as in almost all his speculations, he deserved the praise of abandoning his theory, before better knowledge; and in 1791 he began the description of a species of phenomena by which the formerly supposed uniformity was wholly broken up. The *first* set of appearances which struck him with such effect was the *nebulous stars;* bodies manifestly stellar, but surrounded by a luminous chevelure or halo—curious objects, now known as frequent in the heavens. If anything like certainty can be expressed on such a subject, the star and luminous atmosphere are always *connected,* and not merely *seen together* because in the same line of vision;* and it is equally certain that the atmosphere, be it what it may, must shine in virtue of its *intrinsic* illuminating power, inasmuch as reflected light could not travel through the immense interval which divides us from it.† In speculating therefore on the nature of the united bodies, we have choice of only two hypotheses. If this nebulosity, like all *resolved* nebulosities, consists of remote stars appearing nebulous because through effect of our distance they run into each other, what must be the size of the central body‡ which at so enormous a remoteness thus far outshines the rest? Or if the central star be of no greater mag-

* The principle on which we build our conviction that the star and halo are connected is exceedingly simple. Comparing the number both of these round haloes, and of stars, with the entire space of the celestial sphere, if no connexion exists between the former and the latter, the chance is almost infinity to one that *in no one instance* would a star and a halo be found so situated that the one would seem to occupy precisely the centre of the other. When a great many such associations are discovered it becomes quite a certainty that there is an arrangement, or a *system.* Reasoning of this description is far from illusive; it depends upon the uniformity of Nature's laws, and is as safe as this is sure. By the authority of a precisely similar speculation, Sir William Herschel, and Mitchell before him, were guided to the happy prophecy of motion among the double stars and more compact multiple clusters, long before observation had detected the slightest alteration of position.

† Sir John Herschel has recently told us of a certain inexplicable, or at least unexplained atmospherical modification, which causes many of the stars to appear nebulous for the time being, which are not so in reality. This may have deceived some observers, but it cannot invalidate the authority of our many and important records.

‡ Care must be taken, in observing an object of this sort, to note whether it is not a cluster, with concentration about the centre. Many of these clusters look quite like nebulous stars when first observed. The mode of discrimination is to notice whether, when large telescopes are applied to the object, the central lucid point appears to *open up* or not. A practised observer will know by this at once, and long before the cluster (even were it one) is resolved, whether the object is a nebulous star.

nitude than common, how small comparatively and how compressed must be the luminous points around it—sending towards us only so faint and almost evanescent a light! On the former hypothesis, the central body would far exceed what we call a star; and, if we accept the latter, the shining matter about the centre would consist of particles too small to come under that designation. And so we have either a central body which is not a star—a body of dimensions so enormous that it dwarfs and almost wipes out a mighty system; or a star surrounded by a shining fluid of a nature totally unknown. To determine us in this dilemma, there cannot be any other efficacious means than a review of the appearances around us and of which we know more. Now, although the supposition of the nebulous fluid were true, no person could wonder that the phenomenon is not made known under less doubtful conditions; whereas the speculator who accepts the hypothesis of the huge central star, is open to the inquiry, why are such stars all so remote from our system that we cannot more unequivocally distinguish them? Supposing the heavens full of that self-luminous fluid, it could never be seen unless as a faint and diffused incandescence; but if stars exist so mighty, compared with other stars, why, amid the vast variety of bodies within our nearer reach, does no such stupendous object appear? There is no mistaking, then, to which side the balance of probability inclines; but one may pardon hesitation, and almost pardon incredulity, because of the novelty of the idea to which the consideration points—an idea stirring inquiries so unwonted, and pregnant with consequences so wide and extraordinary. How unlike is this strange fluid to anything which science ever presented before! Possessing an intrinsic brightness adequate to make it visible from the distances of stars of the 8th, 9th, and still smaller magnitudes, it becomes yet more imposing when we contemplate its extent. It stretches over 3′, 4′, 5′, and 6′ in diameter; and this when seen through intervals which might dwindle the immense enclosure of the orbit of Uranus into an object no larger in angular diameter than 4″ or 5″. And the fluid is so rare withal, that through the whole enormous depth of it a central star may easily be seen, its radiance unobscured, and its disc perfectly defined. There is nothing we know, or have ever heard of, akin to it, unless it be that ether—a favourite ὑποςασις of modern physical philosophers—whose existence and almost inconceivable undulations they deem it necessary to postulate when theorizing on the delicate phenomena of light.

After printing the paper to which allusion has just been made, Herschel contemplated another class of phenomena, leading to

conclusions concurrent with the above. He was struck by that multitude of milky or dimly lucid spots, of a nature more or less sparse, and without any accompanying star, which combine the properties of being *visible to the naked eye, or to telescopes of low power,* and at the same time of being *irresolvable by our largest instruments.* The inference from the union of these conditions is too palpable to be missed. The irresolvability of the nebula throws it back to a depth almost inconceivable among the profundities of space; for the forty-feet telescope would detect a star, or resolve a cluster, although placed almost two hundred times farther off than that point at which Sirius would vanish to the unassisted eye. And again, that the nebula (supposing it a cluster) is visible to the naked eye, or to small telescopes, from so immense a depth, cannot be explained but on the principle of the unexampled compression of the stars of which the group is composed. For instance, a group of forty thousand stars would require to radiate into the pupil of the eye as *directly* as if it were one star of forty thousand times the intrinsic brightness of Sirius, before it could be seen at the distances referred to. Now if clusters so compressed are *real,* they cannot, upon the whole, be *scarce;* for, although few nebulæ are visible without a telescope, many which have resisted all efforts to decompose them are descried by instruments of very inferior power; and the puzzling question thereupon recurs, whether it is not most strange and unaccountable, that, notwithstanding the comparatively plentiful scattering of such clusters through the heavens, not one of them is sufficiently near us to give sure or safe intimations of so singular a phenomenon? The solution by the hypothesis of a shining fluid, is farther supported in this case by the aspects which the chief of these nebulosities have assumed under close examination by potent telescopes. The stellar constitution of resolvable nebulæ may be predicated in general before the nebulæ are resolved. Their light becomes more uniformly diffused, or they show a steady and regular progression towards the central point, or other apparent seat of attraction; and we recognise a gradual *opening* of the cluster, when examined by successive telescopes of increasing power. But these other objects show nothing of all this. Sir John Herschel has recently examined the nebula in Orion's sword, and he writes thus of it: 'The Huygenian region is represented by Messier's engraving as of a uniform brightness; but this is very far from being the case, as its illumination is entirely unequal and irregular. I know not how to describe it better than by comparing it with the curdling of a liquid, or to a surface strewed over with flocks of wool, or to the breaking up of a mackerel sky when the clouds begin to assume a linous appearance. It is not very unlike the mottling

of the sun's disc, only the grain is much coarser and the intervals darker; and the flocculi, instead of being round, are drawn into little wisps. They present, however, no appearance of being composed of small stars, and their aspect is altogether different from those of resolvable nebulæ. In the latter we fancy by glimpses that we see stars, or that, could we strain our sight a little more, we should see them; but the former suggests no idea of stars, but rather of something quite distinct from them. In reference to the great nebula in the girdle of Andromeda, there are grounds for a similar conclusion; so that we have this novel and most singular matter, not only surrounding stars and enveloping them as an immense chevelure, but existing also isolated, and in various conditions, from the state of perfect diffusion to that where, as in Andromeda, it shows a central nipple on an apparent point of condensation. It is, perhaps, in its separate and independent form that it fills us with most astonishment. The profusion with which it is distributed in this form in both hemispheres, and, indeed, through all the heavens, would seem to imply that it fulfils, or is pressing to fulfil, some important function in the material economy. The nebula in Orion alone is spread over sixty degrees of surface, and its depth probably reaches from within the region of stars of the third to about that of stars of the seventh magnitude.'

It will be observed that the considerations over which we have just gone, rest the reality of this fluid on evidence only of the probable kind; but a more extended survey of the universe will lead us farther, for it happens that phenomena exist within the limits of our own system which seem to reduce these probabilities to *certainties*. Allusion is here especially made to the phenomena of comets. These objects are small nebulous masses, which have been brought apparently within the sphere of the sun's attraction, and compelled by the balance of all the attractions acting on them to move in respect of our luminary in very various orbits. The comets are manifestly strangers to our system, or rather fortuitous visitants, their motions deviating in all conceivable ways from any planetary law. In connection with our system, then, they are isolated objects, having no meaning, and serving no purpose. In vain did the superstitions of the elder times attempt to resolve the cometary problem, by assigning to them moral influences; the days of such delusion are past. But nevertheless, and philosophically considered, this problem must have a solution. *No phenomenon is isolated in the universe*; there is no such thing as an event absolutely strange. The circumstances which uphold existence, and evolve its various aspects, are too regular, too closely interlaced, and finely harmonized, to permit of opera-

tions *per saltum*. The fact of comets being bodies foreign to the planetary system, merely indicates that we must seek their *root* in the external spaces; and we find it in those masses of nebulous fluid with which they are intimately connected by constitution, and whose formerly questionable existence they render visible—almost tangible. How interesting the change which passes over the whole aspect of these wandering bodies when viewed in their true position—not as anomalies, not as monstrous *spectra* amid a creation to which they are wholly dissimilar, and with which they are connected by no harmonizing ties—but as outposts of a mighty system, one first positive evidence of the existence of a department of phenomena not less important perhaps than the galaxies of perfected stars! The contemplation of their phenomena, too, vastly extends our notions of that amount of formless matter which may exist amongst the stellar intervals. The comets, it is well known, can have extremely little light of their own—they are brilliant chiefly by reflection of the solar beams. What masses of that matter then must be collected within one space, to enable it to send us even the faint illumination by which we descry it; and inasmuch as we could never see it at all through considerable distances, all that is visible must be comparatively close on the confines of our sphere, while that which probably abounds through the regions of the remoter stars may remain for ever unvisited and unknown. Is it too adventurous to guess concerning the meaning of this flickering and bewildering mass? What mysteries are hidden within its enormous bosom! Will it remain amorphous for ever—a seeming chaos in the midst of order—or is it in progress towards a more perfect organization? Bold questions these! And the inquirer who undertakes them must not be judged of harshly, although he fall into error. He stands somewhat beyond the outermost range of safe and sure footing, and it ought to be enough if he is found to have done his best.

II. The observations which led Herschel to his well-known hypothesis on this subject are recorded in the paper of 1811; and, if that paper be assumed to contain a complete review of the nebulæ, it will not be found easy to escape its conclusions. The simple operation of assorting these curious objects into classes, forced upon the astronomer an idea no less adventurous than probable. The first, or (as he conjectures) the *original* condition of the shining fluid, is that perfect diffusion to which reference has just been made. In more advanced objects there are a greater or less number of spots, brighter than the general mass. These spots, in a third class, obtain an increase of brightness, and at length seem like *nuclei* around which the nebulous matter is

condensing in virtue of some prevalent internal attractive energy. In a class still further advanced we have the appearance of nebulosities with two or more centres of condensation, about *to break up* or to divide into separate round nebulæ. The process of separation seems to have proceeded further in a fifth class, the original object having actually broken up, its parts however still evincing a former relationship by extreme contiguity, and sometimes by both resting on a very faint *oval bed of light.* The phenomena are the same whatever the number of *nuclei;* and a gradation of objects is thus established, perfect and unbroken, from such a mass as that in the sword of Orion, to clusters (varying in the number of their constituents) of *regular round bodies,* manifesting by the increase of illumination towards their centre a pure spherical form, and also in all probability an accumulation of matter around the central point. Here then is a first appearance of light dawning upon us respecting the character of these anomalous bodies. It does seem as if powers existed to reduce them to order—to bring them into a better organized and more perfected form of being—as if, in the mysterious progression to which bold conjecture would declare them subject, there were actually made visible to man the still arranging influence of that Dove-Spirit which brooded over chaos.

Herschel, however, does not stop here in his classification and comparisons. The contemplation of the *separate nebulæ*—objects comparatively regular—with single *nuclei,* formed with him a main purpose. The *shape* of these objects is remarkable. Some of them are ovals, like that great nebula in Andromeda, with bright spots in the centre, and of different degrees of elongation, rendering it probable that they are flat circular zones, or sections of a sphere, presenting their edges or only part of their faces to the earth. But by far the greater number approach more or less to the round form, and therefore may be concluded to be *spherical.* An objection may be taken to this inference, but it is worth nothing. The round aspect of these nebulæ might be presented by a cylindrical or conical object having its base at right angles to our line of vision; but the probability is manifestly infinitely small, that a multitudinous class of objects should all lie in this precise way, instead of occupying every fortuitous variety of position. The nebulæ, it must be remembered, are not at all connected with the system of the earth. 'This method of reasoning,' says Herschel, 'upon the form of the nebulous matter, from the observed figure of nebulæ, will lead us a step farther than it might have been supposed; for, granting it to be highly probable that the appearance of irregular round nebulæ is owing to so many globular expansions of nebulous matter, it will be necessary

to direct our attention to the cause which has formed this matter into such masses. To ascribe a highly improbable event to chance is not philosophical; *especially as a forming cause offers itself to our view, when we direct our eye to the globular figure of the planets and the satellites of the solar system.*' The inference thus upheld by the general form of the nebulæ is farther supported by their condition with regard to *light.* They are arranged by Herschel in a regular series, *each successive term of which shows a progressing augmentation of light about the centre.* The foregoing reasoning is equally applicable here; there is no assignable probability that this augmentation can arise from peculiarity of shape. We are almost obliged to infer from it a growing condensation of the nebulous matter.* And Herschel was enabled to trace the phenomenon to its termination. After passing through classes of objects characterized by a gradually increasing *indefinite* illumination, he at length recognised a *defined central disc,* which became more and more defined and concentrated, until he arrived at those bodies which originated his new ideas, the *nebulous stars.* Nor does the series terminate even with them. The haloes or nebulous atmospheres of these stars become

* Does not Sir John Herschel, in hazarding a recent remark, that the apparent increase of light about a point may arise from our seeing through a thicker bed of the nebulous mass, overlook, to a serious extent, the force of the foregoing arguments? The phenomenon, for instance, of a nebulosity with a number of well-defined round nuclei, could not be accounted for on this principle, unless we supposed the existence of a number of cones or cylinders of nebulous matter projecting from the body of the nebulosity, and all lying with their *larger axes in the precise direction of our line of vision.* But this hypothesis never could be admitted; and, although the spherical form of single nebulæ would necessitate a *degree* of greater illumination around the central point, and save us in so far from the hypothesis of condensation, the different and increasing degrees of illumination, as above described, are manifestly not to be so explained, unless on the most forced suppositions. How very improbable would be the solution of the phenomena of the star and halo, by attributing the superior brightness of the central point to an immensely long projection of nebulous matter exactly in our line of vision! And this phenomenon, it must be remembered, is only one step, or rather occupies only one place, in an unbroken progression. Nor is Sir John Herschel's objection, that an increase of light may not betoken greater condensation, much more fortunate. We know very well that bodies often alter in their faculty of giving out light in consequence of other changes than an increase of specific gravity; and it is evident, from the physical constitution of the sun, and also, perhaps, from the mysterious aspects of the planetary nebulæ, that condensation and the light-giving power do not always go on together; but an alteration in this power, in so far as we know, takes place in much the most numerous class of instances, in event of some great change of state passing over the bodies. Now, the aspect of the different nebulæ exhibits nothing to betoken heterogeneity, excepting this single difference in the degrees of central illumination; and, as *it* is perfectly accounted for by supposing a process of condensation quite in accordance with the most general character of matter, the raising of the difficulty alluded to appears inadmissible. In a case of *demonstration* everything must be made clear; but, when we treat of conjectural subjects, it is not philosophical to refuse to rest on the superior amount of *probability.* No man living is more capable of applying the light of *hints* to illumine a dark subject, or of extending our absolute knowledge of the facts of that subject, than the eminent inquirer from whom we have here ventured to dissent.

more faint, and diminish in diameter, until the object at which the observer abandons his anxious research is a fixed star, distinguished from its pure companions by the simple accompaniment of a small and almost imperceptible *bur*.* Now in presence of this most striking series of appearances, this wonderful collocation of circumstances, all pointing in one direction, what marvel that Herschel pressed to the conclusion, that albeit the changes of the individual nebulæ might extend over periods too mighty to admit of their ever being observed by man, it was yet the meaning and the destiny of these masses to be, in virtue of regular laws, transformed into organized stars, and that he stood before a phenomenon which revealed to him the proximate origin of all the stellar heavens! Considering the startling novelty of the conception, and the immense eternities it seems to involve, no wonder that it should stagger the imagination, and make our intellects 'reel;' but, after all, in what is it different from processes ever passing around us? Look on the leaf, with its splendid and most intricate organization—at that beauteous mechanism, springing up even before our eyes, from a speck comparatively amorphous,—and there is involved no exercise of mightier power in the idea of the generation and arrangement of worlds. What we are annoyed and puzzled with is the element of *time*. Alas! these mighty firmaments, and the periods consumed in evolving them from their nebular chaos, are probably as limited and trifling amid the real system of things, as the birth, magnitude, and duration of one blade of grass amid the arrangements around us.

III. What Herschel chiefly accomplished in the memoir, of which the foregoing is a brief account, was to *ground* an hypothesis,—which hypothesis remained to be verified. Subsequent speculators have limited themselves to attempting the verification of it in reference to one set of problems. It is not enough, for instance, to allege that stars may come by mechanical laws out of these nebulæ; the question recurs, can *such stars as we see* come out of them,—could a body thus produced resemble in character the known individuals of our heavens? And, to a certain extent, this inquiry has been answered, ingeniously and satisfactorily. First, it is manifest that the orbs arising out of a nebula would be subject to a motion of rotation on an axis, as the sun is, and in all probability most of the fixed stars. The confluence of particles towards a centre of attraction would in general, if not universally, produce a whirlpool, of which an illustration is

* It does not follow that the progression stops here,—this is only *the furthest limit of its visibility to us*. The nebulosity may affect far more stars than we can notice it connected with; and the zodiacal light around our sun, which could never be seen by our instruments from a fixed star, almost demonstrates this. It may, indeed, affect, more or less, all the constituents of our firmament.

extant in the confluence of almost all differently flowing streams. A rotatory motion once communicated, its velocity would, in order to the conservation of the momentum, increase with the process of condensation,—which mechanical law is familiarly illustrated, in one out of many instances, by the play of the *metronome.* The whole theory and action of this instrument is, that with the *same force* the angular movement will be more rapid the nearer the weight is to the centre of motion. The resulting orbs then would *rotate;* and, as the circumstances of their origin might and would vary, they would rotate *in varying times,*—which is perhaps verified in the curious phenomena of the *variable stars.* Nor is the hypothesis at fault in regard to the phenomena of the double stars. These bodies may rotate on their axes, but they certainly revolve around each other. Now the rotation on their individual axes, or the whirlpool-motion of the original nebulæ, would inevitably cause an orbitual revolution of binary and more complex systems. Let any one examine a diffused nebulosity broken up into two or more round nebulæ, yet hardly separated. If these individual masses rotate, or are like whirlpools, they must act on each other as *wheels.* The result is illustrated in the main by a very simple phenomenon. Walk along the side of a quiet river, and notice the little moving eddies caused in such multitudes by the reflexion and interferences of currents from the unequal sides of the stream; follow these small eddies for a moment, and observe how on being whirled down the stream they come into contact or proximity with each other,—that instant *they form a system,* the one revolving around the other, or rather both revolving around some intermediate point. This part of the speculation seems in so far capable of being verified by observers. The condition of these *double* and *multiple nebulæ* ought to be minutely noted and sedulously watched. If they are in a state of orbitual motion, it ought to be observable in some of the more perfect groups; and the verification of such a fact would be a discovery not yielding in interest or importance to that most brilliant astronomical discovery of this age, the motions of the double stars.

But the sun, and in all likelihood the other orbs, is attended by *planets;* and it is perhaps the most interesting part of the whole speculation to follow Laplace in his account of the gradual origin of these minute circumstellar bodies, from the bosom of the condensing nebula. In any given state of the rotating mass, the outer portion, or ring of it, is in the condition of having its centrifugal force exactly balanced by its gravity. In the event of an increased rapidity of rotation, in consequence of that progressing condensation to which allusion has just been made, the mass of the nebula will abandon this outer ring of molecules,

which may afterwards continue to circulate about the star. Imagination may conceive several zones of vapour thus successively abandoned, and moving, with velocities corresponding in some law to their position, around the sun, or central nebulous mass. The particles of such rings might condense into a solid or liquid subsistence, but unless the formations were originally uniform in all their parts—an improbable hypothesis—they would not condense as rings. We have, in fact, only one exemplification of such a phenomenon, in the rings of Saturn,—a phenomenon, however, altogether invaluable in illustration (if we only understood it) of the primary condition of our system. In most cases these zones would divide, and form several masses circulating around the sun, which might either continue distinct, thus giving several small planets revolving in almost the same orbit, of which we have also one example,—or they would unite successively with whichever of them happened to be most powerful, and constitute one planetary mass. It is manifest that this cosmogony takes account of that characteristic and constituent element of the solar system, which shows the planets moving around the sun in orbits nearly circular, not far from the plane of his equator, and all in the direction of the sun's own rotation. Gravity has nothing to do with this remarkable arrangement, so that it must flow out of some *anterior* cause. And it is equally clear, that the rotation of the planets on axes, also in the same direction, a circumstance no less characteristic, is likewise accounted for. In the primary zones, the inferior particles must, in consequence of their position, have had a less *real* velocity than the superior; and, as a matter of course, the masses into which these zones separated would thence obtain a motion of rotation in the direction referred to, and would quickly take on the spheroidal form. Laplace, by an easy and evident process, pursues this hypothesis through the formation of satellites, showing its adaptation to explain the uniform directions also of their revolutions and rotations (if we except what is said or suspected of that still mysterious body Uranus), and how the formation of tertiary planets must have been prevented by the equality which subsists between the angular motions of rotation and revolution of each satellite.

This curious speculation derives additional plausibility from two considerations. In the first place, the generation of every scheme or portion of nature with which we are acquainted, has reference to the production of those *essential characteristics* which constitute the strength of the arrangement and give it stability. Now it is precisely those striking circumstances—the almost circular shape and small inclinations of the planetary orbits, the uniformity of direction of the motions of revolution and

rotation of these bodies, which uniformity is also partaken of by the satellites—it is these constituent elements, *flowing directly out of the hypothesis of nebular generation*, which give the machinery of the system its permanence. That splendid analysis, begun by Euler and completed by Laplace, of which astronomy has so much reason to be proud, firmly established that, in consequence of the existence of the elements now alluded to, all planetary irregularities are *periodical*, and that no such derangement can ever accrue as Newton, in the early days of the science, seemed to foresee, and of which he spoke with unfeigned alarm.* On the ground then of the general analogy of things, it may safely be predicted that if the veil of past time shall ever be truly lifted up, and we shall discover with certainty the origin of our system, it will present phenomena essentially and especially adjusted to evolve those very effects which flow directly from the theory of Laplace. But, secondly, the whole speculation derives authority from the phenomenon of the zodiacal light, taken in connection with what we may almost venture to term the positive discovery, by means of Encke's comet, of the existence of a thin but appreciable resisting ether throughout the planetary spaces. This, it is highly probable, is simply the remaining most elastic and uncondensed portion of the primary nebula: and mark its operations. Although it may have a motion of revolution, to be detected by future observations on comets, it cannot rotate with the same velocities as the planets, and therefore must, by a quantity however inappreciable by our instruments or our *race*, retard these bodies,—thus causing a gradual contraction of their orbits, until finally they reach the body of the sun, and once more unite with their parent mass. Let the time requisite for the accomplishment of this change be myriads and millions of ages, it still *must* arrive; from which it follows that the system, as it is, cannot have passed through more than a definite period—that it must have a marked *age*, which age is written on it, if we could but read the lines—and that it may be traced back, as Laplace has almost accomplished, through youth and infancy, to the epoch of

* Doubt has recently been cast on the accuracy of this investigation, or rather on the alleged necessity of the presence of these singular constituent elements to the completeness of the demonstration. The mistake seems to have arisen in a slight and superficial view of the subtle analysis. From the circumstance of the general perturbing function containing only sines or co-sines, and no non-periodic function of the time, the inference of *stability* was supposed to follow; and the function would have this form in whatever directions the planets moved. It was overlooked, however, that the series into which the perturbing function is developed might, notwithstanding, be *divergent*; and it is essential to its necessary *convergence* that the above uniformity of motions obtain. It is impossible to pursue this subject here; but the reader is referred to several recent memoirs of Poisson's, and in particular to his elegant and brief paper in the *Connaissance des Tems* for 1836.

its birth. And notice the perfect analogy of the mode in which these planetary arrangements will pass away with all phenomena of decline in nature. It is a decay not from accident, not from disease, but a consequence of the system's harmony, an easy and fore-doomed result of those very powers which first evolved it and constituted its strength. Arrived at this point, the mind reverts to Herschel's general speculations, and ventures on more commanding thoughts. That diffused mass may be not only the original of stars, but the matter of systems altogether different, to be evolved in future time, and of which we can form no manner of idea. The stellar constitution, with the brilliant firmaments which have sprung from it, may be only one phase of this matter —a mark in the flow of time. How overpowering are such conceptions! And still more marvellous do they become, on the reflection that all these supposed and stupendous changes seem to issue, without effort or constraint, from the course of the simplest of those laws which the Deity has impressed upon the progress of the universe.

IV. It is not likely that this portion of the general speculation will ever be exhibited more definitely or distinctly than now, or that we shall ever be able to recal the circumstances (slight varieties, perhaps, in the original constitution, temperature, &c., of the vaporous zones) which originated the inequalities of shape and inclination traceable amid the planetary orbits; but it is true, nevertheless, that much remains to be accomplished ere the nebular hypothesis obtain the amount of probability which it ought to have, inasmuch as that amount is accessible. The doubtful and debateable matter relates to Herschel's original conclusions in his paper of 1811. It was a mere first sketch; and to verify that sketch—to give it the scientific precision which it still wants—*hic labor, hoc opus.* It is manifest that if the nebulous masses are subject to a law of internal attraction, and if, consequently, they are in progress of condensation, not only will this be rendered probable by a survey and classification of *some*, even a *large proportion* of them, but the shapes and characters of *all* would be in accordance with it. If, for instance, nebulosities or nebulæ are found whose aspects are incapable of being explained on such a principle, the hypothesis would be damaged, or, at all events, the simultaneous operation of modifying and counteracting powers rendered palpable. Now the difficulty of effecting this necessary survey rests in the fact that the nebulosities are not yet separated into a peculiar class; no important progress has been made in *the inquiry which would distinguish them from remote firmaments.* The difficulty of conducting such an inquiry is great, but not insurmountable. Objects which lie at

the uttermost confines of our sphere of observation, and which reveal their milky light for the first time to our best instruments, must, it is clear, continue ambiguous, waiting for the further perfecting of the telescope, and are now useless in regard to any important purpose. But vast multitudes of these faint spots are reached by telescopes of power much within what we are able to employ with steadiness and effect, and these may for the most part be discriminated. The principles on which Herschel originally reasoned are also applicable here. The classification of resolved clusters, in reference to the degree of *compression* of their stars, as indicated by the distance between the telescopic power which first descries and that which finally resolves them, might give us what may be termed the *average compression of external clusters*; and every unresolved object which, upon the ground of the same consideration, *would oblige us to suppose a compression much greater than this average, ought, in the present state of our knowledge, to be put down and speculated on as a proper nebula.* Mistakes, doubtless, would occur, to be corrected by the future career of the telescope; but we are walking in the dark, and the best attainable light is of value, notwithstanding its inferiority to the sun. A survey conducted on this principle would guide us to something definite and certain in regard to these remarkable bodies; and now that the practice is taken up by astronomers, of dividing the subjects of observation—one man following the micrometrical changes of the double stars, and another the smaller irregularities of the planets—why should not at least one observatory be dedicated to the nebulæ? May we hope that the labour is in course of accomplishment—that the astronomer, who in philosophical spirit heads our whole body of science, will not quit the task he is so actively and piously pursuing, until he gives the utmost possible definiteness to those striking speculations of his illustrious father.

But let no observer be misled by too sanguine anticipations. Supposing the conjectures of Herschel well founded, other sources of knowledge of the nebulæ than the foregoing there cannot be in the nature of things.* The reply to the hypothesis of conden-

* And the amount of evidence would be sufficient to command the highest degree of assent which can wait upon such truths. We should have, it must be noticed, not only a regular gradation or progression of appearances, from the diffused nebulosity to the perfect star, but also the certainty that an energy exists—the most prevalent and universal energy, indeed, which has yet been found to characterize matter—an energy perfectly adequate to convert an object, in one of these stages of condensation, into one belonging to a higher or more advanced class. And, moreover, we have an assurance that the stellar bodies produced by the energy of attraction, operating within such a mass, would be similar, in all important and even in nice respects, to those gilding our heavens. It is the more necessary to recal this, the true state of the question, inasmuch as Sir John Herschel—acting for the moment

sation always has been, 'unless the *individual objects* are *seen condensing*, unless changes are observed and noted in the separate masses, that hypothesis cannot be received.' Now, the search after evidences of such change were the merest vanity. If the nebular hypothesis be true, all the forces developed upon the thin surface of our planet, and which have carried on geological changes stretching through periods in which the existence of the human race is an invisible moment, will have resulted during a stage of condensation in a secondary nebula, which no instru-

under a sterner regard for *demonstration* than should be cherished while conducting inquiries like these, and cherishing, perhaps, hopes of human acquirement which the position neither of civilization nor of the human race, considered in respect of the universe, can uphold—has, in one of his eloquent addresses to the Astronomical Society, intimated that even the complete establishment of an uninterrupted gradation would not suffice as a confirmation of the nebular hypothesis. His words are not now before us; but we recollect he instances the supposed parallel case of the chain of organized being—a chain in which every link has been fancied to hang upon its neighbour—where, in fact, there is every aspect of a gradation of appearances, without, as is commonly believed, the possibility of one grade or one species merging into another. Further reflection, we think, would have convinced this eminent philosopher—than whom none knows better the exact value of an analogy—that the two cases are not absolutely parallel; nay, that, as commonly received, they separate from each other just at the important circumstance. A gradation, or collection of similar appearances gently sliding into each other, can be met with nowhere without its flashing on our minds that there is something in that connexion more than meets the eye; and we are compelled, by the constitution of our intellectual nature, to ask whether the recesses of time or the abysses of space contain what may resolve this singular and striking relationship. A gradation does this, and it does nothing more; but, surely, that gradation, in reference to which, as in the case of the *nebulæ*, we know of powers capable of causing the transition of the imperfect into the more perfect state, is in a condition widely different from that other—the scale of organized Being—in respect of which, as naturalists have hitherto viewed it, there is not only no known energy to effectuate the transition, but a supposed demonstration of the absolute impossibility of such a transition. Sir John Herschel stopped too soon—he exalted a difference arising from what is believed concerning the *second step* of the inquiry, into a principle for the guidance of our judgments in the first stage; and this is more to be regretted, inasmuch as, if he had gone further, he would not have lent his authority, even indirectly, *to stop zoological inquiries*. The 'intranspossibility' of what are termed the 'limits of species,' is by no means settled; and it seems that the holders of the dogmatic belief to this effect rest their chief authority on their power to ridicule Lamarck, who grasped at a philosophical conception before he knew of any facts by which it could well be illustrated. Zoology is too much in its infancy—too much a mere science of classification on the ground of observed differences—to permit of dogmatism on either side of this question; but, unquestionably, when Lamarck asserted, in the face of much obloquy, that a 'transpossibility' and a progression *might* exist, he was far nearer the truth than his noisy opponents. The duty of inquirers in this department is to investigate closely the *powers of life*, and to ask whether there, as with the nebulæ, a plastic *misno* exists, capable of solving the mystery of this gradation, as established, not by the living creations, (for they are only as a few leaves left from an immense volume,) but by these in connexion with the creatures whose relics have been preserved in their strong coffins. We need not remind the *young* zoologist that the inquiry is begun. Instead of a fanciful Lamarck, we have now a laborious St. Hilaire—a man who has done much, and who will yet do more, towards the unveiling of Nature's hidden face. It is full time that such speculations cease to be confounded with 'Atheism,'—at least by our *Learned!*

ment from any fixed star could possibly detect.* There is a creature named the ephemeron, confined to the veriest speck of time. That creature is in presence of the phenomena of vegetable growth—it may see trees, plants, and flowers—but could all its generations observe their progress? In relation to these condensing masses, man is only an ephemeron. Fifty lives succeeding each other, and of a length to which individuals often attain. would reach backward beyond the first recorded existence of his race; and in the mutability of things fifty more may constitute a line longer than his allotted epoch. And just as much as one hundred of those creatures who are born, breathe, and die, might learn of the progress upwards of the majestic pine, will he ever know of the changes of the nebulæ. These are phenomena whose course it was not meant he should *calculate,* and their progress is not *demonstrable.* At the utmost the speculation is but a *probable* one—akin in its best state to those other hints concerning the Infinite, which arrest every aspiring and thoughtful mind. It will never subserve our convenience, but it may purify and enlighten our veneration—giving us, with all its indistinctness and probable imperfection in detail, new and emphatic views of the relations of Man, the Universe, and their Author.

V. A few remarks on a common and gross abuse of the argument from final causes will form an appropriate conclusion to this paper. The abuse is strictly connected with the matter of the article; for, notwithstanding the stupendous and almost overwhelming representation it offers of the magnitude and solemnity of creation, certain writers have strangely thought fit to launch at the nebular hypothesis the charge of impiety, and to regard all such speculations, in sober seriousness, as rebellion against the attributes and activity of God. Perhaps the most philosophical form of the prejudice in which so much injustice originates, is contained in one of the Bridgewater Treatises. 'There is then,' says Dr. Chalmers, 'a difference of great argumentative importance in this whole question' (the question of Natural Theology) 'between the LAWS of matter, and the DISPOSITIONS of matter. In astronomy, for instance, when attending to the mechanism of the planetary

* Not a few geologists have recently pressed to accept the nebular hypothesis; but they have not hitherto made good use of it. Ampère, for instance, has proposed (if we understood his reporter rightly) to account, on this principle, for the regularity of stratification—the evolution, at one period, of a large amount of carbonic acid, &c., &c. These facts, in so far as they are facts, spring from much homelier causes; but the nebular hypothesis, by showing the probable evolution of mechanical force while two larger, having chemical relations, are coming in contact, does somewhat towards furnishing an origin for that *elevating cause* which has diversified the surface, not only of the earth, but of all the celestial bodies with whose external physics we are acquainted. Dr. Daubeny's theory of volcanoes would, in that case, be only a partial and modern explanation of that universal force.

system, we should instance at most but two laws—the law of gravitation, and perhaps the law of perseverance on the part of all bodies, whether in a state of rest or of motion, till interrupted by some external cause. But, had we to state the dispositions of matter in the planetary system, we should instance a greater number of particulars. We should describe the arrangement of its various parts, whether in respect to situation, or magnitude, or figure, as the position of a large and luminous mass in the centre, and of the vastly smaller but opaque masses which circulated around it, but at such distances as not to interfere with each other, and of the still smaller secondary bodies which revolved around the planets; and we should include in this description the impulses in one direction, and nearly in one plane, given to the moving bodies, and so regulated as to secure the movement of each in an orbit of small eccentricity. The dispositions of matter in the planetary system were fixed at the original setting up of the machine; the laws of matter were ordained for the conducting of the machine.'—'Now the tendency of atheistical writers is to reason exclusively on the laws of matter, and to overlook its dispositions. Could all the beauties and benefits of the astronomical system be referred to the single law of gravitation, it would greatly reduce the strength of the argument for a designing cause.'—'And here it is quite palpable that it is in the dispositions of matter more than in the laws of matter where the main strength of the argument lies, though we hear much more of the wisdom of nature's laws than of the wisdom of her collocations.'—'He might have recollected that the main evidence for a divinity lies not in the laws of matter, but in their collocations—because of the utter inadequacy in the existing laws to have originated these collocations of the material world.' And much more through a long chapter, as well as much in a subsequent work, to the same purpose.

We have no space to expose the complicated fallacy of these opinions; but a few words will suffice in regard to our present purpose. In the first place, what is that fact or phenomenon, a 'Law of Nature?' It is simply the tracing of a principle of order through a number of adjusted successive events; and surely there may be as much of 'collocation' (using this word in the spirit in which it is employed in the foregoing extracts) in the adjustments of successive events, as in the adjustments of contemporaneous facts. But, besides, every known law is the explanation, so to speak, or the solvent of a great number of existing 'collocations' which have ceased to address themselves to our *wonder*, because of the fact that we know the law on which they depend. Previous to the discovery of gravitation, for instance, how many of such collocations' might have been traced through the yet unconnected

effects of this law, not only in the planetary system, but on the surface of our own earth! Is not the uniformity of the shape of the planetary masses as striking *à priori* as the uniformity of the direction of their rotation on their axes? Is not the operation of gravity at their surface, by whose means the whole of that surface may be peopled—individuals standing as antipodes—as remarkable as their individual smallness compared with the sun? Or can aught be asserted on behalf of the almost circularity of the orbits, and the slight inclination of their planes, which might not be applied with at least equal force to the regularity and relationship of their times of revolution, and the consequent uniformity of that cyclical return of seasons on which the wellbeing of their internal systems is dependent? Look again to the leaf! Its whole machinery of fibres and sap-vessels form a most surprising 'collocation,' but is it pretended that these would constitute a better argument for the being of a God, should the operation of that power by which they are evolved from the almost unorganized germ, continue, as now, mysterious and unknown? The affirmation is essentially this,—we can demonstrate the existence of a Deity more emphatically from that portion of creation of which we remain ignorant, than from any portion whose processes we have explored! It is surely not the supporters of such an affirmation who ought to scatter lavishly the charge of impiety.

The truth is, a 'collocation' *per se* excites nothing but *wonder*, or an unusual commotion in the brain; and this feeling or sensation operates as an incitement and absolute command to the intellect to seek out the physical cause or origin of the new and not comprehended scheme. So far from 'collocations,' philosophically considered, being manifestations distinct from laws, they are our first intimations of the road in which we must travel to detect some law hitherto unknown,—they are the first hints which philosophy receives, or which she has ever received, of toils to be encountered and overcome. Into the argument from physical nature, evincing the Being of God, we decline at present to enter; but the opportunity could not be missed of animadverting on opinions which have long prevailed, and which are most mischievous. Persuade weak minds that the existence of Deity is best shown by 'collocations' as distinct from law, discovered or discoverable, and we have at once the reluctance of the intolerant mob of Greece to permit the extension of physical law—which is, the extension of knowledge; and the error is only the more pestiferous that it extends far beyond the sphere of physical subjects. Had not the argument for the being of a God been often placed, by a similar mistaken dogmatism, in apparent collision with progressing and legitimate inquiry, we should have had fewer Atheists and

less intolerance. Some men, incapable of dividing the truth from the pictures given of it by weak partisans, have rather inclined to obey their intellect and follow inquiry; while others, less adventurous, and unable to part with the upholding conception of a common parent, have felt that inquiry distracted them, and thereupon have dealt out denunciations. In consequence of the usual arts of self-delusion, the indignation they felt passed upon their own minds as a moral indignation, but it was only the anger of selfishness uninformed, and desirous to be untroubled in its repose.

J. P. N.

Art. VII.

MR. BARRY'S DESIGN FOR THE NEW HOUSES OF PARLIAMENT.

PERHAPS no step taken by the Reformers, during the present Session, has so much resembled the desperate expedient of a forlorn hope as the motion of Mr. Ripon for the removal of the Bishops from the House of Lords. The moment he cast his eyes over the accepted design for the new Houses of Parliament he must have seen the ascendancy of the Church, and felt the triumph of Episcopacy. Policy alone has raised the cry of 'the Church in danger.' Her power, in influential quarters, was never greater than at the present moment. We learn that his Majesty, in obedience to the precept 'that man was made for the Sabbath, and not the Sabbath for man,' has ordered the royal band no longer to play on the Terrace of Windsor Castle on Sunday evenings. The Queen is reported to *walk* the whole distance from the royal apartments to St. George's Chapel—a stretch of piety which Sir Andrew Agnew dares not demand even from a Bishop. In the House of Commons discussions on the better observance of the Sabbath, take precedence of debates upon the Ballot, and Annual Parliaments. Proposals are entertained for building 400 additional churches. These are not the only signs of the times. From peculiar sources of information, to which we believe no other person has access, we are enabled to bring to light a great ecclesiastical plot, which, if successful, would have overturned the few remaining bulwarks of the Constitution, and substituted an overgrown hierarchy for the venerable fabric of King, Lords, and Commons.

It has often been observed that something must be done with the Lords; and assertions have been made that even the King himself has at length become convinced of the necessity of some organic change; but the public are not yet prepared for the change, which, under the influence of ghostly advisers, his Ma-

jesty purposes to effect. Instead of consulting the voice of the Radicals, and beginning the work of reform by throwing overboard the spiritual Lords, the design was to sacrifice the whole of the lay Lords to the just indignation of the public, and convert the Upper House into a court of Bishops. Hence the rumours which have of late been rife, of the intention of Lord Lyndhurst and the Duke of Cumberland to enter into holy orders. A similar transformation was contemplated for the House of Commons. In deference to the great and increasing ascendancy of the Catholic party over the ministry, it was intended to convert that House into a great monastic establishment; and a resolution was to have been introduced by ministers, declaring that no person should be competent to sit in that House who did not lead a life of the strictest celibacy. In this fact the public will see a satisfactory explanation (and the only one that has yet been offered) of the opposition of Government to Mr. Berkeley's motion for the admission of ladies to the gallery. Although, from time immemorial, contraband goods have been smuggled into convents, the scandal of openly introducing women within the walls would have been too great for the holy brotherhood. This part of the plan, however, has been happily frustrated for the present.

We have thus explained why it was necessary that the new buildings to be erected should be such as might be adapted for divine service. Mr. Barry has the merit of having accurately seized the intentions of the commissioners, and hence, in great part, his success above all other competitors. The infidel portion of the Lower House will no longer be enabled to avoid going to church; every committee-room will be a chapel (see the design), furnished, as we understand, with Bibles, prayer-books, and useful homilies. With this clue to the object of the architect, his plan will be understood without difficulty. In the centre of the grand elevation, forming the river front, are seen the residences of the future Speakers of the two Houses; one of whom will be the Archbishop of Canterbury, the other the Catholic Primate for all Ireland. The three principal compartments of the river front, with a double row of church windows, divided by buttresses, lightened by niches containing images of the most illustrious saints, and connected by the two episcopal palaces referred to, are the King's chapel, and the chapels of the two Houses. The two modernized baronial castles placed at the wings are intended for the new spiritual Lords of the Admiralty, and his Reverence the future Secretary at War. The plan of these buildings admirably expresses their application to the purposes of the church militant. We are informed that, when the whole are completed, sermons will be delivered daily, in addition to the prayers now read, previous to the assembling of

either House, and that prayers will also be read after every motion for adjournment. It is intended that the pauses in a debate shall be filled up with solemn chants and organ music, to remind the brethren of the religious character of the edifice, which might otherwise, in the warmth of discussion, be forgotten. Of this part of the plan we cordially approve. After listening to a long speech from Sir Andrew Agnew, or to a petition read at length from the University of Oxford, complaining that the march of intellect interferes with their vested rights, the attention would be greatly relieved by a fine peal on the organ, and the voices of the chorister-boys from Westminster Abbey, singing 'As it was in the beginning, is now, and ever shall be, to the end of the world.'

Seriously, and not to sport further with ideas which have, not unnaturally, crowded upon our imagination, our first impression upon seeing the plans for the new Houses of Parliament was, that the accepted design was extremely well adapted for a College of Abbots, or a great metropolitan cathedral, but, therefore, entirely inappropriate for a hall of national representatives.

It has been disputed whether the style of architecture chosen by Mr. Barry be Gothic or not; but strictly speaking, in reference to the meaning of the word, there is no such order of architecture as the Gothic. The term is applied to different styles, and various combinations of them, adopted by the Saracens, Normans, and others, chiefly for their religious edifices; and on that account the ideas embodied by the architects who have supplied Mr. Barry with his models would be much better expressed by the title of the Ecclesiastical Order. Nearly all the best specimens of the style are found in old cathedrals, or ruins of monasteries; so much so, that it is extremely difficult to employ even the best features of the order in a modern building, without instantly reminding a spectator of some church or abbey with which he is familiar. Mr. Barry has perhaps done his best to avoid producing this effect, but has failed nevertheless. The result of his labours is such, that, if the plan were realized, a stranger in London, set down opposite the new parliamentary buildings and Westminster Abbey, would be apt to mistake the one pile for the other. If the object was to erect for the members of the Legislature a building which might be mistaken for the Abbey, why should not the Abbey itself be appropriated to their use, without a needless expenditure of the public money? The deliberations of Parliament would not interfere with divine service, at least on Sundays. The House of Lords might find excellent accommodation in the quarter of the Abbey now assigned to the tombs; and the Dean and Chapter would be much more satisfactorily remunerated by the half-crowns paid for admission to the galleries during a de-

bate, than by the fees now exacted from visiters. True it is that Westminster Abbey is a consecrated building; but so is St. Stephen's Chapel; and we submit (but respectfully leave that point to the consideration of the Archbishop of Canterbury and the Roman Catholic Bishop of Armagh) that before prayers can be read in the new Parliamentary House, should it be erected, it should receive from them a joint consecration, with the exception of small spaces in various parts of the building, which may be reserved for the use of those Members of Parliament who may be Jews, Infidels, or Dissenters.

Giving up the Abbey, and supposing that there is a real necessity for building the new Parliament Houses in the same neighbourhood, we frankly admit that they must be erected in a style of architecture sufficiently similar to that of the Abbey to harmonize with it: and in endeavouring to effect this Mr. Barry has certainly surpassed his competitors. We could not imagine anything in worse taste than a building abounding in fluted columns and Corinthian capitals, in juxtaposition with Henry the Seventh's Chapel. But wherein lies the necessity of erecting the new buildings upon the same site? The only reason we have heard assigned is the associations connected with the spot. If this be the real reason, we cannot imagine a weaker one. A wise man may cling fondly to the associations connected with free institutions; but to hold the doctrine that there is but one spot of ground in Great Britain, upon which an altar to freedom can be erected, is mere lunacy. Every one must grant that there are memorials of the past which should never be destroyed. St. Stephen's Chapel should be restored; and we would reverently preserve, as a monument of the times of William Rufus, that vast stone barn, with its curious and remarkable roof, called Westminster Hall; but we would not attempt to create, in and about them, buildings requiring much greater space than can be conveniently found in the same locality, and designed for objects totally different from any appertaining to the feudal system.

As it is understood that the enormous expense of realizing Mr. Barry's design will cause the whole subject to be reconsidered, we indulge the hope that it is not yet too late to discuss the propriety of choosing a different site for the new Houses: and we will, therefore, briefly state the reasons why, in our judgment, the present site, and all the plans formed in reference to it, should be abandoned.

The first requisite of a building designed to be habitable, is that it should stand high and dry. There are no considerations whatever which will palliate or excuse a neglect of the most obvious sanatory precautions. In the present case these are of far greater

importance than they might be in that of a new private residence.

Upon an average 2,000 persons will be constantly engaged within the walls of Parliament during the Session; and the most actively engaged precisely at that season of the year which, under the most favourable circumstances, is unfriendly to health. It has often been observed that the greatest enemy of the human frame is damp. On this account it is exceedingly important to obtain, for every habitation, a site sufficiently elevated to allow of a good drainage, and as far removed as possible from any source of continuous and extensive evaporation. But what is it now proposed to take for the site of the new buildings? The very lowest level to be found in the metropolis.* They are to be placed, not like the buildings in the Strand, removed from the immediate vicinity of the river, and upon a high bank or steep acclivity, but abutting right upon the edge of the stream, and a few inches only above high-water mark. The proof of this statement is the following table of the levels of different places and buildings in London and Westminster, which we have obtained from the office of the Commissioners of Sewers, for the Holborn, and Finsbury Trust:—

Height above the level of High-water Mark.

	Ft.	In.	Parts.
Westminster Hall (sill of the principal door)	0	11	·30
Penitentiary, Mill-bank	2	8	·40
House of Lords	2	10	·45
Obelisk, Blackfriars-road	4	5	·25
Westminster Abbey	5	5	·65
Colonial Office, Downing-street	8	11	·5
Eaton-place, Pimlico	12	4	·55
Buckingham Palace	13	4	·25
St. James's Palace	14	11	·65
Northumberland House, Strand	17	1	·5
Belgrave-square	20	5	·0
Bagnigge-wells	28	9	·25
St. Clement Danes, Strand	34	2	·50
Green Park, at Deputy Ranger's house	36	8	·45
Bank of England	36	10	·35
Somerset House (Strand entrance)	38	11	·65
St. Martin's Church, Strand	39	7	·45
Jews' Hospital, Mile-end-road	43	11	·60
West Smithfield, at Bartholomew's Hospital	44	3	·75
St. Leonard's Church, Shoreditch	48	5	·95
Apsley House, Piccadilly	49	0	·20
St. Paul's (level of the floor)†	52	8	·40
Ball's Pond, near the Islington Cattle-market	64	1	·25
British Museum	72	11	·50
Hackney New Church	73	2	·25
St. Giles's Church, High Holborn	74	6	·25

* Excepting only the surface of the ornamental water in St. James's-park, which is 5 ft. 1 in. *below* the level of high-water mark.

† Height to the top of the cross, 406 ft. 8 in. 40 parts.

	Ft.	In.	Parts.
Bryanstone-square	76	1	·20
Cumberland-gate, Hyde-park	79	8	·25
Colosseum	89	7	·55
Regent's Park (highest level of centre gravel-walk)	116	7	·45
Blackheath	137	0	·70
Observatory, Greenwich Park	143	11	·10
Copenhagen House, Pentonville	148	2	·85
Primrose-hill	206	11	·85
Shooter's-hill	411	9	·88
Highgate Church	414	7	·40
Hampstead Heath	427	4	·35

The present Houses are much nearer the water than would be deemed prudent for a nobleman's seat; but in Mr. Barry's design, in order to gain room for the accommodation required, they are brought almost to the foot of the stairs of Westminster-bridge, and the water is only to be prevented from washing the walls by an artificial embankment of thirty feet, formed in the present bed of the river. This embankment, or terrace, will allow, in summer, of a very pleasant promenade; but in the winter months, when the House meets, it is not likely to be a favourite resort of members. Exposed to the unbroken violence of the wind, or enveloped in fogs, the terrace, and all the rooms looking upon it, will be far from agreeable. One consolation is, that the plan will work well for the principle of Annual Parliaments. Imagine a party of elderly asthmatical gentlemen (who fortunately are all Conservatives), engaged during the months of February and March, in trying to unseat some Liberal representatives of the city of Dublin, in one of Mr. Barry's committee-rooms—and the windows occasionally left open at night by the attendants, to air the room, and admit the fog from the river. How many new writs will be moved for before the inquiry is terminated? We will not dwell upon this point with a view to exaggeration. The mortality among the members of the House of Commons is already greater than among any similar number of men belonging to the same rank in life; and the anxieties, fatigue, and late hours to which they are exposed, render it much more important than it would be in any other case, that they should be shielded from all noxious influences which it may be possible to avoid.

A second requisite is that the buildings should be of convenient and easy access. The two branches of the Legislature consult their own and the public convenience by assembling in London, rather than at Oxford, or in any other city; and for the same reasons the two Houses of Parliament should be centrally situated in respect also to the metropolis. A more inconvenient site, however, than the present, could not well be selected. The existing buildings are nearly two miles distant from the residences of the great majority of the members, and of those persons who have

business to transact in the Law Courts. On the other hand it must be admitted that the business of a deliberative assembly should not be conducted in the midst of the noise and bustle of a great public thoroughfare, or in a densely-peopled neighbourhood, where a riotous mob might be collected at a moment's notice. Mr. Rainey's plan for placing the new Houses on the site of Northumberland House, at Charing-cross, is, we think, open to these objections.

A third important requisite regards the external effect, the '*coup-d'œil,*' of buildings intended to assume an ornamental character. It is curious, but our architects, or their patrons, do not seem yet to have made the discovery, that, when it is worth while to spend money upon the external decorations of a building, it is worth while to place the building in a situation where it can be seen. Goldsmiths' Hall, recently erected by Mr. Hardwicke, is a remarkable instance of this want of taste and judgment. It stands, as if ashamed to show its head, in a narrow lane, *behind* the New Post-office, and where there is not a single spot of ground on which a spectator may place himself so that his eye can take in all the proportions of the front elevation. The far greater number of the inhabitants of the metropolis are, consequently, not even aware of the existence of this edifice.

Another example of the same kind was the new Dining-hall of Christ's Hospital, in Newgate-street. Between £50 and £100,000 are said to have been expended upon this building, in a narrow court-yard, shut in by houses.* When finished, the governors found they had nothing to show for the money they had expended, without pulling down a number of houses, and sacrificing a rental (arising from frontages) to the amount of about £1,000 per annum. After all, it is but in a small part of Newgate-street that the Hall can be seen. Taste alone would have dictated the selection of another site; and in this case architectural merit, and a regard for the interest of the boys, (which, as usual, seems never to have been thought of,) might have been allied together. The school should have been removed into the suburbs, and erected on an elevated site, such as Highgate-hill, where a monument of Mr. Soames' skill in pointed architecture might have formed an ornamental object for miles round. By this plan, also, the boys, instead of having their play-ground stolen from them, to be covered with bricks and mortar, would have had room for a game at cricket;

* The money for this immense dining-room, we suppose, must have been saved out of the dinner-table of the children. According to Mr. Tarbutt's statement, the boys, until lately, have been kept without vegetable diet for three-fourths of the year, and fed chiefly upon salt beef and peas-soup. If this be the fact, it sufficiently accounts for the extraordinary prevalence in the school, of the disease called ringworm.

their health would have been improved; and by the sale of building-ground, which the governors have now wastefully sacrificed, funds would have been raised sufficient to educate twice the number of children at present receiving any benefit from the charity.

A similar failure, as far as taste is concerned, appears likely to occur in regard to the new parliamentary buildings. The external decorations of Mr. Barry's design (and without them the design would be utterly worthless) will alone cost several hundred thousand pounds. We are not surprised at this when we learn that £42,000 were spent in merely repairing the elaborate ornamental work of Henry the Seventh's Chapel; and we are far from advocating a niggardly expenditure of the public money upon the present object. The new Houses will be regarded by the public as their own, and ought to be rendered an object of national pride. But, if the money be laid out, let the public at least be enabled to see the result. With respect to Mr. Barry's design, there is no point of view from which the principal elevation (unless from a boat) can be seen to advantage. An observer on the Surrey side of the river will be too far distant; on Westminster-bridge he will be too elevated—he will look down upon the buildings; and although Mr. Barry, to prevent this effect, has made them enormously high, it is very far from being entirely obviated. The only angle of the buildings favourably situated for the eye of a spectator is that in New Palace-yard, forming a very small portion of the immense pile. The grand entrance, by the King's tower, most unceremoniously turns its back upon the metropolis, as if anxious not to be an object of vulgar gaze. Upon this tower we will say a few words. Its present site is said to be well selected, because the tower will group well with the towers of Westminster Abbey, as seen from Tothill-street; but a critic in the 'Athenæum' remarks that the towers of Sir Christopher Wren will look so mean by the side of Mr. Barry's tower, that when that is erected they must be destroyed; upon which, we suppose, Mr. Barry's tower will also be destroyed, as it will no longer be wanted to answer the intended end.

Before we saw this tower we had formed a notion that the principal or grand entrance of a building should be in the front; but we now learn it should be where other men usually place the back door. The King's entrance, instead of facing the direction in which his Majesty will come from St. James's or Buckingham Palace, looks towards Chelsea, as if expecting the King to arrive from the Penitentiary. His Majesty, indeed, will have to drive past the whole pile of buildings towards Milbank, and return, before he can obtain a view of the gate by which it is proposed he shall be admitted. On pointing out this fact to a republican

friend, (of whose ultra opinions, however, we entertain a becoming horror,) he assured us that this part of the plan was conceived in a prophetic spirit, for that the time would arrive when the Penitentiary would really be the residence of the Kings of England, and that the tower was therefore properly placed in the direct line of their approach.

The enormous height and width of this tower have been the subject of much remark; but the great disproportion of the width to the height produces, as seen in the official plans, an effect painfully striking. In the sketch published in the 'Athenæum,' the tower is raised to the height of 300 feet, and much improved thereby; still, to our thinking, it requires, for the width, a much greater elevation. We object not to the tower, but to its position and present proportions. A tower seems necessary, not only for the sake of producing a commanding effect, but to prevent the buildings from assuming the character of street fronts, and to enable the imagination to connect them together as parts of a great whole. The misfortune, however, is that, even if the tower were rendered as lofty as St. Paul's, a corresponding effect would not be produced, from the lowness of the site.

It is not our intention to enter upon a criticism of the details of Mr. Barry's design. We will only remark, further, that the interior of the House of Lords and the House of Commons cannot be richly ornamented, and be at the same time in keeping with the poverty of style and cold simplicity of Westminter Hall. King's College Chapel, at Cambridge, would form such an avenue as Mr. Barry requires to harmonize with his interior apartments; and the difference of style between that magnificent specimen of pointed architecture, and its substitute, Westminster Hall, is another reason why the site should be finally abandoned. It is also not the fact that, in Mr. Barry's design, the Hall serves as an effective approach to the two Houses. The real approach is a passage running at right angles with the Hall; and the Hall, therefore, as an approach merely to a passage, is really turned to a very insignificant account. It is also evident that the Hall never can be used for the purpose designed. It will be impossible to permit it to remain open after four o'clock in the evening, and it must consequently be closed at the very hours during which Parliament sits.

With respect to the design, considered only in reference to the designs of other architects, it may be allowed to be superior to any of those which have been exhibited. We scarcely think, however, on that account, that the commissioners acted rightly in awarding to Mr. Barry the first premium. It was unjust to the architects who adhered to their instructions, (implied, if

not expressed,) and produced plans which might be realized for a less sum than £350,000, to have those plans condemned because inferior in effect to one which will cost the nation a sum considerably exceeding a million. The incompetency of the commissioners to sit in judgment upon the works of architects has been decided by the public upon other grounds. Not a person has visited the Exhibition without being convinced that there are at least a dozen designs equal, or superior, to those of Messrs. Bucklar, Hamilton, and Railton, to whom the secondary premiums of £500 each have been awarded.

The first step taken should be to abandon the idea of erecting the new Houses upon their present site, and to select another, better adapted to the object. The best site yet named is that of the Green Park. This locality is sufficiently central, the majority of the members living north of Pall-mall and west of Regent-street; sufficiently elevated, being 30 feet above the level of the Thames at high water; removed from the noise of the streets; and an open spot, on which buildings intended to be an ornament to the metropolis might be seen to the greatest advantage. A few acres only of a neglected portion of the park would be required for the object; and those by whom it may at present be frequented might be compensated by public walks and gardens formed on the site of the present Houses, and on the line marked out for Mr. Barry's terrace-front. One advantage of erecting the new Houses in the Green Park, or in Hyde Park, or some other equally open situation, is, that the architect would not have to study the effect of surrounding objects, but would be at liberty to employ the style of architecture which may best express the object of the buildings. On this subject there should be no dictation. Colonel Cust and others should not be allowed to interfere in favour of the nondescript styles which they were pleased to dignify with the name of Elizabethan, nor of pointed architecture, nor even of the Grecian. Every architect should be at liberty to adopt for his design the style in which he most excels. Were it necessary to be servile copyists, our predilection would be in favour of the Grecian, the grandeur and beauty of which depends more upon a bold and pleasing outline, and just proportions, than upon a multitude of petty details; a style, therefore, infinitely more economical than the Gothic, (to which fulness of ornament is almost essential,) and, to our thinking, more expressive, from its associations, of the character, of the institutions of a free people. The Grecian style possesses also another recommendation,—that it is not so speedily begrimed with dirt and smoke as a building abounding in small projecting surfaces, as if contrived to arrest the fall of every sooty particle contained in a London atmosphere.

Some critics, however, assert that a preference should be given to the style chosen by Mr. Barry, as national; which is tantamount to a declaration (a strange one, certainly,) that pointed architecture has never been cultivated with success in any part of the Continent.

It may be desirable to glance at the history of what is called Gothic architecture. It originated, about the period of the fall of the Roman empire, in the rude and abortive attempts of various Scandinavian and Celtic nations tó imitate the works of their former masters. The first pointed arches would appear to have been formed out of the segments of a ruined Roman arch; to the reconstruction of which, in a single span, the Goths were unequal. Not understanding the mystery of the keystone, they built up two sides corresponding to those which yet remained standing, and thus formed two small pointed arches out of an arch originally built upon a different principle. Lombardy is covered with the ruins of Roman buildings, first mutilated by barbarians, then clumsily repaired in the manner described, without taste or judgment, but yet so as to have produced somewhat of a picturesque effect. These barbarous combinations, becoming in their turn the only accessible models for succeeding architects, were copied and improved upon as civilization advanced, with the addition of some of the features of Saracenic architecture introduced at the time of the crusades. The phrase, 'pure Gothic,' is therefore pure nonsense. The style grew by insensible degrees, and was extensively cultivated by the Normans, whose buildings in this country are ignorantly called Saxon. It received its latest improvements about the period of Henry VII., retaining to the last many of the tasteless and extravagant forms which alone originated with the Goths, but combining with those forms others of most exquisite beauty. The lofty aisles of our cathedrals—the groined arches of the roofs, springing from light clustered pillars resembling clumps of trees, and producing, combinedly, the effect (perhaps designed) of a grove, in which the branches meet and interlace overhead, have been universally and deservedly admired. Moorish minarets, creeping monsters, sculptured saints, zigzag belts, angular piers, flying buttresses, and generally all those combinations in which points and angles are unnecessarily multiplied and made to predominate, belong to the tasteless creations of a barbarous age. Hogarth, it is known, wrote a work to prove that the curved or waving line is the line of beauty; and, although beauty in architecture depends upon many other equally important considerations, the principle he laid down is one not to be neglected. The beautiful effect of groined roofs is certainly not owing to the arches being pointed, but to the elliptical lines of which the pointed arches are merely the intersections. The eye is pleased because

it does not dwell upon the point where the intersection takes place, but follows out and loses itself among the curved lines beyond. This theory explains the reason why the external appearance of a pointed window, where the elliptical lines out of which it is formed cannot be traced beyond the point of intersection, is stiff and formal; and such windows are in general scarcely, if anything, better than triangular holes in a wall. Hence, also, the unredeemed ugliness of the three principal compartments of Mr. Barry's river-front, in which there are no less than 60 openings of this description. Even in Grecian architecture it may be remarked that pediments or pointed roofs form the least pleasing features of the style; while the ornaments of a Corinthian capital are superior to any other from the more graceful combination of waving lines.

We throw out these remarks merely to direct attention to the first object, or, what should be the first object, of architectural study; namely, the discovery of the principles upon which beauty of form depends, and of the reasons why forms, beautiful in themselves, become frightful in false combinations. At present our most succcessful architects are but servile imitators; the best among them copy, perhaps, from good models, but without the power of discerning the faults they may possess, and without thinking for one moment of the relevancy of the original design, or any of its parts, to their present subject. For example, a pillar is beautiful, because it blends the ideas of strength and elegance, and produces a pleasing variety of light and shade; but, destroy its apparent conduciveness to the purposes of the building, and it ceases to be beautiful. We see, however, pillars often introduced as if merely to darken windows—to support cornices obviously requiring no support; and sometimes stuck into a building, half in and half out, as if, after they were built, a wall had grown up between them, from which they could not escape. If it be necessary to copy, why not copy from Nature, as did the ancients before us. The first pillar of the Grecians was the trunk of a tree; and the leaves of the acanthus are said to have originated the Corinthian order. Are the forms of the forest exhausted in the five orders of Grecian columns? and are the leaves of the acanthus the only leaves sufficiently graceful for the ornaments of a capital? No doctrine was ever more absurd than that, in originality of conception, the architects of ancient times have already reached a *ne plus ultra*, and that the moderns will inevitably strive in vain to surpass their efforts. To be successful, however, the attempt must be made neither by those who affect to despise the monuments of antiquity, nor by classical pedants whose eyes are blinded by an excess of light.

We had written thus far before a pamphlet, (published by

Taylor,) containing observations upon Style in Architecture, &c., by James Savage, was put into our hands. The views of the writer appear to us so exceedingly just, and are so widely different from anything we expected to meet with in a pamphlet with such a title, written by an English architect, that we cannot dismiss this subject without a few quotations.

Referring to the instructions published by the Commissioners, Mr. Savage observes (page 22),—

'Whether the dictation of a style for the designs was expedient, in the present degraded state of architecture, may be a question. But the practice should be protested against, as contrary to every principle of good taste and incompatible with the highest excellence.

'The imitation of styles is a valuable discipline for a pupil, but it is a confession of incapacity in a professor.

'It is the usual fate of imitators to transmit an exaggeration of some prominent peculiarity rather than the intrinsic excellence of the models. Simplicity becomes baldness; what is rustic becomes coarse; and other excellencies degenerate into the vices which ape them. All imitation is essentially affectation—the show of a quality not really felt. If attempted seriously, it is puerile.

'Of the great works in architecture, each has a style of its own; and they only resemble each other in style as they resemble each other in their origin and destination, and in the thoughts they were meant to convey to the beholder.

'As long as the languages remain, the poems of Homer, Milton, and Shakspeare will continue to excite the admiration and delight of mankind; and, as long as the temples of Egypt and of Greece, the colosseum of Rome, and the Christian temples of the middle ages remain, so long will they also excite like admiration and delight.

'These original geniuses did not even think of *style;* they thought only of the subject-matter, and exerted their powers of mind to express, in the most forcible manner, the ideas they meant to convey. It was the business of the critic, long after, to detect that different men had, upon various occasions, expressed themselves in several ways, and which ways they called styles.

'If it be true that style is generated in the way I have endeavoured to explain, it follows that, if we desire an original work, either in literature or architecture, to dictate a style is absurd. The imitation of a style cannot be successful except so far as the objects are exactly alike; and those delicate and nameless graces which were inspired in the originals by the combined effect of surrounding and contemporary associations of all kinds, which now no longer exist, can never be seized or expressed.

'It is remarked by a modern writer (Allan Cunningham), that "we never can lawfully become heirs to the fame of men who wrought in other lands, and who died three thousand years ago." No poet will claim as much merit from translating Homer or Dante, though he should excel Cowper or Cary, as he would deem his due had he written

a 'Faëry Queen,' or a 'Task;' but your architectural copyist takes a much loftier view of himself; he imagines he has achieved something truly grand when he has persuaded a prince or a peer to have a house, every pillar and architrave of which can be justified by antique example. This servile spirit disgraces the architecture of our country. Greece will never surrender to us the honour of her porticos, or Italy that of her elevations."

'The architect and his patron are not aware that this piecemeal copying of details is quite compatible with an entire ignorance and neglect of all the more essential qualities for which the antique examples have been admired. They owe their effect to their singleness of intention, simplicity of means, beauty of proportion, and the all-pervading harmony of the totality, to which the details are most profoundly subordinate; for the perfection of the work is, when the parts are nothing and the totality everything. The end is felt, not the means.'

Upon the best mode of procuring designs for public buildings, and promoting the improvement of architecture, Mr. Savage has the following remarks:—

'Competition is the proper stimulus; but, in order that it may be effectual, there must be a firm conviction in the minds of the competitors that there will be fair dealing in all the communications made to them, and that the final judgment shall be by those who are both able and upright. Without this conviction, the most talented members of the profession will never be induced to join earnestly in the competition.

'Hitherto none of the modes adopted have been free from suspicion in all the particulars above stated; and, in many cases, charges of gross partiality have been made, and proved as far as the nature of the case was susceptible of proof; for it is sufficiently obvious that, if parties interested keep their own counsel, they can do exactly what they please, without detection or exposure, and, consequently, without that censure which, if exposed, their conduct would be sure to receive from the public voice.

'The apprehension of partiality and favouritism operates, of course, to prevent many from competing at all, and enfeebles the exertions of those who do. In most of these competitions there is, among the judges, great secrecy, even to a frivolous affectation of it. Everything is to be profoundly secret until the award is made, and then the judgment is given in the most dry and abstract form. No reasons assigned, or comparisons made, so as to enable the minds of others to follow that of the judge or judges; and either to acquiesce satisfactorily with them, or, on the other hand, as "good reasons must, perforce, give place to better," to suggest grounds for a more correct decision. On the contrary, it is "*sic volo; sic jubeo: stat pro ratione voluntas.*"

"Thus can the demi-god, Authority,
* * * * *
The words of Heaven:—on whom it will, it will;
On whom it will not, so; yet still 'tis just."

'Against decisions thus concocted in secrecy, and given irresponsibly, suspicions of unfairness naturally arise. Rochefoucault has a maxim, —"Tell me where is the secrecy of any trade or profession, and I will tell you where is its roguery." The remedy is to get rid of the secrecy entirely, and to correct the irresponsibility as far as practicable.

'When competition is called for, the instructions and information should be equally furnished to all. A competent time should be allowed for studying the design, as well as for drawing it out; which was not the case as to the parliamentary designs. And when the designs are delivered they should be publicly exhibited, so as to be exposed to the most free and ample discussion of their respective merits.

'Neither should the deciding judges be appointed until after the designs have been delivered, and after such free and open discussion. If the opinions of the judges concurred with those of the public, they would be given and received with more confidence. If, on the contrary, they differed, it would at least induce greater care in forming their decision; and, if their decision be formed upon just grounds, the explanation of the grounds would enlighten and correct the public taste; and thus, eventually, an approach might be made to that unanimity which is the best and most satisfactory proof of a correct and just decision. But if, despising or neglecting the public expression, they determine contrary thereto, without assigning satisfactory reasons, their characters would become responsible, and they would be visited accordingly.

'When judges are appointed beforehand, there is an obvious temptation to the artist to consult the individual tastes of those judges in order to propitiate and to secure their award.

'It happens that one of the judges so appointed is an amateur architect, who affects to dispense with the assistance of any professional architect, and who employs only an architectural draughtsman. This amateur has lately built an extensive mansion, and, for the edification and information of architects and amateurs, published illustrations and descriptions of this pasticcio mansion of "his own invention." Some of the engraved outlines and views were exhibited to one of the competitors for the Parliamentary Houses, by a gentleman engaged in the publication, with observations to the following effect:—"You see here the design of one of your judges: here is an example for you to study, and which shows what will be expected from you, and what you must work up to."

'It is a coincidence worth noticing, that the architectural draughtsman who had been employed on the fore-mentioned occasion by the amateur is among the successful competitors in the late competition, and rewarded with a prize.

'All this may have been accidental, and the proceeding conscientious. The judge, meeting with forms that his own predilection had led him to prefer and make him most familiar with, might, without any guilty privacy or collusion, actually believe that the owl so much resembling the darling bird of his own nest was the fairest object of the creation.

'In another instance, the early nomination of the judges led to a

general expectation of a successful candidate from the known connexion between the architect and the amateur.

'These are grounds plausible enough for the imputation of partiality and favouritism; and the conduct of the parties, since the charges have been made, has not been such as to remove at all the suspicions.

'The reluctant and tardy compliance with the demand for the public exhibition of the successful plans, the many attempts to evade it, and the notoriety of alterations made in some of them, have, with many, confirmed their doubts of correctness in the proceedings; and, at any rate, they afford strong reasons for adopting a better system of proceeding on future occasions.'

The best thanks of the public are due to Mr. Savage for his able and instructive pamphlet, every page of which deserves an attentive perusal. His evidence in favour of the system of open competition, when conducted upon different principles from those which have recently been acted upon, is very important. It has long been notorious that unbefriended talent in the profession is no match for powerful mediocrity, supported by patronage and intrigue. Unhappily, too, there are grounds for belief that adulation and sycophancy have not been the only price which some of those who have appeared the greatest favourites of fortune have had to pay for their elevation. Since the time when Benson was enabled to supersede Sir Christopher Wren by bribing the mistress of George I., there have undoubtedly been architects (how many we know not,) who have found it expedient to divide the amount of their commission with the secret friend, and powerful patron, to whom they have been indebted for their appointment.

These are, however, considerations which do not, of course, affect the present case; nor, upon the ground of mere incompetency, will it be possible to set aside the award of the Commissioners. The successful architects must be paid the premiums to which they are entitled; but, if the nation were consulted, the probability is very slight that it would agree to throw away two millions sterling in realizing the plans of Mr. Barry. The extreme negligence and precipitation of the Legislature have rendered it certain that further designs will be required for the new Houses. In that event, we hope Mr. Savage's suggestions will be adopted. To his recommendations we would only add, that the prize of success should be the appointment of the architect to superintend the erection of his own work. No necessity exists for premiums in any other shape; but a vote of £5,000 or £10,000 ought unquestionably to be passed for defraying (in part, at least) the unavoidable expenses of the unsuccessful competitors. A less liberal policy would not be worthy of the object nor of the nation.

W. E. H.

ART. VIII.

CATHOLIC AND PROTESTANT CLAIMS TO INFALLIBILITY.

1. *Travels of an Irish Gentleman in search of a Religion. With Notes and Illustrations. By the Editor of Captain Rock's Memoirs.* Second Edition. 2 vols. London, 1833.
2. *Second Travels of an Irish Gentleman in search of a Religion. With Notes and Illustrations.* Not *by the Editor of Captain Rock's Memoirs.* 2 vols. Dublin, 1833.
3. *Observations on Heresy and Orthodoxy. By the Rev. Joseph Blanco White.* London, 1835.

IN comparing the advancement of knowledge with the history of religion, a contrast presents itself not unworthy the attention of those who concern themselves with the study of the human mind. The progress of science has been positive in its character, not simply destructive of error, but prolific in truth; new physical and moral facts have been registered, new analogies discovered, laws of nature, at first unknown, have been ascertained. But the successful revolutions in theology have been the triumphs of disproof; they have consisted in the negation of some earlier belief, the explosion of some overgrown superstition. With the quick sagacity of self-interest, the leaders of theological warfare have perceived that its strength was in attack; that there was much more certainty in the arguments against others' creeds than in the evidence for their own. So long as they were engaged in proving their opponents wrong, they have felt themselves on safe ground; they have enjoyed the rare luxury of complete sincerity, and exercised a genuine power over the minds of their party, enlisting in their behalf (an advantage not to be declined even by theologians, when it is to be had) the sterling sympathy of the reason, as much as the precarious emotions of an overheated fancy. The weak points of an enemy serve the same purpose as additional force of one's own; and the successful sally into a hostile territory diverts attention from the ill-protected citadel at home. It is the instinctive adoption of this policy which has converted the field of theology into a scene of universal attack—a confusion of adventurers, more able to dispossess pretenders of their usurpations than to show any better title themselves. What would have become of Mr. O'Sullivan and his cause, if he had not thought of proclaiming himself champion against Father Dens? The Pope and the Inquisition are the great supports of the Irish Church—argumentative advantages that cannot be spared. It is an excellent thing to be against a religion which has had to wind its way, like the Romish, through the foulest recesses of society,

and the most blood-stained reaches of history, which has held undisputed sway over nations ignorant and enslaved, the spectator of conquest, the companion of barbarism. It lightens polemical labour to be able to glean for foes over more than a thousand years of mental debasement and social convulsion. The clerical eulogists of the Reformation make an easy gain by their goodly selection of errors and enormities gathered from the middle ages; and, by lifting up their voices against the darkness and intolerance of Popery, think to pass as the advocates of free thought, who confide religion to the guardianship of reason, and see in it the means of universal good-will.

Barren, however, of every thing but party hate, as theological controversy generally is, and unworthy of the attention of a philosopher, except as symptomatic of a particular state of social disease, he cannot fail to discern, in the dispute between the Catholic and Reformed churches, speculative and practical tendencies of the utmost interest to the student of human nature and the observer of human institutions. As is usual in such cases, those who conduct the dispute have the least insight into its consequences. But any one who will raise himself above the party strife of the hour, and, stripping from the subject the encumbrances of wasted learning and the mists of confusing words, will lay its logic bare before him, must perceive that the real question at issue is, What are the prerogatives of the human understanding? Is there, can there be, any other instrument superior or co-ordinate to it, for the discovery of truth? Is there any field of inquiry, pre-occupied by a higher authority, and sequestered from the cultivation of reason? Can any better recommendation be given to a proposition than that it is *rational?* The great problems respecting the nature, the moral relations, the life and expectations of the human being, are in this country chiefly in the hands of party theologians, to whom they have been consigned under the idea that, even though this class might have less reason, they had certainly more scripture than other men. And there they will remain, without the faintest hope of progress towards a recognised solution, until some common method of investigation shall be agreed on, and the relative rights of reason and of scripture duly defined and maintained. The philosophy of religion and morality requires its *Novum Organum* before it can produce its *Principia.*

The Catholic controversy resolves itself into two separate parts, —a logical inquiry and a religious. Both parties begin by admitting that the opinions of the apostles are to be accepted as infallibly true; that the fact of a moral or religious tenet having been held by one of their number, is itself an argument in its favour, which no accumulation of counteracting evidence can

overpower. The object of both parties, therefore, is to reach this unerring test of truth; and the problem for solution is how to gain possession of the ideas of twelve men who lived eighteen hundred years ago. There are only two methods by which human ideas can be communicated,—writing, and speech: and to these two sources we naturally look for knowledge respecting the religion of the apostles. Their writings, comprising the greater part of the volume of the New Testament, are received by all who admit their authenticity as one source of information. Their oral instructions are of course inaccessible, except by means extremely circuitous; these instructions produced the Christianity of the early Church, and are embodied in the works of the ecclesiastical writers of the first four centuries. Without denying altogether the historical value of these remains of antiquity, it is evident that the distinctness with which they reflect the ideas of the founders of Christianity is a matter of great uncertainty; for the state of mind and character in the first disciples of the new religion was the compound result of many causes, of which the teaching of the Christian missionaries was only one. The previous creed of the convert—his Roman or Oriental birth—his attention to the Jewish or the Pagan phase of Christianity—his social position—his natural temperament—would all blend their several agencies with the tuition of his Christian instructor, in producing the sentiments and opinions which his writings contain. However certain it may be that such writings do contain ideas of apostolical descent, their hopeless amalgamation with foreign notions may render the separation and ascertainment of them impossible. The Protestant and the Romanist have, however, generally agreed to accept the fathers as well as the Scriptures in evidence, with respect to the apostolic religion. And at this point arises the *theological* question between them. Each insists that, in these remains of primitive Christianity, he sees the prototype of his own Church, the features of his own creed. The Catholic is confident that they contain the doctrines of transubstantiation, purgatory, salvation by works of merit; the Protestant, that they furnish a positive denial to all these, and sanction such notions as those of election and reprobation, and of salvation by faith. Discussions so purely historical as these may be left to those who feel an interest in them; they are worthy to be the peculiar delight of sectarian religionists. But when, in order to settle the claims of the rival doctrines, the Catholic steps forth with the assertion of a divine commission, of a living oracle inspired with the same infallibility which they both attribute to the apostles; when he announces its supremacy over all human means of penetrating into the faith of past ages, and demands that the apparent evidence of history should give

way before its decrees—he proposes to change the tribunal to which such questions are submitted: he sets up an authority superior to that of reason, and supposes a fountain of knowledge independent of the exercise of the mind. He affirms that there is at least one subject of inquiry, and that supposed to comprise the greatest questions of morals and religion, in which the ordinary methods of seeking truth are inapplicable, and are superseded by an appeal more certain and summary. Here then arises the *logical* question; here he brings himself into controversy, not with the mere Protestant, but with the mental philosopher. To the students of the human understanding, *as such*, the *actual* truth of his system is a matter of indifference, but its *necessary* truth it concerns them positively to deny. His conclusions may be apostolical, but against his process of arriving at them they protest, as being full of noxious superstition. They not only maintain that there *is not*, in fact, any infallible oracle of truth on any subject whatever, but deny that there *can* be. The Protestant controversialist may demand practical proof of the pretension; the metaphysician may take higher ground, and assert its intrinsic impossibility. This craving after something more certain than the deductions of reason, some assurance that shall relieve the mind from dependence on its own faculties, some device for escaping from the intrusion of doubt, is one of the standing superstitions of the half-cultivated intellect; the devices by which it has sought for gratification are melancholy specimens of perverted human ingenuity; and the study of intellectual science can perform no higher service than by rendering their absurdity manifest, by vindicating the all-sufficiency of the reason as the instrument of truth, and showing that it is as vain for the mind to struggle against the natural laws of belief, as for the body to rebel against its own gravitation.

These remarks will justify our regarding the two first of the works, whose titles stand at the head of this article, as productions of philosophical no less than of religious controversy. The first, indeed, unless it is to be taken as a satire, contains rather less philosophy, and much more theology, than might have been expected from the author of 'The Fudges in England.' It would be easy to pass judgment upon it, if it were possible to divine its real object. That the book *may be* sincerely intended as a defence of the Catholic religion, and a *bonâ fide* expression of the author's faith in it, it is impossible to deny; if so, the freaks of private judgment are not confined to Protestantism. But that a poet, of such a laughing fancy and so free-thinking an intellect, should deliberately compose, in the spirit of a Cardinal, two volumes of scholastic argument in favour of Papal infallibility, is so much

more ludicrous than probable, that perhaps the task may have been undertaken in the mere wantonness of a happy thought, and pursued for the sake of its prolonged indulgence,—as the child, dressed up in sport like a portly bishop, comes back to the glass again and again to enjoy its own metamorphosis. There is yet another hypothesis respecting its object, forced upon one, by a certain composite character which the work possesses; *viz.*, that it has not *one* object but *two*, artificially conjoined for the sake of effect. If we judged by internal evidence alone, we should say that half the book was by a poet, half by a priest; it is a mixture of the inspirations of Maynooth and Helicon, and its effect is such as might ensue, if, for pious purposes, the spirit of Aristophanes had been obliged to transmigrate into Bellarmine. In the difficulty of deciding whether the satire is designed to enliven the theology, or the theology to give gravity to the satire, the fancy occurs to one that, after all, they may be really independent—the creation of two different moods; one intended to produce conviction without a laugh, the other to raise a laugh without conviction. We do not, however, wish to imply that the slight tale, with which the argument is interwoven, contributes nothing to the effect on the understanding. By separating the parts of the reasoning from each other; by skilfully playing off upon the imagination the pictorial effects in which an ancient faith abounds; by making Protestantism appear vulgar in the person of a saintly spinster, licentious in the 'Loves of the Reformers,' and alarming in the speculations of an antisupernaturalist; with many readers it ingeniously drowns fallacies in feelings, and leaves an impression which is instantly effaced on the bare statement of the unembellished argument.

The Second Travels, which, under the form of a continuation, contain an answer to the first, we need have no scruple in openly ascribing to the known author, the Rev. Joseph Blanco White, late of Oriel College, Oxford.* In comparing together the controversial writings of a layman and a divine, it is rarely that we have to give to the latter the higher praise, either for unaffected earnestness, or for free and philosophical thought; but certainly we have an instance before us here. The argument approaches so nearly to a party discussion in the hands of the editor of Captain Rock,

* We say *late* of Oriel College, for within a few months his name has been erased from the books, as a penalty for the publication of his 'Thoughts on Heresy and Orthodoxy.' In the preface to this acute little work, he avows his adoption of the Unitarian view of Christianity. This, we suppose, is the offence; for the opinion which the body of the work successfully recommends, that creeds and articles are absurd and mischievous, and that the only religion which can be essential is *subjective*, not *objective*, was previously advanced in the Second Travels. How long must it be said that our colleges have a more intense hatred of heresy, than they have love for learning, candour, and virtue?

that few readers, we believe, can avoid fancying that they perceive throughout an under-tone of ridicule; that they hear a light treble laugh running through the double bass of the *patristical* theology. Romanism seems taken up, principally in order to spite the arrogance of Protestant religionists; and defended, in opposition to newer forms of belief, on the principle which the author quotes from Warburton, that 'nonsense for nonsense, the old should keep its ground, as being already in possession.' Mr. White's reply, on the other hand, is expressive throughout of that rarest of human, or at least of English, virtues, the love of truth. The fabric of fictitious narrative is slighter than in the First Travels, and exchanges a satirical for a moral interest; and, if it is more frequently and less artfully interrupted by disquisition, this is obviously to be ascribed to the clearness and earnestness of the writer's logic: the strength of his case being dependent, not on any ingenious separation, but on the close compactness of its parts, for which reason it is compressed into a series of essays or dialogues, each enforcing some distinct branch of the general argument. The only instances in which the boldness of a philosophical and benevolent mind appears to us to succumb beneath the influence of class feelings, are two:—In the first place, there are passages, in which the happiness of a future state, after having been shown to be independent on any particular interpretation of Christianity, is represented to require *some* form of Christian belief as an essential condition; for example, Mr. White contrasts the narrow spirit of modern theologians with the temper of the apostles; he says, 'Let no man tell another that, because he has not arrived at the same conclusion, or made up an equally large catalogue of articles of faith, he cannot be saved;' and, in order to discourage this exclusiveness, he exhorts to 'observe the mode in which the apostles made proselytes, and you will see that *all they required* was, that they should receive, in the first instance, Jesus of Nazareth as the promised Messiah, as the Son of God, who was announced and expected from the earliest ages to be the Saviour and Redeemer of mankind, and that they should receive this Saviour with a sincere *desire* of knowing him whom God hath sent.' (Vol. ii. p. 75-6.) Is it possible to understand this in any other sense than that one not complying with this more moderate *requirement*, 'cannot be saved?' But we are persuaded from the whole spirit of Mr. White's recent writings that he has ceased to hold—if indeed he ever held—this unhappy belief, and that he has no sympathy with a sentiment so inconsistent with elevated conceptions of the Divine character. We point to such passages to show how the most perfect ingenuousness of thought and openness of affection, may receive a momentary interruption from the intrusion of technical phrase-

ology, and the recurrence of established ecclesiastical ideas. The other instance of the same tendency is to be found in a very unsatisfactory defence of conformity with the Established Church, in the case of a clergyman who thinks all *articles* of religion to be absurd and pernicious, who denies all connexion between salvation and particular forms of faith, and sees only unmixed evil in the political establishment of Christianity. The best answer to this passage (which will be found in vol. ii. p. 54) has been furnished by the author himself, who has become convinced that the vigour and freedom of a man's mind are effectually paralyzed by connexion with a system which he disapproves; who has yielded to that conviction by quitting the Church which he had loved and adorned; thus setting up *an act* of unpopular integrity in reply to a *page* of popular sophistry. No one could be unprepared for this honourable self-correction, who has appreciated the acuteness and penetration with which Mr. White analyzes and lays bare almost every species of devout self-deception. His delineations of the weak side of the religionist are often exceedingly amusing, and indicate a refined knowledge of a form of human character on which few have the courage to fix so keen an eye. The following passage will illustrate our meaning:

'There is a passionate assurance in matters of Christian faith, which, being nothing but a disguised party spirit, is still, and, we fear, will long be, displayed in the religious world as the highest of supernatural gifts. Were we to propose a specific distinction for this spurious faith, we should say that it is inseparably allied with anger. Being a *faith* of the *will*, and depending a great deal on that sympathy which is the soul of party, it is painfully disturbed by opposition, or even simple disbelief. Hence the exact similarity of the zeal which this faith exhibits under every possible variety of creeds. The Mahometan, the Hindoo, the Jew, and the Christian, calculate the sincerity of their faith by the glow of passion which the denial of their tenets excites in their breast. "Away with such a fellow from the earth, for it is not fit that he should live." Such has been the natural expression of the feeling commonly mistaken for faith, from the days of Paul to those of the last victim of the Inquisition. No man acquainted with the human passions can doubt for a moment that such manifestations of anger, whatever may be the apparent occasion, necessarily proceed from pain inflicted on the grossest, the most selfish, the most animal part of our internal being. When, however, the progress of civilization, or rather the check which widely-spread unbelief and dissent lay upon this spurious faith, prevents such furious manifestations of zeal, there succeeds a boasting of certainty, which gives vent to anger in the shape of dogged assertion. It is perhaps mildly expressed, the tone is that of compassion, but there is a lurking satisfaction in the very certainty and magnitude of the danger from which we assure the opponent that he cannot escape unless he gives way to our arguments. By calling our arguments *demonstra-*

tions, we imply that he that rejects them must be deficient in some very important good quality of mind or heart. It is a most delicate and safe way of enjoying that pleasure in which the lower sort of people indulge, when they tell their adversary that he is either a liar or a blockhead.'—vol. i. p. 200-201.

The same philosophical shrewdness is observable in the following reply to the Catholic argument, that '*theirs*, after all, is the safe side; for Protestants allow that Roman Catholics may be good Christians, whilst the Church of Rome will not grant the same thing in regard to Protestants.'

'The argument to which you allude proceeds from one of the most remarkable weaknesses of the human mind. It proceeds from that vague fear of things unknown, or dangers which are merely *possible*, which seeks for remedies in the most fanciful things, merely because it is *possible* that they may be remedies. The boundless domains of human superstition have been crowded with monsters, the offspring of this weakness. Observe that, with unreflecting minds, it is an axiom that *safety* increases in proportion to the *number*, not to the selection, of the means employed. Have you not marked the persecution which, owing to this prejudice, every poor valetudinarian has to endure? Every one who meets him has some new remedy to recommend. They are all *safe*; they can do him no harm: why should he not take them, at all events, in *addition* to those prescribed by his physician? The good-natured friends who urge all this, forget that the remedies recommended by a skilful physician *may*, and very likely *will*, be defeated or checked by the multitude of *safe* things which they so vehemently patronize. Even if the qualities of their simples were ever so innocent, the quantity to which they would amount would be enough to choke the poor patient.' (Vol. i. p. 134.)

The work, to which Mr. White's book is a reply, attacks Protestantism, and, through it, the functions of the human understanding, in a two-fold argument. Turning to its *origin*, the traveller finds it not apostolical; and, looking at its *effects*, perceives that they are not good. If the Catholic religion be not true, we shall lose the traces of it as we retire into the primitive ages of the Church. But it is distinctly impressed on the writings of the Fathers of the first four centuries, and is therefore the true and original faith. Of the many answers to this syllogism, the only one which our purpose requires is given by discriminating between the two different senses in which the phrase 'Catholic religion' may be understood. It may denote either the *theological doctrines* of the Romish Church, or its *claim to infallibility*,—either the *notions* of Christianity which it promulgates, or the *medium* by which it reaches them,—either the *response* or the *oracle*. It is evident that the response may happen to be true, and yet the oracle be an absolute imposture: much more, then, may the re-

sponse have obtained general credence, and yet the oracle never have been asserted to be infallible. It is the latter point alone which it lies within our province to determine. Understanding then by 'Catholic religion' the claim to infallibility, we deny both the premises of the foregoing reasoning. To begin with the second; it is not true that the writers of the first four centuries prefer any such monstrous claim for the Church at Rome. They were ignorant, and silly, and credulous enough; but their writings cannot be fairly charged with this particular weakness. The passages quoted by the Irish Traveller in defence of his position, tumid and ridiculous as they are, totally fail to establish the existence of any such superstition. For instance, Irenæus says, 'We can enumerate those bishops who were appointed by the apostles and their successors down to ourselves, none of whom taught or even knew the wild opinions of these men' (heretics). 'However, as it would be tedious to enumerate the whole list of successions, I shall confine myself to that of *Rome*, the *greatest and most ancient, and most illustrious Church*, founded by the glorious apostles Peter and Paul; receiving from them her doctrine, which was announced to all men, and *which, through the succession of her bishops, is come down to us*. Thus we confound *all those who, through evil designs, or vain glory, or perverseness, teach what they ought not*; for to this Church, *on account of its superior headship*, every other must have recourse; that is, the faithful of all countries; in which Church has been preserved the doctrine delivered by the apostles.' (First Travels, vol. i. p. 31.) Here is not only an abstinence from all claim of inspiration, but an implied disbelief of it; for Irenæus argues that the Roman church must be of superior value to others, *because it possesses better human means* of knowing the doctrines of the apostles, Peter and Paul having lived there. It is uniformly, indeed, as a good natural source of traditional knowledge, and under no higher character, that the metropolitan Church receives so much ecclesiastical eulogy. The praise is bestowed, not on its *supernatural memory*, but on the *excellent things* which it has to remember. It was doubtless an estimation of this kind that led the Corinthian Church to refer a dispute which had arisen among them to Clement of Rome. The following passage in reference to this fact is amusing: the Traveller is in eager search of Protestantism in the first century, when he stumbles upon Clement:—'Great, then, was my surprise, not unaccompanied, I own, by a slight twinge of remorse, when, in the person of one of these simple, apostolical writers, I found that I had popped upon a pope—an actual pope!—being the third bishop after St. Peter, of that very Church of Rome which I was now about to desert for her modern rival. This primitive occupant of

the see of Rome was St. Clement, one of those fellow-labourers of St. Paul, whose "names are written in the Book of Life;" and it was by St. Peter himself, as Tertullian tells us, that he had been ordained to be his successor. This proof of the antiquity and apostolical source of the Papal authority startled me not a little. "A pope! and ordained by St. Peter!" exclaimed I, as I commenced reading the volume; "now, by St. Peter's church, and St. Peter too, this much surpriseth me." There was, however, still enough of the Papist lingering in my heart to make me turn over the pages of Pope St. Clement with peculiar respect; and I could not but see that, even in those simple, unpolemic times, when the actual exercise of authority could be so little called for, the jurisdiction of the see of Peter was fully acknowledged.' (First Travels, vol. i. p. 14-15.)

Some persons in Corinth ask advice of a man in Rome; *ergo*, the man in Rome is a pope, and his official successors infallible for ever! We begin to perceive the affinity between the traveller's two functions, poetry and theology; as the one can create a feeling, so can the other weave a proof, out of anything—or nothing. Photius, a great authority with the author, abuses Clement's letter for its melancholy deficiency of orthodoxy; and it is not without a great apparent struggle of charity that he admits that there is 'no actual blasphemy' in it. Pretty praise this for a pope! The fact is, these vicars of Christ were not yet wanted; they made their appearance, like most other persons of the same kind, as soon as there was an adequate demand. Mr. White has touched on the true causes to which they owe their existence:

'The Roman Catholic system seems to be a theory gradually formed, to fill up some real or fancied deficiencies in the books of the New Testament. All Christians agreed from the beginning that the Gospel is the only means of salvation through Christ. But it was soon found that Christians could not agree as to what the Gospel is. At first it was supposed that the teachers or the clergy must know; but the clergy differed amongst themselves. Then it was conceived that some particular clergy or church must be recognised as the standard of faith, for the sake of peace and unity. I have heard this theory rather hinted at than avowed by one or two Roman Catholic priests, who possessed more than the common share of theological learning. They confessed that church infallibility is one of those necessary fictions, without which no extensive combination of men can exist. They acknowledged, confidentially, that church infallibility could not be *proved*; but that, as they could not suppose that Christ would have left his flock to fierce and interminable contention, it may be believed that he had tacitly allowed the establishment of that theory of church government which was best adapted to keep the mass of Christians from splitting into adverse sects.' (Vol. i. p. 157-158.)

The hunt for popes, then, is premature in so primitive an age.

But, even if they had appeared in the most satisfactory abundance in the writings of the earliest period, the argument for the existence of an inspired oracle would have been little improved. It seems, indeed, to have been generally taken for granted, that, if the ecclesiastics who lived in the age succeeding that of the apostles agreed in asserting the claim of the Papacy as the unerring conservator of tradition, the claim would be established. It is forgotten, that testimony proves nothing except the opinion of the writer; the impressions made upon his senses and upon his mind: and that the infallibility of the pope is not an object of sense, but an inference of the mind from something which strikes the sense; an inference which, unless the witnesses were infallible as well as the pope, we are under no obligation to accept upon their authority.

Miracles, as such, are beyond the pale of testimony. Nobody can bear testimony to a miracle. No man can see, feel, or hear a miracle; what he sees is a sight, what he hears, a sound, what he feels, something tangible. The supernatural character resides not in the fact, but in its cause. If it perceptibly falls in with the natural order of sequences, so as to be referable to some familiar antecedent, it is not miraculous; if it lies *out* of that order, so as to be referable to nothing more proximate than the Divine volition, it is miraculous. Hence the inquiry, whether an event be natural or preternatural, is a question of causation; and therefore a question of inference, not of testimony—a Divine volition being in its own nature a phenomenon beyond the scope of human observation, and not an object of attestation. Whenever, then, a veracious witness reports a miracle, the record is unavoidably of a twofold character; it contains a statement of his sensible impressions on a certain occasion, and a speculation respecting their origin. While we admit the first into our belief, we must submit the second to examination as a philosophical opinion. In doing this, there seems no reason why the witness's belief that the event could not be accounted for without recourse to the supernatural, should prohibit us from making such use of natural causes in our examination as may be justified by the rules of probability. History has furnished us with phenomena requiring to be explained; and, in performing the task, the rule must be adhered to of taking known causes as far as they will go, before we have recourse to the unknown. This principle of philosophical interpretation seems to have been recognised nowhere but among the Rationalists of Germany. Its practical application in their hands may have been, and we think has been, extravagant and absurd; but the principle itself appears to be indispensable to any system of criticism which shall be searching enough to yield positive results.

The infallibility of the Romish church must be tried by the same principles as other supernatural facts. Inspiration, in common with all other miracles, does not lie within the province of testimony alone. The accordant voice of all antiquity could prove no more than a general belief in the existence of such an oracle, and we must still call for adequate reasons for such a belief for the phenomena which demand so stupendous an explanation, and beneath the weight of which all feebler causes succumb. To accumulate quotations from voluminous bishops is nothing but a tiresome reiteration of an ancient hypothesis. Let us have the facts; and we will seek our own way to the solution.

To this challenge a Catholic would probably reply, by appealing to the multitude of miracles, said to have been wrought within the pale of his church, and proving its hierarchy to be a celestial depository of sacred tradition, and an unerring administrator of truth. Now, we will leave it to antiquarian Protestants to sift the historical evidence on which the belief of Catholic miracles rests, and to render its insufficiency clear. A higher position may be assumed; and, admitting every one of those miracles, we may maintain the general principle, that the performance of supernatural acts is not a proof of inspiration in the agent. By what process of logic can we reason from the one to the other? By what connexion are they linked together so as to preclude separation? Inspiration means the possession of infallibly correct ideas. This attribute is surely no natural result of miraculous powers; for they might be, and are recorded to have been, communicated to things without an idea, to clothes and handkerchiefs. Nor has it any tendency to confer such preternatural gifts; for superhuman knowledge may be imagined, and has been reported to exist in the instance of certain prophets, without any superhuman power. So that neither from effect to cause, nor from cause to effect, can we so reason as to make miracles as our premises yield infallibility as our conclusion. The steps of thought by which probably this inference is actually reached, are the following: These miracles are the gift of the Divine will; the motive to their bestowment can be no other than the desire to fix attention on the instructions of the gifted man; and such a desire could not exist if the instructions in question were not unerringly true. This is certainly a *possible* hypothesis, for no one can deny that this *may* be the order of thoughts in the Divine mind, which precedes the award of supernatural power; but no higher character can be claimed for it than a bare possibility. To define the succession of motives which act upon the Infinite Will, is clearly an effort of precarious conjecture; and to attract attention to instructions is by no means the only conceivable end for which extraordinary

gifts may have been conferred. Out of all the *actual* effects which flow, we are at liberty to select whichever we please as the originally contemplated effect. Why then may not the aim have been to fix human veneration on *a character* rather than a system of tuition? Why not simply to kindle the reverential sense of Deity? The appeal to the realities of Christian history is sufficient to render it evident that miracles must have been designed for some other end than to invite attention to the ideas of infallible minds. The debt which European morality and civilization owe to Christianity we think it difficult to over-estimate; but, in the midst of its blessings, who can deny that it has created and sustained errors and superstitions of no slight malignity. The Christian miracles postponed, probably for centuries, the natural death of the belief in demons. The instructions of the apostles awakened among the early Christians the universal expectation of a personal advent of Christ, to close the scene of human things within the first century; an expectation which we think is distinctly impressed upon some of the writings of the New Testament. The sobriety of anticipation was subverted; the excitement of a feverish hope seized upon life; every channel of feeling flowed with fire. Every disaster was interpreted into a forerunner of the terrible catastrophe; the defeat of a Roman army, the rumour of an earthquake, the outbreak of a volcano, were greeted as signs in the heavens, and a whetting of the sword of vengeance for the earth. Nor did the evils of this delusion expire with the age. Such dreams have a pertinacious vitality; the failure of the original prediction led only to a postponement of the date; and to this day the expectation has never long been extinct: under some modifications it still survives, and nurtures the fanatical passions which are the disease and disgrace of English society. These evils have come down together with the benefits of Christianity, in direct apostolical lineage; and they confirm the theoretical conclusion, that the performance of miracles cannot be accepted as a proof of infallibility; that they leave the agent's qualifications as teacher or historian just where they were; that they do not enable us to dispense with the scrutiny of reason in the reception and estimate of his instructions. Hence, in even the highest evidence adduced by the Romish church, there exists a metaphysical incapacity to sustain the claims which are advanced.*

* There is one possible misapplication against which we may be permitted to guard the foregoing argument. We do not intend to maintain that, if the Deity should confer on a human mind an infallible knowledge of certain truths, it would be impossible for him to render the existence of this inspiration credible. Miracles are, doubtless, conceivable which would admit of no other interpretation, than that they are designed to recommend certain instructions to the unlimited confidence of men. The miracles recorded in the gospel which most nearly answer to this de-

In our attempts to show that claims like those of Rome appeal in vain for proof to their origin in the past, we have incidentally answered the objections urged against Protestantism from the caprices which reason has practised since she has been let loose from authority. However whimsical the jade may be, it is evident that we must put up with her guidance as well as we can, for no better is to be had. Perhaps if a less niggardly confidence is conceded to her, and she is no longer teased by incessant checks and impertinent interferences, we may be conducted in a less erratic course in future. At all events, we cannot be expected to be scared from the experiment by the amusing catalogue which the author of the "Fudges" has furnished, of the tricks played off by private judgment; for, of all those tricks, we have deliberately professed our admiration of that one which is put forth as the crowning madness, the *reductio ad absurdum;* we mean the principles of Rationalism. Of all the impostures practised by the boasted human understanding, the only one which we vow shall never befall us, is that of being reasoned out of reason, and led to trust in the conclusion, that no conclusion is to be trusted. This ancient freak of ingenuity is as entertaining as it is barefaced. Reason is invited to stand within the theatre of history, to witness the spectacle of her own absurdities; the phantasmagoria is brilliantly played off; grotesque forms dance by; a dash of exciting *diablerie* is thrown in; and, while Reason stands laughing at her own folly, her hands are cunningly tied behind her, and the captive is carried off to her captivity.

Cleverness of this order is among the exercises of the human understanding which have rarely been repudiated by the most orthodox clerical corporations. Even the (first) "Irish Traveller" seems not to object to a certain kind of theological diplomacy; for he praises the assertion, by Rome, of her right and commission to be a permanent guide to truth, as a "*device of human policy,*" (vol. i. p. 212,) and enumerates her threat of eternal damnation on heresy among "*the more directly human means*" of preserving unity of faith. Does this mean anything else than that this penal announcement is a trick, and not a truth?

The Protestant *policy* of retaining a nickname disrespectful to human reason is well noticed by Mr. White. In reply to a re-

scription (we allude particularly to the audible voice at the baptism, and the transfiguration, "this is my beloved son in whom I am well pleased") seem to point to Christ rather as an object of perfect moral approbation, than as an intellectual oracle, or an authority for belief.

However this may be, the position we are anxious to recommend goes no further than this, that miracles, *considered simply as such*, are ambiguous; they have several possible meanings, and do not, therefore, necessarily imply inspiration; some specific peculiarities must be attached to them to remove the ambiguity before this inference can be deduced.

mark that his principles resembled those of the Rationalists of Germany, he says:

'Nothing will be accomplished towards the removal of religious error as long as there is an invidious name at hand to be applied to every view, and even to every *method* of examination, which seems to diverge from popular doctrines: I mean from doctrines which are considered as established by some authority, which a majority of the people or the government supports. From the earliest times of the church it has been the favourite plan of the orthodox, *i. e.* the party who, for the time being, felt strong enough to claim superiority, to stamp every new opponent with the name of some previously defeated sect. By this means the idea of an error, supposed to be well known and condemned by common consent—the notion of some obsolete vagary—perhaps of something criminal, attributed to those who were known by the invidious name, is at once attached to the person who states any disturbing view, or even proposes some method of investigation of which the established, or comfortably-settled party, suspects the result will be against them. I have sometimes thought that a book might be written, with the title of the *Champion of the Faith*, on the plan of Machiavelli's *Principe*. As the arts of a despot are disclosed by the Italian writer in the instructions he gives for the conduct of the government, so the stratagems of the controversialist might be exposed in directions for the suppression of heresy. In such a book the use of sectarian names ought to be pre-eminently recommended. The rule should be to meet the first appearance of dissent by giving it the appellation of some formerly condemned sect. This has, indeed, been the constant practice of the church of Rome; and, like all the practices of that most politic body, it is grounded on a deep and accurate knowledge of the human mind. For, independently of the invidiousness of the name, it must perplex and exhaust the adventurous disturber of orthodoxy, by compelling him to neglect his principal point, and begin by disproving the supposed identity of his views with a convicted heresy. If the name is given with proper ability, the difference will be one not to be stated or perceived without considerable discrimination, and accuracy of language. The world will not be up to these niceties, and the orthodox controversialist, *i. e.* the controversialist on the established side, may now leave his adversary to cry himself hoarse with protestations of his innocence of the old heresy implied in the name. But, of all the appellations which the controversialists may use as murderous weapons, none can equal that of *rationalist;* for it applies, not to *doctrines*, but to *method;* and the method is that which every mind, not in trammels to a religious party, must constantly follow. Every man who calls in the aid of *reason* to question a popular notion in religion, is a *rationalist*. The charge is as plain as the light. The unhappy reasoner may shrink from many, or even all, the opinions hitherto held or attributed to the German *rationalists*. Yet, *as he is a rationalist*, in one sense of the word, those opinions must be his own; and, if they are not yet his own opinions, they will be a short time after: for (say the logicians) those opinions *follow* from the method of reasoning adopted by the *rationalists;* in other words, were *we* to proceed on that method, we

would adopt such opinions as inferences: therefore the man in question cannot avoid them. "In charity to him,* and for the sake of his consistency, we must believe that he actually holds these inferences as true." †

If the principles of evidence which we have endeavoured to explain, terminated with the decision of the Romish controversy, and simply landed us in English Protestantism, we much doubt whether their fruits would repay the trouble of the exposition. The great practical evil which arises from the fiction of church infallibility is the obstruction which it offers to freedom of thought; and this evil the sectarianism of this country preserves without abatement. Nothing can *sound* better than the claim to "the right of private judgment;" but it dwindles away into a miserable mockery the moment it is connected with the notion of merit and reward attached to certain forms of belief. It is absurd to affirm that a man enjoys a *right* to engage in any act, if in its performance he is to be watched, and terrified, and tormented. Then only does he possess the privilege of free inquiry, when his *will* enjoys perfect immunity from all inducement to embrace one conclusion rather than another; and his understanding, undisturbed by the intrusion of hope or fear, is entirely abandoned to the impression of evidence. Of this liberty the reformed churches of England appear not to have the faintest conception; and their deviation from the great parent institution in this respect is merely verbal. The Romish church says, "You *must not* think for yourself, but take our creed;" the Protestant churches say, "You *must* think for yourself, but take our creed." And in both cases the recusant is led to feel various immediate inconveniences, and to expect the most appalling future consequences. This attempt to influence any understanding by motives instead of arguments is, itself, an immorality, and exercises a demoralizing influence which it is difficult to estimate. It, in the first place, renders the improvement of opinion *slow*, for it drives away multitudes from all inquiry, and, with the few who do undertake it, paralyzes the process with fear. How little chance is there that men will venture upon an exercise of their understandings which cannot increase, but may destroy, their

* "It was not till lately that charity was found to apply to the act of imputing tenets which a religious party rejects. But it is an excess of charity, sanctioned by episcopal authority in the church of England.—*See Debate on the Irish National Education, in the House of Lords.*"

† We take leave of Mr. White's Second Travels, in the consciousness of having done the work very imperfect justice. It contains, in particular, an exceedingly able sketch of the progress of Christian Rome towards the ascendancy which it once possessed in Europe.—(Vol. ii. p. 82, sec. 5.) It is with regret that we pass without further notice this lucid specimen of philosophical history; but the subjects which it opens are too extensive to allow us to enter upon them now, and too exclusively ecclesiastical, perhaps, to be generally interesting.

peace! How much less that they will make a just estimate of evidence, when so many anxieties and interests are reiterating the dangers of all innovations on belief! There is no reliance to be placed on the operation of human motives, if such an unfair position of the inquirer does not disturb his feelings, and his feelings impair the clearness, the profundity, the earnestness of his intellect; if he does not mystify and *ill-treat* the reasonings which threaten his peace, and develop with all his acuteness, and illustrate with all his power, those which are crowned with the promise of repose. This pernicious use of fear renders the improvement of opinion *violent* as well as slow. History presents but few instances of steady imperceptible changes of faith, creeping on noiselessly, yet without secrecy, through society; few of its seasons have exhibited the gentle thawing of old associations, and from beneath them a gradual development of new germs of thought; but rather a sudden melting away of prejudice, and a burst of sentiment as instantaneous in its appearance as the vegetation of a northern spring. Thousands have appeared to break into new light in a day; and amid the apparent sleep of society, a power has started up, which, according to the laws of human nature, should have required a range of years to mature its strength. Scarcely had Luther heard the utterance of his own voice, than echoes reached him from half the cities of Germany; and no sooner had the sins of episcopacy been whispered in this country, than the stern spirit of Puritanism stalked over the land full-grown. The religious changes of society have usually taken place in paroxysms.

It is clearly impossible that in these cases we can see the whole process. There must be a secret preface to all this. It is not in human nature to turn round upon its ancient convictions in a moment, or to change even its prejudices on an instantaneous impulse. The mind of society is but an aggregation of individual minds, and subjected to the same inflexible laws; and if in ourselves and others we find that new views gain but slow access to the reason, we may be assured that, in a community, truth can have no sudden growth. This rapidity of change is only external; it is the effect of a previous but hidden state of *gradual* progression; the gushing into light of currents of opinion that have long pursued a subterranean course. This protracted silence infallibly indicates fear,—a fear which first stifled the powers of thought; and when they had partially recovered from its paralysis, still continued to suppress speech. Men will find courage to speculate and doubt respecting a prevalent faith, long before they venture to reveal their state of sentiment to others; and hence, wherever a system of intellectual terrorism exists, there will be a considerable

interval between the formation and the avowal of new modifications of belief, and a discordance, more or less durable and extensive, between the public exhibitions and the private notions of religion. Dissatisfaction spreads in secret, and tends, like all suppressed emotions, to become extravagant. By some accident it is discovered that others have long felt the same; and as fear is a gregarious principle and urges men to move in multitudes, the discontented band themselves together, talk themselves into an exaggerated estimate of their grievances and their discoveries, and compact their sympathies by the hard cement of conscious heresy. When their numbers have sufficiently excited their intrepidity, and they can calculate on making an impression on society, they burst into publicity, and take vengeance for their past silence by indulging in a vehemence which overwhelms opposition. This is the true origin of that party spirit which corrupts the peace, the morals, and the religion of society, which renders the reforms of opinion destructive instead of constructive, and substitutes a random onslaught upon existing notions, for the tranquil and beneficent elaboration of an ever-progressive faith. The menaces which sectarian religion suspends over certain possible results of inquiry, have not power enough totally to stop the course of human improvement, but they do render it a course of convulsion and needless suffering. They maintain for ever sleepless the furies of faction, and determine that truth shall advance only by conspiracy.

These evils will always be found wherever, by an unhappy association of ideas, merit and demerit are attributed to states of belief, and moral qualities are confounded with intellectual acts. They exist, therefore, in the Protestant as well as in the Romish church, and follow the notion of orthodoxy no less than that of infallibility. The only difference between the two systems lies in the tests by which they detect a heretic. The essential idea of a heretic in both cases is, that he is a man who rebels against inspiration, sets up his reason against Divine authority, and backs his own fancies against infallible truth. *Who* are, then, guilty of the sin, must depend on the seat of infallibility; wherever the legitimate authority may reside, resistance offered there constitutes the crime. The Catholic places infallibility primarily in the scriptures; but as their obscurity renders them an imperfect guide, he believes that an inspired interpreter has been provided in his own church, to remove the ambiguities of the great oracle, and act as the conservator of all supplementary traditions. Thus the infallibility which ostensibly resides in the scriptures is practically transferred to the priesthood, and every one is a heretic who opposes *the will of the church.* The Protestant withdraws this inspired authority from the clergy, gives back their pretensions to the

Bible, to which, therefore, in his theory, the whole stock of infallibility reverts, and he is now the heretic who resists the *sense of scripture*. Nothing can be easier than to find the Catholic heretic, for the Pope and the priests are living men, whose will can be collected and expressed, and who can tell perfectly what acts and ideas are in contradiction to it. But the Bible cannot speak for itself and declare who are the opponents of the sense of scripture; where, then, is this mysterious oracle against which it is dreadful to rebel? The sense of a book must mean, some system of ideas residing in an intelligent mind, and must denote either the ideas of the writer or those of the reader,—the thoughts which suggested the words, or those which the words suggest. The former are obviously out of reach; the trains of thought which were present in the apostles' minds whilst they were writing are invisible; and by the unerring *sense of scripture* the Protestant means his own sense, the notions which they excite in his own mind. The infallibility of the Bible signifies the infallibility of his own ideas. The heretical impugner of the Word of God is the questioner of his dogmas. This point is admirably stated by Mr. White, in his "Observations on Heresy and Orthodoxy" (page 4):—

'What do divines understand by Christian truth? The answer at first appears obvious. "Christian truth" (it will be said) "is what Christ and his apostles knew and taught concerning salvation under the Gospel." Thus far we find no difficulty; but (let me ask again) where does this exist as an object external to our minds? The answer appears no less obvious than the former, "in the Bible." Still I must ask, is the material Bible the Christian truth about which Christians dispute? "No," (it will be readily said,) "not the material Bible, but the sense of the Bible." Now, (I beg to know,) is the sense of the Bible an object *external* to our minds? Does any *sense* of the Bible, accessible to man, exist anywhere but in the mind of each man, who receives it from the words he reads? The Divine Mind certainly knows in what sense those words were used; but as we cannot compare our mental impressions with that model and original of all truth, it is clear that by the sense of the Bible we must mean our own sense of its meaning. When, therefore, any man declares his intention to defend Christian truth, he only expresses his determination to defend his own notions, as produced by the words of the Bible. No other Christian truth exists for us in our present state.'

The author proceeds to explain the erroneous notions of duty which arise from inattention to the fact disclosed by this analysis (page 5):—

'The *Christian truth*, which man can make an object of defence, is an impression which exists in his own mind: it is *his own* Christian truth which he wilfully identifies with the Christian truth which is known to the Divine Mind. That each individual is bound to hold that

Christian truth which he conscientiously believes to have found in the Bible; that it is the great moral duty of every man to prepare himself conscientiously for the undisturbed reception of the *impression* which he is to revere and to follow as *Christian truth*, I cannot doubt at all. I acknowledge also the duty of every man to assist others (without intrusion), as much as it may be in his power, in receiving a mental impression similar to that which he venerates as Christian truth. But it is at this point that a fierce contest arises; and the reason is this: certain men wish to force all others to reverence (at least *externally*) not the mental impression, the *sense*, which each receives from the Bible—not the conviction at which each has arrived—but the impression and conviction of some theological sect or church. The Christian truth of some privileged leaders (it is contended by every church respectively) should be recognised as Christian truth by all the world: in more accurate, because more scientific language, Christian parties, of the most different characters, have for eighteen centuries agreed only in this—that the *subjective* Christian truth of certain men should, by compulsion, be made the *objective* Christian truth to all the world: *i. e.* that the *sense* which the scriptures did at some time or other convey, or still convey, to such and such men, should be acknowledged as identical with that sense which was in the mind of the writers of the Bible; the true sense which is known to the Divine Mind.'

The calm and philosophical observer of the controversies of theologians can scarcely fail to conclude, that whatever truth there may be in all these disputed creeds, there can be no *revelation*. Nothing is revealed which is still left in extreme uncertainty. Whatever idea the Divine Being designed to communicate by means of Christ, he would take care to place beyond the reach of extensive doubt and rejection. If Christianity was really intended to secure human belief in any one of the *debated* notions of Christian churches, Christianity is a failure; for what is still debated is not yet revealed. If the Bible was commissioned to teach any one of the peculiar opinions of hostile sects, the Bible is incompetent to discharge its function; for where *opinion* still has occupancy, discovery does not yet exist. Whoever, therefore, insists on any peculiarity of his own or his church's creed as essential, *ipso facto* undermines the foundations of Christianity, his notion cannot be true, unless Christianity be false. Mr. White puts this argument in a form which appears to us unanswerable (pages 8 and 9):—

'Settle your disputes (says the unbeliever, on the other hand), and then I will listen to your arguments in defence of Christianity. Both of you, Romanists and Protestants, offer me salvation on condition that I embrace the Christian faith. You offer me a sovereign remedy, which is to preserve me alive in happiness through all eternity; but I hear you accusing each other of recommending to the world, not a remedy but a *poison*; a poison, indeed, which, instead of securing eternal happiness, must add bitterness to eternal punishment. You both agree that it is

of the *essence* of Christianity to accept certain doctrines concerning the manner in which the Divine Nature exists; the moral and intellectual condition in which man was created; our present degradation through the misconduct of our first parents; the nature of sin, and the impossibility of its being pardoned except by pain inflicted on an innocent person; the existence or non-existence of living representatives of Christ and his apostles; a church which enjoys, collectively, some extraordinary privileges in regard to the visible and the invisible world; the presence of Christ among us by means of transubstantiation, or the denial of such presence: all this, and much more, some of you declare to be contained in, and others to be opposed to, the scriptures; and even here there is a fierce contention as to whether those scriptures embrace the whole of that Christianity which is necessary for salvation, or whether tradition is to fill up a certain gap. I am, therefore, at a loss how to account for the invitation you give me. To me (the unbeliever might continue) it is quite evident that the ablest opponents of Christianity never discovered a more convincing argument against REVELATION in general, than that which inevitably arises from your own statements, and from the controversies of your churches. God (you both agree), pitying mankind, has disregarded the natural laws fixed by himself, and for a space of four thousand years, and more, has multiplied miracles for the purpose of acquainting men with the means of obtaining salvation, and avoiding eternal death, *eternal death* signifying almost universally, among you, *unending torments*. But when I turn to examine the result of this (as you deem it) *miraculous and all-wise plan*, I find it absolutely incomplete; for the whole Christian world has been eighteen centuries in a perpetual warfare (not without great shedding of blood), because Christians cannot settle what is that faith which alone can save us. Have you not thus demonstrated that the revelation of which you boast cannot be from God? Do you believe, and wish me to believe, that, when God had decreed to make a *saving truth* known to the world, he failed of that object, or wished to make Revelation a snare?'

It is easy to see what must be the practical operation on society of the Romish and sectarian systems. The Reformation has simply made over the infallibility of the Pope to each individual Protestant. Every sect mimics on a small scale the spiritual policy of the triple crown, and the thunders of the Vatican are repeated by the thousand penny trumpets of sectarianism. The same devices for acting on the *will* of recusants and keeping clear of their understandings, the same outcry about the sin of unbelief, the same use of the fictitious crime of setting up reason against inspiration, the same menaces of everlasting ruin, which kept Europe in awe for centuries, are still extant in the village church and the conventicle. The difference is, that Rome enjoyed a *monopoly* of infallibility; its empire was undivided; the pretensions which it asserted, Christendom recognised; it presided over

an unresisting subject-class, and pressed on their minds with dangerous and benumbing power. Protestantism is a *competition* of infallibilities, and affords the kind of liberty which the Roman empire sometimes enjoyed in its decline, from the existence of a dozen rival candidates for the purple,—sectional partialities, with universal warfare. It is a favourite notion with theologians that the Reformation exchanged an ecclesiastical monarchy for a republic of churches. It is all a fiction; for a republic implies a resignation of all separate claims to ascendancy,—a voluntary distribution of power in small portions among all its members. Among sects there is no approach to this; with hardly an exception, no abatement is made by any from the full pretension to divine right. Each one speaks of all the rest, not as citizen of citizen, but as a king speaks of a pretender. Those who compare the sectarian communities to a democracy, seem to imagine that the sovereignty of the people consists in every individual of the people aiming to be a sovereign. The only security which we enjoy is in the single impotence of these rival tyrannies; the only quiet, in the equilibrium of their mutual resistances; the only equality is the surly and unrecognised equality of discontented aspirants to authority.

There is but one point of sympathy among these hostile parties, —one interest which can confederate them all together. They unite to make war on all application of philosophy to questions of religion; they demand the unconditional capitulation of reason. They affirm the existence of an authority which supersedes it, and proclaim it impious pride to reject doctrines of apparent inspiration on the ground that they are unintelligible or absurd. Their truth, we are assured, is established by Divine testimony; their falsehood, perceived by our erring reason, is but a human inference; so that we have certainty on the one side, probability only on the other. Who does not see that inspiration, to impart certainty, must be certain itself? it can confer no higher proof than it possesses. In whatever degree it may be doubtful, must every proposition which it teaches be insecure. And certainly it is not an *axiom* that every word of the scriptures is divinely inspired, but an *inference*, not to be reached but by a long concatenation of reasonings, with human fragility in every link. In order to complete the chain, not only must the existing sacred books be identified with the productions of the Apostles, and the veracity and competency of the first Christian reporters must be established, but the necessity of inspiration to explain the origin of all their ideas must be made manifest. However satisfactorily all this may be done, it is obvious that nothing higher than probability can result. Nor will any one who knows what is comprised in the investigations at which

we have hinted, anticipate a degree of probability on which it would be fitting to dogmatise. We have, then, no unequal match of reason against Divine attestation; for the very existence of this Divine attestation is itself a deposition given in by human reason. It follows that objections founded on the natural character of doctrines are not to be summarily put out of court; for the series of judgments which would assure us of the truth of a doctrine found in a sacred writing, may possibly be counteracted by another series, affording equal assurance of its falsehood. The opposite probabilities may happen to balance one another, or the internal evidence of absurdity may overpower the external proof of truth. Should each of the contradictory conclusions find an advocate, it is difficult to see what either party would gain by insolent demands of submission; and if the divine should declaim about the corruption of the philosopher's reason, the philosopher may preach with as good effect on the corruption of the divine's. Both derive their conclusions equally from the processes of their own understanding. The misfortune is, that while the one gains the *discredit* of yielding to evidence, the other goes off with the *credit* of yielding to God.

Mr. White's concluding letter on heresy and orthodoxy is devoted to an analysis of the supposed sin of '*pride of reason*.' It strips off the disguises of sectarianism with a subtle and dexterous hand:—

'The notion of Orthodoxy, among Protestants, like some hotly hunted debtors, has been obliged to leave its pursuers at fault, by crossing into another jurisdictional district. Orthodoxy, finding itself unsafe in the domains of argument, flies towards those of moral sentiment; and just at the moment when it might be expected to surrender, it turns sharply round, and boldly charges REASON with SIN. This is an alarming change. Before this moral discovery we exerted our reason to the utmost of our power, confident that we had no spiritual danger to fear: now, most unfortunately, we are made to suspect that our sin may be great in proportion to the power of our arguments. What, indeed, in common language, we call PRIDE, is usually connected with *power*, and the existence of the latter is, for most people, a pretty strong presumption of the presence of the former. It must therefore happen, that, when reason is accused of pride, the charge will appear already more than half substantiated, if reason has been too hard for the opponents. Power of any kind, unless it can reward and punish to a certain degree, is not an enviable possession. I have no doubt that if a *sin*, to be called PRIDE OF SIGHT, had been as necessary to some influential class, as the PRIDE OF REASON is to the orthodox parties all over the world, every long and sharp-sighted man, who wished to live in peace, and avoid the scandal of discovering things which his neighbours either could not or would not see, would now be obliged to wear spectacles.' pp. 78, 79.

Mr. White afterwards thus happily amplifies his illustration of 'pride of sight:'—

'I have already, incidentally, illustrated the theological notion of *pride of reason* by what (if the same interests, internal and external, which occasion this clamour against reason were involved) would certainly have been called the *pride of sight*. Allow me to dwell, once more, on the nature of that very considerable *vice*. *Pride of sight* would be defined, an *inordinate value set on the individual's power of vision*. The most approved and meritorious method to avoid this criminal excess would be to put out one's eyes. The person who had performed this noble act of self-denial should be entitled to declare, uncontradicted, that he never before had seen so well. He should, in consequence of the superiority of this new sight, be chosen leader of other men who still kept those delusive organs, *the eyes*. The sacrifice of the eyes would be offered up as a testimony of reverence to the Creator of Light, as that of reason is now considered an appropriate tribute to the Fountain of it. Of two men who looked, apparently with the same intensity, at a remote and indistinct object, *he* who asserted that he saw even the minutest parts, and denied the possibility that any good and honest person could differ from himself in the description, should be declared *thereby* to possess the virtue of *humbleness of sight*: he, on the contrary, who confessed that his eyes could not discover what the other man said he saw, but granted that he might be allowed to enjoy his view without blame, should be charged with *pride of sight* in a most offensive degree. Though both were exerting their power of vision under the light of the same sun, and had their eyes equally open, the latter should be accused of despising and hating the light of heaven, and be strongly suspected of *winking*: if this could not be proved externally, it should be firmly believed that he had an internal power of paralyzing his optic nerve, and making himself stone-blind. The happy observer of such parts of the remote object, as he, in the same breath, declared to be *invisible*, should earnestly call upon the other, as if he would save him from death and infamy, to renounce his *pride of sight*, and agree to *see* the same things which he (the adviser) had, in his great *humility of vision*, firmly determined to discover. Such should be the moral law of the PRIDE OF SIGHT.

'I confess to you, my dear friend, that, when combating such pitiable delusions as occur at every step in theological controversy, I have often felt a despondency, which tempted me to throw away the pen, never to employ it again upon such subjects. Nothing, indeed, but my deep-felt conviction of the enormous evils which intolerance, in this its last disguise, is producing in the world, has supported my determination to oppose it to my last breath. Among the hopeless cases of that fever of religious feeling which creates a lamentable confusion of thought upon these subjects, there may be patients who possess natural candour and intellectual strength sufficient to extricate them, I dare not say from the *doctrines* of Orthodoxy,—for that is to me a minor point,—but from the mischievous error of taking their own *sense* of scripture for the word of

God itself; and from the *essentially intolerant* belief, that any man who opposes that sense, is betrayed by his *pride of reason* into rebellion against God.' pp. 84, 85.

The next signal reformation of opinion must be accomplished by philosophy, not by theology, and will consist in a perfect discrimination between the functions of the understanding and those of the will. It will illustrate the *morality of inquiry*, and render it manifest that as hope and fear are not instruments of discovery, to employ their influence on the determinations of the judgment is an act immoral in man and incredible in God. It will redeem the phrase 'love of truth' from its desecration on the lips of bigots and fanatics, and show that it describes, not the *vice* to which they apply it, but a *virtue* of which they do not dream;—not the vow of sectarian fidelity to an assemblage of prejudices, but the aptitude to exchange them for future conviction;—not the complacent emotion of undoubted possession, but the earnest aspiration of pursuit. It will banish all intolerance of doubt, and consecrate it as a state of mind necessary to every transition from a lower to a higher point of intellectual advancement. It will fix a sentiment of stern disapprobation on all intentional favouritism in the treatment of evidence, and enlist the feeling of moral responsibility in behalf of the act, not of hoodwinking, but of preserving clear, the mind's impartiality in research. It will seize on the idea of a continually progressive religion, modified by the successive changes in philosophy. Destroying the rivalry of creeds, it will bring the several orders of human intellect into consentaneous action to help on this progress, and establish such a noble co-operation for this end, that society shall become like the multiplication of an individual mental existence; its several members in unison, like the faculties of the same being; its circulation of thought as free as if it were all generated within one mind, and had only to pass from the memory which gathered its materials, to the invention which recasts them, and the judgment which approves their new-created forms. We may thus hope at length to accomplish with speed what individuals can effect only by the steps of a tedious succession; and in place of the slow order of solitary vision, to obtain almost the rapidity of intuition into subjects, round which the thousand eyes of an enlightened community of inquirers spread a kind of omnipresence of perception.

J. M.

ART. IX.

DOMESTIC ARRANGEMENTS OF THE WORKING CLASSES.

IT is recorded in Scripture, that when Adam was expelled from Paradise sentence was pronounced on him that he should 'earn his bread by the sweat of his brow.' This sentence has commonly been interpreted to mean 'a curse.' We, however, read the sentence differently. Man was originally maintained in Paradise without any exertion on his own part; and when he sought the 'knowledge of good and evil,' his only punishment was to be cast upon his own resources, with Reason for his guide, whereby to tread the difficult paths of experience. The 'sweat of the brow' must be held to represent the working of the brain within the brow. When the brain works aright, the man earns bread easily—not only for himself, but for his fellows; but when the brain lies fallow, little indeed is it that the hands can accomplish. Those whose hands work under the direction of their own brains are commonly in a condition of great physical comfort: those whose brains direct the hands of others are not less so, and in many cases more so. But those who use their hands alone, without brains to direct them, are the class who usually feel, in its full bitterness, the true curse—the appalling curse of POVERTY.

Poverty, in its widest sense, must be understood to mean, the privation of anything tending to physical, moral, or intellectual advancement; but our present purpose is to consider poverty principally in a physical point of view—the form in which it is most feared by those who suffer under its effects. We do not belong to that class of alarmists who avail themselves of misery as a stimulant, and delight themselves and distress others by declaiming on the 'increase of poverty and immorality;' on the contrary, we know full well that poverty is constantly lessening in amount, and that intemperance diminishes: the very splendour of the 'gin-palaces' being a proof that the poor require something more than gin—that taste, though of a barbaric kind, is putting forth its germs amongst them. But we know that the progress from poverty to comfort is slower than is necessary, and that the change might be made rapid by proper guidance: in short, that Poverty is only another name for Ignorance; while Intelligence may be regarded as the synonyme of Comfort.

There are various conditions of physical poverty amongst nations which are called uncivilized; but the most demoralizing and deteriorating of all poverty is that which exists amongst civilized nations, and more especially in large towns. Some

hold that the condition of the Irish hovel-dwellers—where the father, mother, children, and a pig, live in common in one shed, and the children are emulous which shall sleep nearest the pig, for the sake of the warmth—some hold that this is the worst condition; but we are of a different opinion. The crowded lanes, courts, and alleys of a large town, whose every house is one unseemly den of squalid hunger, strife, envy, hatred, malice, and all uncharitableness—these are the abodes in which poverty appears in her most fearful garb, surrounded by vice and every variety of misery. And even this condition is rendered worse when any peculiar circumstances afford the chance of occasional debauchery. The various improvements which have taken place in London have swept away huge dens of misery, and more especially two which still dwell in our memory: we allude to the labyrinth of courts and alleys which formerly occupied the site of St. Catherine's Docks, and that between Chandos-street and the Strand. Whoever calls to mind that London was once almost wholly composed of such miserable dwellings, will not doubt that poverty is gradually departing. There are still similar dens to be found, in which human beings are born only to suffer, or to escape suffering only through the torpidity of their senses. An accurate historian would describe the birth, life, and death of one of these beings somewhat as follows:—

'The child was one of nine, the eldest of whom had been born on the ground-floor of a house situated in a row, in a long dark alley, where the sun was never seen save at mid-day, and then only occasionally during the summer's heat. The father had originally been a decent mechanic, earning from twenty-five to thirty shillings a-week; and when his first child was born, there were few men in his station so happy as he, for all his wants were well supplied. His wife was an industrious, cheerful partner; and the gloominess of their abode was unheeded, relieved as it was by their weekly walk in the green fields. Still more prosperous times came; and the earnings of the husband being increased, he was enabled to occupy both the rooms of the first floor. Three more children were born; and the necessity for a larger supply of food obliged them to encroach on their rent. The first floor was exchanged for the second;—the family was increased by two other members, and all removed to the garrets. For some years the weekly walk in the fields had been discontinued by the woman; and the garments of the husband having become unsightly, he also had ceased to seek the free air: the whole of his time was taken up with providing the food necessary for his children,

and his wife was wholly occupied in looking after them, and contriving to keep together the rags which covered them. Two more children were born; and all were confined to a single back garret, where, the wages of the husband being insufficient to appease their hunger, the wife endeavoured to eke them out by washing for their neighbours, some of whom were not quite so poor as themselves. It was a scene of misery, from which the elder children were glad to escape, and play upon the staircase, or in the court before the house, becoming early inured to disputes and quarrels among themselves and with other children, every room in the house being occupied by a separate family. In the midst of this, the man's wages happened to be reduced; and after long bearing up against misery, he at last yielded to the habit of intoxication—partly to appease the cravings of unsatisfied hunger, and partly to get rid of thought. His wife still struggled, and worked harder, but only to procure food, for all other considerations were now disregarded. In this condition her ninth child was born; and charity alone—the charity of misery to still greater misery—saved them from starving. But the woman was changed: she had become reckless through suffering, and the sight of her youngest child only served to remind her that an additional weight of misery had fallen on her. *She* also took to intoxication as a refuge from pain: the coin which was inadequate to supply food was yet sufficient to produce a temporary oblivion of the want of it. The frequent hunger and pain which the child experienced were alleviated in the same manner;—none smiled on its young eyes when they opened, and almost the only sensation of pleasure it could experience was in gazing vacantly on the rays of sunlight which at some few intervals penetrated the apartment. Mother and father were now frequently away from home for hours, and sometimes days together; and remarkable in a sickly infant was the tenacity of life, which would not suffer it to perish. How the other children lived, was a mystery to all but those in a similar condition: they had no daily meals, nor even sat down to food. Like dogs or wolves, they had a great capacity for endurance: having no labour to perform, they could exist for days on the smallest possible quantity of food, and they were ever on the alert to beg, snatch, or steal. One feeling alone was uppermost in their minds, which gave room to no other—the pain of unsatisfied hunger. Their dreams, during the scanty time of sleep, were of eating; and when they awakened, it was to seek the means of eating. The elder children took by force from the younger any scraps of food they found with them; and the

younger resorted to cunning to devour them in private. If chance threw in their way a larger booty than ordinary, it was devoured in haste, and in quantity, which left them in the condition of the torpid boa—a prey to the pangs and helplessness of over-repletion.

'Gloomy was the daily scene on which the young child gazed when his faculties began to awaken. During the summer he would crawl towards the miserable casement, and look upwards through the interstices of surrounding stacks of chimneys, to gaze upon the light; but when winter came, he shrunk shivering, huddled up in his rags, towards the fireplace, which rarely contained a fire, and when by chance it did, volumes of smoke filled the apartment, and clouded over the wretched fragments called furniture, which only remained unsold by the parents because they were worth no one's purchase. Ere the child was old enough to descend the stairs, to follow the pursuits of his brothers and sisters, the whole family were ejected from their miserable abode, to one still more wretched—they were driven to the cellar. It was in the autumn, and the damp of the place soon made a fearful change. Ere they had been a week in it, the whole of them were laid prostrate by typhus fever. The father, the two eldest boys, and the youngest, alone survived to endure farther suffering. They might even then have become worthy members of society, had the father retained strength of purpose or moral feeling, for the disposition of the eldest boy was naturally kind and benevolent, ere it had been hardened by want and misery. But it was now too late; and the intellect of the boy only served to make him a skilful thief. The whole family were maintained by the provisions which he, and his brother under his directions, contrived to pilfer. Occasionally they were committed to prison, to pursue the same course when again enlarged. The magistrates lectured them, and warned them to change their course, knowing at the same time that if they ceased to steal they must starve, or go on the parish, for they knew no other means of earning a living: they lived in the belief that thieving was their proper trade, and those who punished them for it, tyrants, whose only right was might. The heart of the eldest boy, which yearned for affection, expanded towards the young child, who was accustomed to look for his return home as his only source of pleasure; and when the father died of disease and debauchery, he took him for his protégé, and removed to a more healthy abode. The other brother disappeared, no one knew whither; and when the youngest attained the age of seven years, his only friend, his only protector, the only being who loved him, was

taken from him by a sentence of transportation. Left alone in the world, he became a thief at that early age; and ere he attained eight years, he became acquainted with the interior of a prison. Harshly treated by all, he grew fierce and reckless; and as his intellect expanded, he became a fearful spoiler of his kind. He loved no one, and trusted no one;—sensual excitement was his only pleasure, his only wish, and he revelled in every kind of debauchery. His natural energy was divided between the pursuit of robbery and the dissipation of the gains acquired by it. His intelligence succeeded in putting off to a distant period the retribution with which he knew society would sooner or later visit him; and he had attained twenty-three years of age ere he was convicted of felony, and transported to a penal colony. His career was then short. On the voyage he planned a mutiny, which failed of success by the treachery of an intended accomplice; and on landing, the punishment inflicted on him was of a kind which would have destroyed every spark of humanity in him had any remained. He escaped, and became a leader of bush-rangers; his hands were made familiar with human blood; and after going through scenes of the most disgusting horrors, he was shot, like a wild beast in his lair, by those who feared to approach him from terror of his untameable ferocity. Yet this being was once a gentle infant, smiling in innocence.'

Those reasoners who are accustomed to think that the shortest cut to reconcile difficulties is the best, sometimes allege, that as some classes of the community have too much, while others have too little, the easy process is to make the poorer class happy with the superfluity of the richer one, by giving share and share alike to all. Now this would be specious enough, if the amount of superfluity were equal to the amount of want—if the numbers of the very rich were equal to the numbers of the very poor. But it is not so; the rich *seem* many, because their position causes them to stand prominently out from the crowd, while the large numbers of the poor are comparatively little noticed in their obscurity. To take away from the rich anything which is absolutely superfluous, would, it is true, inflict no positive evil on them; but neither would it confer any positive good on the poor—rather an evil, of the same nature as that of bestowing casual charity on habitual beggars, and thus preventing them from superseding the necessity of charity by the exertion of industrious energy. To mingle the property of the rich and poor in one common stock, and reduce all to equal rations, would certainly reduce the rich to great misery, and ultimately destroy their lives prematurely,

by exposure to hardships to which they had not been trained; but it would have no more effect in alleviating the distresses of the poor, than would the solitary rations of the captain of a war-ship in augmenting the stock of his crew;—and if it would, all rational persons in all ages have seen that the alleviation would only be temporary.

Supposing that, in a newly-discovered island, the division of the whole land were to take place among the whole community, each family according to its numbers; such a division could not be lasting in its effects—no, not even if the thinness of the population afforded at first to every individual a considerable lot. One would cultivate well; another would breed cattle well; but it would inevitably happen that numbers would neither do one nor the other. These would not be able to procure food from their land: as a consequence, they would sell their allotments, or hire them out to those who knew how to turn them to account—and receive food in return. Thus, piece by piece, the whole land would eventually centre in the rich and intelligent minority, and the poor majority would serve them as herdsmen and cultivators, soldiers, retainers, and labourers. In a low state of civilization, the worst evils attributed to inequality of property would inevitably follow. Civil commotion would make men scarce, and leave land plentiful; the owners of the land would endeavour to force labourers into their service, and poor men would be kidnapped and made slaves. The necessity of protection would make every poor man dependent; and each would attach himself to a superior, whose interest it would become to protect him. Every unattached man would then be immediately marked and persecuted till he chose his chief—and thus would arise a feudal system. While men were scarce, the profits accruing from their labour would be considerably greater than the expense occasioned by the obligation of maintaining them; but growing peaceable habits would soon tend to the increase of population; and as population would probably increase faster than the means of support, men would gradually cease to become a valuable commodity as working slaves, and would in lieu thereof be considered useless and troublesome dependants. Their feudal superiors would then throw them off as quickly as possible, and the feudal system would be ended. New arts and new discoveries would from time to time absorb portions of the disengaged labour; but in an uncivilized—*i. e.*, an uneducated community—there would always be a large surplus of unemployed labourers; and the labourers must be fed, if not killed off. They would have a claim on the land on which they were

born, which claim nothing but death could abrogate. Though they possessed no share in the land by legal title, they would possess a moral title to a share of the food produced on it, which no legal enactment could defeat. Improved methods of producing food would soon increase its quantity, and one man would produce as much as several could eat. Fresh labour would thus constantly be liberated, which, as invention advanced, would be directed to the creation of new species of wealth. But the progress of improvements in production could not always continue to keep pace with the probable increase of population; and many poor people would therefore exist in a condition of misery, produced by constant dread of starvation, or in an unimproving condition, caused by apathy arising from hopelessness. This is precisely the condition of many amongst the poorer classes in England and Ireland at the present day.

The remedy for this is not in reducing the rich, but in raising the poor. If equality of fortunes—which, under existing circumstances, would be only another word for equality of poverty—could be introduced, and what is far more difficult, maintained, the poor would in no respect be better off. And one evil, of no small magnitude, would assuredly be effected: there would be taken from before the eyes of the poor the example of better things than they themselves possessed—the general standard of physical comfort, which all should strive to elevate, would be lowered.

The poor man may not benefit physically by the abundance of the rich one, but if his mind be rightly constituted, he must benefit morally. Beholding a higher standard of comfort than he himself enjoys, his reason will set to work—not enviously, to reduce the rich man to his own level—but hopefully, to devise means of raising himself to the level of the rich man. He will see that from riches springs leisure, and that leisure enables the benevolent man more efficiently to work for the benefit of others. He will then ask himself the question—'How came that man to be rich?' Other questions will succeed, and at last will come the important one—'Are wealth and poverty conditions of human nature within human control, or are they the result of accident, or of invincible necessity?—and if they be within human control, is not the desirable condition, wealth, attainable by all? or at least, is not the objectionable condition, poverty, avoidable by all?'

Food, and all other things constituting physical wealth, are the results of human labour. Improved methods of applying human labour may increase the amount of wealth; and if that wealth be produced much faster than it is consumed, it will

form an accumulated stock, constituting what in common language is termed *riches*. By this means numerous individuals in a community do become rich. By due precaution and industry, may not all become so? If by the term *rich* be understood the possession by a few of a greater amount of physical wealth than the many, all cannot be rich; but what we mean by the term rich, is that condition in which all the physical wants are abundantly supplied.

It is evident that the essential condition to the accumulation of wealth is, that it shall be produced in greater abundance than it be consumed; in other words, that labour shall be profitable, and earn more than its own maintenance. This can mostly be done by skilled labourers, but rarely by unskilled ones. The rich men of Greece and Rome acquired their riches by the labour of slaves, who were scantily fed and hard worked; in other words, their superfluities were gained by subtracting from the necessities of their poorer fellows. The many toiled, and their lives were shortened, that the few might riot in luxury.

But, fortunately for mankind, a labourer has now been discovered, who requires no food fit for human nutriment, and who will work day and night untiring, without rest—we allude to steam. Steam either actually does, or could perform, the whole drudgery of the whole community,—it could furnish a greater amount of mere power than the whole race of human beings combined. But it does more than this: it has long been a skilled labourer; art has taught it to spin and to weave, and to perform most mechanical processes. With the superintendence of one man, it can provide garments for a hundred. It creates wealth with the assistance of mere human *exercise*, and without human *labour*. It fulfils the condition of accumulating wealth (of many varieties) in greater abundance than it can be consumed.

'But,' say the working mechanics, 'steam is our enemy; it is the servant of the rich man, and does nothing to serve us, but, on the contrary, throws us out of work by giving its labour at a cheaper rate.' This we believe is the common argument of the uninstructed, but it is a very fallacious one. It is owing to steam alone that they are enabled to enjoy what comforts they have in the shape of dwellings and garments. Where would be their fuel but for steam? where would be the fabrics which clothe them? where would be the very tools they use in their various trades? where the materials on which they exercise their arts? What would become of the countless iron trades, were steam excluded from the preparation of the material? With respect to the supposed supersession of human labour,

it is, in the first place, to be remarked, that the transition from manual to steam labour is always gradual, and meanwhile new inventions are continually raising a demand for fresh labour; and lastly, the claim of unemployed mechanics to maintenance is as strong against the owners of steam engines, as that of unemployed agricultural labourers against the owners of land. 'But,' the labouring people, the mere unskilled toilers, will say, 'if steam continues to make progress, the time will come when manual labour will cease altogether to be required.' We can only reply to this that we devoutly hope, we may almost say believe, that that time will come. We love our race too well to be content while we behold the immense majority condemned to a life of drudgery. Most gladly would we hail the extinction of all labour which is felt as uninteresting toil. We would have the unskilled labourers cease to exist as labourers, but not as men; we would give them leisure to cultivate their minds, by freeing their bodies from their shackles.

We are not about to enter at present into the consideration, by what means that deplorable poverty, which we depicted in the commencement of this article, may be rooted out from the whole world. We shall have other opportunities for discussing the causes of high and of low wages. Our present observations are destined, not for the absolutely poor, but for those who are not so rich as they might be; for that portion of the working people (happily very numerous) who want only a more skilful employment of their earnings to render machinery a valuable servant to be employed by them, instead of an obnoxious rival to be destroyed by them; who have the means, if they knew how, for availing themselves of its powers to increase in an indefinite degree their physical and mental enjoyments, and to relieve themselves *even now* from much of the drudgery of their existence.

'But how can poor men become proprietors of machinery without capital?' some mechanics will ask. The answer is plain —by saving, as others have done. 'Our earnings are barely sufficient for us to live upon,' the poor men will reply. Let us analyze this.

The wages of a working carpenter, bricklayer, and many similar trades, average five shillings per day, or thirty shillings per week. There are working men, of athletic appearance, who earn less than two-thirds of that sum, and maintain families healthily upon it. Now it is a known fact that working men pay dearer than any other class for the provisions and necessaries they consume. The reason is, that they purchase every thing by retail in very small portions. They buy their meat

by the single pound, their potatoes by the amount of the single meal's consumption, their cheese and butter by the quarter of a pound, their tea and sugar by the ounce, and their beer by the pint. This process makes the work of distribution, which is performed by the shopkeeper, a very troublesome one. To sell an ounce of tea is to him as much labour as to sell a pound would be, and he must have a much greater per centage on the transaction. And not only does the mechanic buy in small quantities, but he very commonly has the bad habit of taking a week's credit. For these two reasons, the shopkeeper commonly lays a profit of thirty-three per cent. on all he sells to him. The shopkeeper has him, in the technical phrase, 'under his thumb.' He cannot deal with another, who might be disposed to sell cheaper, for he cannot get together the amount of money necessary to pay his debts; his weekly wages are mortgaged to one who makes him pay a heavy interest at his own pleasure. It is not too much to affirm that twenty-five per cent. is weekly abstracted from the working man's wages, without any benefit accruing to him. In this is a double evil; the working man loses a large portion of his hardly earned wages, and the distributor gains it, if not by a process of chicanery, at least by services which, in a well arranged state of society, would scarcely be necessary. The business which, under a good arrangement, might be well performed by one man, is badly done by twenty. A green-grocer or chandler with a capital of a few score pounds, will make an income of a hundred per annum, in a shop of a few feet square. What is there to hinder the customers whom he profits by from arranging such matters for themselves, and putting by their savings?

The chandler's profits arise from buying wholesale and selling retail. Time has something to do with the consideration of a dealer's transactions. A merchant can sell a chest of tea in the same time the retailer can sell an ounce, and supposing them both ready-money transactions, the former will be content with a profit of two per cent., when the latter requires ten, twenty, or thirty. Now what is there to prevent a body of mechanics from joining together to buy the chest of tea from the merchant, as many wealthy private individuals do. The answer is two-fold; they lack mutual confidence, and they lack convenient and well-arranged dwellings. With every thing they consume it is the same; even the fuel they use is brought to them on men's backs, in amounts of half a day's consumption. Every thing the working people consume, instead of coming to them direct from the producer, who would be content with a moderate profit, passes through so many hands, each of which adds some-

thing to the cost, that it reaches the poor consumer at a double price. Persons who live at hotels and inns live at a far greater expense than those who live in private houses, because they buy all things in small portions as they consume them; the uncertainty of trade also contributes to high prices: the hotel-keeper keeps his house open twelve months, six of which are probably barren of guests; he is therefore necessitated to exact double profit. To get rid of these disadvantages, large numbers of people, of various classes, have joined together to institute what are called club-houses, where, their provisions being purchased in quantities by their own agents, they can consume them at little unnecessary expense. The defect of the club-houses is, that they are not dwellings, but merely places for eating and for reading. The principle upon which the members eat their provisions cheaply, might be applied to all the wants of life. It might form a bond of union, not merely amongst a number of unmarried men, but amongst a number of families.

Generally speaking, no class of people are so ill-lodged as the working-people. Their dwellings are rarely built purposely for them: they are commonly houses which have served other purposes, and having fallen into disuse, are converted into inconvenient lodging-houses, in which each family occupies an apartment at a high rate of payment. Even in houses built on purpose for them, their conveniences are little attended to. They have been accustomed to nothing better, and they submit. And wealthy are they sure to be who supply the wants of the poor on a large scale. Where the builder makes five or seven per cent. by the dwellings of the rich, he makes twenty-five by the dwellings of the poor. Where one fortune is accumulated by selling wine to the rich, fifty are gathered together by selling gin to the poor, and all their other wants afford the same proportion of profit.

That the working-people generally have a perception that the misery they endure is not a necessity, but merely a circumstance within human control, is proved by the fact of their strong exertions to maintain Trades' Unions, for the purpose of permanently raising the standard of wages. It is clear that trades' unions must fail to do this in the mode they propose, because the rate of wages depends on the supply of labour which is brought into the market, and not upon the arbitrary regulations of either masters or men. Competition is a principle existing throughout organized nature, whenever production is too rapid. The forest trees compete with each other when too thick, and numbers of them perish, naturally, if they are

not artificially removed by man. The field which is too thickly sown with wheat will produce little save straw, unless it be artificially thinned. And thus when workmen are too numerous the rate of wages diminishes, and they have no remedy unless they use their reason to reduce the supply, at least, to the level of the demand. For their own sake they should reduce it rather lower, in order to maintain an assured equality with their employers, because the capital of the employers is a fund which will sustain them for a time without business, whereas the workmen, having no capital, cannot forego their work. But whenever the amount of labour is rather below the demand, the competition of the employers will work beneficially for the workmen.

The principle set forth by the trades' unions, that no man should work at more than one trade, and only at that in case of having served an apprenticeship to it, is most monstrous, and only excusable by the reflection that it arises from ignorance—ignorance of which we have ample patterns in the absurd laws which have crowded our statute books. The statutes have usually been framed with a regard to the interests of the rich, at the expense of the poor; and now the trades' unions are endeavouring, by similar means, to uphold the unskilful workmen at the expense of the skilful. If such absurd purposes could be accomplished, they would reduce the working people of England to a condition resembling that of the East Indian *castes*, and effectually place a bar upon all improvement. It is a curious thing that while the spirit of the age is totally averse to monopoly in all its customary channels, such strenuous efforts should be made to create monopolies in every branch of mechanical art; and to give a compulsory sanction to what is called the 'division of labour,' which, to the extent to which it is now carried, tends more than any other thing to prevent the expansion of intellect in what regards the common arts of life.*

* It is quite true that a man's pursuits may be so diffusive as to produce a result in none, but as practical science is divided into branches, it is quite clear that an individual who knows the general principles of each, will bring a more grasping intellect to bear on his own particular branch, than he will who only studies a particular portion of a particular branch. The mechanical arts are all conversant with one single subject,—the artificial forms of matter. Whether that matter be animal, vegetable, or mineral, is immaterial to the argument. It is the business of the working mechanic to convert it into various geometric forms, with such tools as are fitted to operate upon it. Some operations may be particularly delicate, as the finer varieties of ivory work, the mechanism of watches, or jewellers' work; and delicately skilful hands may be required for them. This then would form one class of work. The operations of the builder, the carpenter, the joiner, the cabinet-maker, the coach builder, the wheelwright, the millwright, and various others, would form another class. The engineer, the smith, the machinist, the founder, and metal-workers generally, would form another class. In preparing youths for the mechanical arts,

That the workmen who compose the trades' unions have not discovered this, and have acted on principles diametrically opposite, is no proof that trades' unions are mischievous institutions. It merely proves that the workmen composing the trades' unions are in a state of ignorance; and this ignorance is more likely to be removed by the existence of unions, than by any other circumstance. Workmen who join unions are incited to discussion, which produces habits of thinking, and thus truth is gradually elicited, and errors disappear.

But trades' unions are far from being the most advantageous kinds of unions which can be established; several evils attend them. The meetings are held principally at public houses, and thus a tendency to drinking is encouraged. They are also meetings of separate trades, except on extraordinary occasions, and the interchange of discourse is thereby limited in its useful effects. And lastly, the men are taken from their families during those hours of leisure which should be employed in cultivating the domestic affections, and giving moral instruction to children. This disadvantage is probably increased by the time expended in walking to and from the place of meeting. We have understood that, in consequence, the wives of the trades' unionists frequently look upon the unions with an unfavourable eye. But, as unions are in themselves desirable, the question is, how to attain their advantages without their customary evils. We think that it will be no hard task to show how the working people may enjoy the benefits of unions without these evils, and with many other advantages which the present unions give no hope of.

In effecting a revolution for the better in the general condition of the working classes, it is evident that, before all things, it is necessary that they should enjoy physical ease; in other words, that they should be free from painful bodily sensations.

the rule should be to set them at work first on the softer materials, such as wood, that the hand might become accustomed to accuracy as well as the eye, by meeting little comparative resistance; and this accuracy once acquired, would be continued when the more stubborn materials, such as metals, became the subjects of operation. The free circulation of labour would enable all to choose the work for which they might possess the greatest liking, and consequently in which they would achieve the greatest excellence. To the separate classes above mentioned, the greater portion of the workmen would confine themselves; but others would be found of superior skill, who would go through the whole variety of mechanical arts, and the general body would thus acquire an amount of skill, energy, and intelligence, which at present we do not dream of. Change of employment relieves monotony of the body, as much as change of books relieves the monotony of the mind. It stimulates invention, and gives a great variety of circumstances, many of which must operate beneficially, and the mind of the workman becomes enlarged, and habituated to find resources in difficulties.

To accomplish this, they require an abundant supply of food, clothing, warmth, and shelter. We have before shown, that there exist a considerable number of working men earning wages sufficient for their comfortable maintenance, but who nevertheless do not reap the full benefit of their earnings, as these are dissipated in the payment of heavy rents for wretched lodgings, and exorbitant profits on retail purchases from day to day; and beyond this, there is a still larger waste of fuel and time, from which last loss no one can possibly reap benefit—either consumer or distributor. Now what we propose is, to enable these producers to reap the whole benefit of their own earnings, instead of contributing a large portion of them to maintain a host of retail shopkeepers, and to pay the high rents of builders, ignorant of the superior economy of a more social life. It may perhaps be objected, that if the retail shopkeepers lose their trade, they will lose their livelihood—that the advantage of the producers will be their loss. This is true; but it is our business to concern ourselves with that portion of society which possesses the means of improvement. It is better that the producers should be permanently bettered in their condition than that an artificial class should be kept up in perpetuity, on the earnings of others. The distributors who might no longer be needed, in consequence of new social arrangements, would emigrate, or be absorbed in other employments.

In order to reduce our proposition to a definite shape, we will suppose two hundred working men of the skilled class, earning on the average 2*l.* weekly. Supposing each man and his family to occupy two rooms, and bare decency will not admit of less, for the various purposes of dwelling, cooking, eating, sleeping, and depositing fuel and provisions—his rent for these rooms will amount to, at least, 7*s.* per week, or about 18*l.* per annum. Setting aside all consideration of locality, the prime cost of two such rooms at the present rate of building materials cannot exceed 50*l.*; and, were they built in quantities, and with every possible regard to economy, as manufactories are erected, 40*l.* would probably be sufficient; the profits therefore are enormous, supposing the rents regularly paid. But this is not the case: the landlords exact a large rent from those who do pay, in order to make up for those who do not pay. If a landlord were certain of his payment, he would be glad to lower his rents; a rent of seven and a half per cent. upon the capital laid out in building would remunerate him, and ten per cent. would be an inducement which would produce amongst capitalists an active competition.

The cheapest class of buildings which can be erected, where

accommodation is needed for numerous occupants, is that in the barrack form—say a quadrangle, with an open space in the interior. We propose, therefore, to erect a quadrangle, with fifty dwellings on each side; each dwelling consisting of a sitting apartment on the ground-floor, and two bed-rooms above it. As our proposed plan precludes the necessity for chimneys, fire-places, or kitchens, within the dwellings, the cost of the erection would not exceed 60*l.* for each dwelling, or 12,000*l.* for the whole. At a rental of ten per cent. on the capital, the rent for each dwelling would be 6*l.* per annum, and say 2*l.* for ground-rent. The tenants might have them, taxes included, for 10*l.* In the centre of the quadrangle we propose to erect a building consisting of a basement, a ground-floor, and a story: the basement to contain a steam-engine, an apparatus for pumping cold and hot water into pipes circulating through the whole of the dwellings, and a gasometer. The open space between the dwellings and the central buildings might contain cellars for coals and durable provisions. The basement story is to be a kitchen, fitted with apparatus for cooking plain provisions of all kinds adapted to the supply of the two hundred families. The room above that would be adapted for a dining-room for such of the community as might choose to dine together; the remainder would carry their provisions to their own apartments. The dwellings would be warmed in winter by the hot-water pipes, which, under a certain pressure, would supply heat enough to boil milk or coffee, or for other similar purposes, by a proper arrangement; and cocks might be placed in the pipes at proper intervals to supply warm water for washing. The gas could be placed in lanterns in the walls of the dwellings—thus lighting the inside and outside at once, and preventing any offensive odour from entering the apartments. In addition to the other conveniences, there should be provided a sufficient number of warm and cold baths, and also a laundry and wash-house.

Taking the expense of the central building, machinery, and piping into consideration, we may estimate the whole at about 8,000*l.* At a rental of ten per cent. this would amount to 800*l.* per annum, or 4*l.* more for each family—making their rents 14*l.* per annum each, or 4*l.* less than we have estimated their present expense. But in return for this they have three rooms instead of two; and, the essential requisite of heat being supplied from a joint stock, one-third of the fuel will suffice to keep them in a state of comfortable warmth. They may also buy their provisions in large quantities, and save probably one-third of their present cost. There are two ways of doing this: they

may either appoint some of their own number as their agents, or they may put a contract up to auction stipulating for quality, as is the case with the army and navy; but, probably, the owner of the building would find it worth his while to save them the trouble. The total income of the two hundred men we estimate at 20,000*l.* per annum. Reckoning the rent of each at 14*l.*, and clothing and pocket-money at 26*l.*, there is a balance of 60*l.* to be expended on food and other necessaries. Supposing, therefore, that the proprietor kept the kitchen, shop, and baths, in his own hands, and secured the custom of two hundred families—by selling better commodities and at a cheaper rate than the retail shopkeepers, which his facilities would enable him to do—he would make a return of 12,000*l.* per annum, ten per cent. profit on which would be 12,00*l.* a year; and, as all would be ready-money transactions, a very small capital would be required. Thus the judicious employment of 25,000*l.* capital would realize an annual income of 4,000*l.*, and, we apprehend, with a less degree of risk than almost any business that could be named. The advantages, the mere physical advantages, to be reaped by the workmen from dwelling in such an establishment are so obvious, that no fear could be entertained of the dwellings lying idle. So far from such being the case, they would be found willing to pay their rents weekly, and in advance, in order to secure a preference. So large a profit, of course, could not be maintained for a very long period. The first speculators would have the advantage; but when the speculation was found profitable, fresh capital would be embarked in it, until the rate of profit reached the level of all similar undertakings of equal risk. Two hundred working men, who had saved 125*l.* each, might invest their capital in such a speculation, and divide the 4,000*l.* per annum amongst them—thus putting the profits and interest into their own pockets.

The liberation of the wives and daughters of these working men from drudgery in cooking, scrubbing, cleaning, water-carrying, and numerous other things, would give them a large amount of leisure for the cultivation of their own intelligence and taste, and the training of the children. The men also, after the labour of the day was over, would come to cleanly homes and cheerful conversation: the gin-shop and the public house would be alike abandoned. The means of cleanliness would be easy and abundant as regarded their persons, and their health would be improved. So much as regards physical comfort; but in respect to facilities for the cultivation of the mind, the advantages would be very great indeed. The large

room in the centre, serving as a dining-room at mid-day, might serve at other times for other purposes: it might be provided with a library of books, periodicals, and newspapers; it might serve as a school-room morning and afternoon, and in the evening as a reading-room, lecture-room, and mechanics' institute. If necessary, another story might be raised above it, in order to provide for an infant-school, hospital, or nursery. A popular lecturer could scarcely desire a better audience than he would find in such an institution, both of men and women; for, as there would be no necessity for going away from home, women as well as men might attend without loss of time. The moral and intellectual benefits which would be wrought in the characters of such a body of men, women, and children. are almost incalculable. Vice would be ashamed to show its face, just as poor people dislike to appear on Sunday in their soiled working garments, amongst their decently-clad fellows. And as such institutions increased in number, there would arise amongst them a generous emulation in improvement: they would be like fields separated by hedges, in which the relative excellence of the crops could be ascertained, and experiments usefully tried. They would form a general bond of union amongst the working classes, based on their true interests, and would teach them how to co-operate usefully for commercial and productive as well as social purposes.

Earnestly do we wish that capitalists may see this plan in the same light as we do, and in making their own interest go hand in hand with the working-men's welfare, teach them to REGARD CAPITAL AND MACHINERY AS THE MOST EFFICIENT PROMOTERS OF THE INDEPENDENCE OF THE WORKING CLASSES.

J. R.

Art. X.

WILLIS'S SKETCHES.

Pencillings by the Way. By N. P. Willis: 2d Edition, 3 vols. 12mo. Macrone.

Inklings of Adventure. By N. P. Willis: 3 vols. Saunders and Otley.

THE former of these works had received so superabundant a share of notice from the reviewing craft both *before* and after its appearance, that we deemed our readers would not thank us for a less cursory notice of it than was contained in our general review of the publications of the past year. The more recent appearance, however, of another work by the same author,—

which has not the personalities, whether laudatory or vituperative, of its predecessor, and has its attractions in a superior degree,—affords an opportunity which we should be unwilling to lose for blending with our specimens of the latter work, some interesting passages from that portion of the earlier, which our most thinking public, in its eagerness to get to the personalities, seems to have very generally neglected. Among the hasty sketches, of the nature of which the title which Mr. Willis has selected is happily expressive, those which relate to our own country are far from being those which would have attracted the greatest share of notice for their literary merit or their intrinsic interest, apart from the eagerness to know the indiscreet truths, or ill-natured criticisms, which may have been uttered by Mr. A. concerning his friend Mr. B. With due deference to the superior piquancy of the latter kind of information, we will select our extracts with a view to excite an interest of a somewhat different kind. We shall take an opportunity as we proceed of correcting some statements of the author, where haste, and the desire of *saying something*, has betrayed him into inaccuracy.

The interior of the 'Hôtel Dieu,' during the raging of the cholera in Paris, and the agonizing torments of the sufferers, are faithfully drawn. The horrors of the scene must have materially contributed to enhance the enjoyment of the salubrious and balmy air of Italy.

After having been detained for a fortnight in the lazaretto at Villa Franca, we are conducted by a rapid flight to Florence.

'Florence is a resort for strangers from every part of the world. The gay society is a mixture of all nations, of whom one-third may be Florentine, one-third English, and the remaining part equally divided between Russians, Germans, French, Poles, and Americans. The English entertain a great deal, and give most of the balls and dinner-parties. The Florentines seldom trouble themselves to give parties, but are always at home for visits in the *prima sera* (from seven till nine), and in their box at the opera. They go, without scruple, to all the strangers' balls, considering courtesy repaid, perhaps, by the weekly reception of the Grand Duke and a weekly ball at the club-house of young Italian nobles.'

'Among the foreigners of rank, are three or four German princes, who play high and waltz well, and are remarkable for nothing else; half a dozen star-wearing dukes, counts, and marquises, of all nations and in any quantity; and a few English noblemen and noble ladies—only the latter nation showing their blood at all in their features and bearing.'

Now if the word 'only' is meant to exclude not only all foreigners except the English, but the native Italians themselves, we protest against it. If there is a characteristic more peculiar than another

to the high-born dames of Italy, it is that noble and commanding air, which, in conjunction with their singular beauty, renders them supereminently attractive.

> ————The high Dama's brow, more melancholy,
> But clear, and with a wild and liquid glance;
> Heart on her lips, and soul within her eyes,
> Soft as her clime, and sunny as her skies.' *

Mr. Willis must either be insensible to the spell of beauty, or else his taste in these matters is liable to be called in question, since we can hardly conceive it possible for a stranger to gaze around on the radiant countenances that are nightly congregated in the *Teatro della Pegola,* and maintain that a noble expression is wanting in the majority of them. From whence did the painters of the middle centuries obtain their models?—Did they journey far north to borrow those exquisite features that adorn the various collections of Italy—that spotless brow, the flashing eye, and flowing bust. Do the Madonnas of Raphael convey an idea of vulgarity, or is the picture of Guido's 'Beatrice Cenci' wanting in an expression of nobility, which agony, mental and corporal, has not been enabled to subdue? We are half inclined to suspect that Mr. Willis must have met with some social disaster—that he was in fact less acquainted with the characteristics of Italian ladies than with what he terms the *animal dignity so universal in the lower classes of that country.*

'One gains little by his opportunities of meeting Italian ladies in society. The *cavaliere servente* flourishes still, as in the days of Beppo, and it is to him only that the lady condescends to *talk.* The married couple are never seen together by any accident, and the lady and her cavalier never apart. The latter is always invited with her, as a matter of course, and the husband, if there is room, or if he is not forgotten. She is insulted if asked without a cavalier, but is quite indifferent whether her husband goes with her or not. These are points *really settled* in the policy of society, and the rights of the cavalier are specified in the marriage contracts. I had thought, until I came to Italy, that such things were either a romance, or customs of an age gone by.'

In regard to the specification of the rights of the 'Cavaliere Servente" in the marriage contracts, had our author not been quite so credulous, had he evinced only a common degree of caution to ascertain how far the romance was borne out by fact, he would quickly have discovered his mistake. Goodnatured and liberal as are Italian husbands in general, they are still far from entertaining so complaisant a feeling as this statement would imply as to the fate which the course of social events may, we acknowledge, not improbably, decree them to undergo. In demonstration of this

* Beppo.

we will recite an anecdote that occurred a short time since at Florence.

Sometime in the summer of 18—, at about ten in the morning of a genial day, known only in that southern climate, a lady, muffled in the ample folds of a silken cloak, was observed to loiter about a secluded walk near the walls of the city. The circumstance was of too ordinary a nature to cause particular attention. Presently, a second lady, similarly attired, and adopting equal caution in the concealment of her features, carefully reconnoitred the spot, and perceiving the 'trysting-place' occupied by another, hastily retreated to the adjoining vineyard. A third came—and finally a fourth, each more amazed than the other at the singularity of the meeting, especially as they were all similarly adorned with a small orange flower adjusted on the left shoulder. The emblematic device was in the highest degree complimentary—but how far it was strictly descriptive of individual merit, it is impossible to determine. The game of '*cocco quà cocco là*' (or blind man's buff) was continued for some time to the infinite annoyance of the respective parties, until the boisterous mirth of some cavaliers approaching in the direction of the walk compelled a precipitate retreat to the shelter of the vineyard. As the jovial group advanced, each lady imagined she recognised amongst them a voice peculiarly dear—whose accents had occasionally softened into dulcet warblings of '*dolce mio tesoro,*' or '*vieni fra queste braccie.*' The cavaliers, four in number, advanced to the centre of the walk, and, halting abruptly, commenced singing the popular Florentine canzonet:

> 'Ma le figlie d'oggidì
> Son piu la' che loro ma';
> Ese lo sentono venir'
> Oibò non treman' già.'*

The Rubicon had been passed, and vain was any further attempt at concealment. The ladies, after a preliminary lecture on the shocking iniquity of a betrayal of their uncanonical affection, to adopt the expressive language of Boccaccio '*insieme si fecero la pace,*' and were conducted by their cavaliers to a small casino in the vicinity, where an elegant collation was prepared, and discussed in due form, with sundry other palatable adjuncts. So far everything went smoothly; but, either through the indiscretion of some one of the party, or the babbling tongue of an eaves-dropper, the tale became known, and gradually circulated, until it reached the ears of the sexagenarian husbands. It so

* 'But the daughters of the present generation are even more rife of charms than were their mothers; neither do they tremble at the sound of the footsteps of their lover.'

happened (and we are sorry to impeach the correctness of Mr. Willis's description of Italian manners) that the mention of the supernumerary slave had been altogether omitted in the marriage articles of these fair dames, nor had his maintenance been duly provided for. The displeasure of the elderly gentlemen, who had hitherto supposed that the coruscations of their bright moieties had shone for their sole benefit, knew no bounds. Their lamentations, loud and long, having reached the ears of the Grand Duke, an investigation took place; the victims of marital severity were banished from court for the term of six months, and their cavaliers exiled to the gloomy precincts of Piombino.

It is to be regretted that Mr. Willis, from a residence of only three months, should have undertaken to pronounce sentence, not on the general forms and usages of Florentine society, but on the more secret intricacies of domestic arrangements. He says, '*the society is dissolute almost without an exception.*' Is it so much more so than in the high circles of fashion in all countries? What says a great authority on this subject—one who, from personal experience, was well qualified to hazard an opinion—'*Cavaliere Servente means what there is no precise name for as yet in England, though the practice is as common as in any tramontane country whatever.*'* In praise of the manifold attractions of the capital of Tuscany we most cordially concur;—nevertheless the void occasioned by the cessation of the splendid fêtes of the Palazzo Borghese, and of the unbounded hospitality of our late minister Lord Burghersh, has not as yet been replenished.

Passing through the little town of 'Buon Convento,' the church was in vain sought for where Henry VII. of Germany was poisoned by a drug given to him in the Communion cup. Within a mile of this place, close to the road-side, our traveller might have visited a spot celebrated as having been the scene of one of the most daring acts of depravity committed during the middle ages. The republic of Siena was divided into two factions—the one headed by the family of Tolomei, the other by the no less powerful Salimbeni. Their mutual animosity increased to such an extent, and the partisans on both sides were so numerous, that the commerce of the town, as well as the local government, was temporarily suspended. Finding, at last, that power was evenly balanced between them, and that they could not avoid sharing in the disasters attendant on the prolongation of the family dispute, the Salimbeni offered to make a mutual compromise, which was cordially accepted by the Tolomei. The number of males of the two respective families was twelve each, and the more firmly to ratify the alliance, the Salimbeni invited their late antagonists to

* Byron.

a splendid feast at their country palace, still bearing the name in allusion to the event of 'Poggio alla Merenda,' or 'the Villa of the Luncheon.' No expense was spared to render the reception of the Tolomei worthy of the rank they held in their native city. A vast number of the citizens accompanied them, hailing with joy the public demonstration of an alliance which would bring back prosperity to their impoverished state. On the right hand of each Salimbeni rode one of their late opponents; and on their arrival at the palace, the former held the stirrups, whilst the Tolomei alighted from their horses. They were conducted to the hall of ceremony, and the sumptuous feast commenced. The two families were seated alternately at table, and it might have been remarked that the massive silver-handled knives of the Salimbeni were pointed, while those of the Tolomei were rounded and blunt. During the repast the chief of the Salimbeni proposed the health of their guests, which was pledged standing. In return the new friends performed the same act of courtesy, and whilst the goblets were lifted in the act of quaffing the generous liquor, each Salimbeni, at a given signal, buried his knife in the side of his neighbour. They all died. The family, however, was not exterminated. The wife of one of the victims fortunately escaped to Florence, where she was delivered of a son who succeeded to the family domains and honors. The Sienese, struck with horror at the treachery of the deed, rose *en masse* against the Salimbeni, who found themselves deserted by their most zealous partisans. They were obliged to fly, their property was confiscated, and from that day their name has ceased in Siena.

The tale was related to us by one of the female descendants of the Tolomei, in the same Palazzo, in the same hall where the deed was done: and as the veins of her polished temple throbbed during the indignant recital of the wrong committed against her ancestors,—as her eyes flashed at the recollection of the specious treachery,—had Mr. Willis seen her at that moment, he would not have accused her of being destitute of that proud bearing, that commanding air of nobility, which, gainsay it who will, is one of the most attractive qualities of the ladies of the far south.

Without tarrying at Rome, our author proceeds to the 'Lusinghiera Partenope,' and after the usual trip to Vesuvius, Pompeii, and Herculaneum, gives an amusing account of the Neapolitan races.

'The horses were led up and down—a delicate, fine-limbed sorrel mare, and a dark chestnut horse, compact and wiry—both English. The bets were arranged, the riders weighed, and, at the beat of a bell, off they went like arrows. It was a stirring sight! The course was about a mile round, and marked with red flags at short distances; and

as the two flying creatures described the bright green circle, spread out like greyhounds, and running with an ease and grace that seemed entirely without effort, the king dashed across the field followed by the whole court; the Turkish steed of Don Giovanni restrained with difficulty in the rear, and leaping high in the air at every bound—his nostrils expanded, and his head thrown up with the peculiar action of his race, while his snow-white mane and tail flew with every hair free to the wind. I had, myself, a small bet upon the sorrel. It was nothing—a pair of gloves, with a lady—but as the horses came round, the sorrel a whip's length a-head, and both shot by like the wind, scarce touching the earth apparently, and so even in their speed that the rider in blue might have kept his hand on the other's back, the excitement became breathless. Away they went again, past the starting-post, pattering, pattering with their slender hoofs, the sorrel still keeping her ground, and a thousand bright lips wishing the graceful creature success. Half way round the blue jacket began to whip. The sorrel still held her way, and I felt my gloves to be beyond peril. The royal cortège within the ring spurred across at the top of their speed to the starting-post. The horses came on—their nostrils open and panting, bounding upon the way with the same measured leaps a little longer and more eager than before; the rider of the sorrel leaning over the neck of his horse with a loose rein, and his whip hanging untouched from his wrist. Twenty leaps more! With every one the rider of the chestnut gave the fine animal a blow. The sorrel sprang desperately on, every nerve strained to the jump; but at the instant that they passed the carriage in which I stood, the chestnut was developing his wiry frame in tremendous leaps, and had already gained on his opponent the length of his head. They were lost in the crowd that broke instantly into the course behind them, and in a moment after a small red flag was waved from the stand. My favourite had lost!'

Whether or not Mr. Willis may have implanted in his bosom that insatiate longing after field sports so characteristic of our aristocracy, and which he may by possibility have inherited from his Britannic ancestors, he is manifestly exceedingly deficient in his stock of sporting science. A fourth-form boy at Eton would be ashamed of the errors he displays in the art of equitation; and whilst arranging his bets in chapel, during the time of divine service, (the Tattersall's of that admirably disciplined school,) would certainly refrain from backing even the best horse, were a jockey to be put up who rode with a loose rein, and with a whip dangling by a bit of string from his wrist.

'The next race was ridden by a young Scottish nobleman, and the son of the former French ambassador, upon the horses with which they came to the ground. It was a match made up on the spot. The Frenchman was so palpably better mounted, that there was a general laugh when the ground was cleared and the two gentlemen spurred up and down to show themselves as antagonists. The Parisian himself

stuffed his white handkerchief in his bosom, and jammed down his hat upon his head with a confident laugh; and among the ladies there was scarce a bet upon the grave Scotchman, who borrowed a stout whip, and rode his bony animal between the lines with a hard rein, and his feet set firmly in the stirrups. The Frenchman *generously gave him every advantage, beginning with the inside of the ring*.... The bell struck, and the Scotchman drove his spurs into his *horse's flanks and started away, laying on with his whip most industriously*. His opponent followed, riding very gracefully, but apparently quite sure that he could overtake him at any moment, and content for the first round with merely showing himself off to the best advantage. Round came the Scot, twenty leaps *a-head, whipping unmercifully still;* the blood of his hired hack completely up, and himself as red in the face as an alderman, and with his eye fixed only on the road! . . . The long-tailed bay of the Frenchman came after, in handsome style, his rider sitting complacently upright, and gathering up his reins for the first time to put his horse to his speed. The Scotchman flogged on!—The Frenchman had *disdained to take a whip*, but he drove his heels hard into his horse's sides soon after leaving the post, and leaned forward quite in earnest. The horses did remarkably well, both showing much more bottom than was expected. On they came, the latter gaining a little, and working very hard. The other had lost his hat, and his red hair streamed back from his redder face! but, flogging and spurring, with his teeth shut and his eyes steadily *fixed on the road*, he kept the most of his ground and rode away. They passed me a horse's length apart, and the Scotchman's whip, flying to the last, disappeared beyond me. He won the race by a couple of good leaps at least. The king was very much amused, and rode off laughing heartily, and the discomfited Frenchman came back to his party with a very ill-concealed dissatisfaction.'

Any comment on the foregoing would be an act of supererogation: but we sincerely recommend to Messrs. James Robinson and John Day an attentive perusal of this extract, that they may 'read, mark, learn, and inwardly digest' the maxims therein set forth for the edification of jockeys.

The 'Campo Santo' is a place consisting of 365 pits, one of which is opened every day for the dead of the city. They are 30 or 40 feet deep, and each would contain perhaps 200 bodies. The description is well given, conveying with singular distinctness in a few sentences the revolting horrors of that dread abyss, leaving free scope for the imagination to picture the frightful details which such a scene must inevitably present.

'It was some time before we could distinguish anything in the darkness of the abyss. Fixing my eyes on one spot, however, the outlines of a body became defined gradually, and in a few minutes, sheltering my eyes completely from the sun above, I could see all the horrors of the scene but too distinctly. Eight corpses, all of grown persons, lay in

a confused heap together, as they had been thrown in one after another in the course of the day. The last was a powerfully made, grey old man, who had fallen flat on his back, with his right hand lying across and half covering the face of a woman. By his full limbs and chest, and the darker colour of his legs below the knee, he was probably one of the lazzaroni, and had met with a sudden death. His right heel lay on the forehead of a young man, emaciated to the last degree, his chest thrown up as he lay, and his ribs showing like a skeleton covered with a skin. The close black curls of the latter, as his head rested on another body, were in such strong relief that I could have counted them.

Off to the right, quite distinct from the heap, lay, in a beautiful attitude, a girl, as well as I could judge, of not more than nineteen or twenty. She had fallen on the pile and rolled or slid away. Her hair was very long, and covered her left shoulder and bosom; her arm was across her body; and, if her mother had laid her down to sleep, she could not have disposed her limbs more decently. The head had fallen a little way to the right, and the feet, which were small, even for a lady, were pressed one against the other, as if she were about turning on her side. The sexton said that a young man had come with the body, and was very ill for some time after it was thrown in. We asked him if respectable people were brought here. "Yes," he said, "many. None but the rich would go to the expense of a separate grave for their relations."'

The Italians certainly attach a trifling value to human life, and either from poison, the stiletto, or drowning, the population at Naples is thinned in a manner that to a stranger would appear almost incredible. Still the lives of travellers of every grade are perfectly secure, on account of the certainty of detection, and the unavoidable necessity of punishment, extorted not by any regard for justice, but by the fear of ambassadorial remonstrance; and Mr. Willis is in flagrant error in saying, 'Never a night passes without one or more murders; and it is only heard of because the victims selected are English, and are missed at their hotels.'

Some years ago, whilst dining at 'Capo di Monte' with the late Sir William Drummond, the conversation turned on the comparative amount of crime in England and Italy, when a person remarked that not a newspaper arrived without containing the account of some dreadful murder; whereas in Naples assassination was never heard of. 'That may be true,' replied Sir William Gell. 'It is a subject, that, for many reasons, Italians uniformly avoid, especially as it is just possible the person who paid for and caused the assassination may be in the same room. We shall meet here again in a few days, and I think I possess sufficient interest to procure a tolerably correct account of the murders that have taken place during the last fortnight.' The following week he produced a list of 11 persons, six of whom had perished by the '*coltello*,' two had been poisoned, and the

bodies of the three others had been found floating in the bay. This happened during the summer, and it is only fair to state that it is considered by the Italians to be '*la stagione degli assassini.*'

Our author pays a visit to the tomb of Virgil, where he discovered an 'Englishman leaning against the entrance, conning over the well-remembered lesson in the Æneid. He seemed ashamed to be caught with his classic, and put the book in his pocket as I came suddenly upon him.' This was bad taste on the part of our countryman. The last time we visited that classic spot we had indeed cause to blush. Whilst enjoying the delicious view of the bay, enlivened by several English vessels of war that had conveyed once more to his kingdom that regal delinquent, the grandfather of the present King of Naples, two carriages stopped at the bottom of the steep path leading to the tomb. The party quickly gained the gate of the vineyard, and ranged themselves in formal procession. First came a lieutenant-general in his Majesty's service, carrying with pompous solemnity a small box covered by a sable-coloured shawl; behind him followed the Duchess of D * * *, supported on her right by a doctor of divinity, now high in the church, and holding a golden stall with sundry benefices attached to it, on her left by the Catholic Abbé Campbell, whilst the rear was brought up by a merry midshipman, the very personification of mischief. The shawl was withdrawn, and disclosed a diminutive coffin containing all that remained on earth of the favourite lap-dog of her Grace the Duchess of D * * *. The general deposited the body in a grave dug close to the entrance of the tomb of the poet: the Duchess shed a few tears,—the clergy consoled her, and they left the animal alone with its glory. The remains of the lap-dog, however, were not destined to appropriate the epitaph of '*Me tenet nunc Parthenope*,' for on the following day the merry midshipman, taking with him seven other spirits more wicked than himself, ruthlessly violated the grave, carrying away the coffin, and depositing in its place a coarse wrapper of brown paper filled with pigtail tobacco.

After a short residence at Naples, Mr. Willis returns to Rome, for the purpose of witnessing the ceremonies of the holy week, and, notwithstanding the oft repeated description, he is successful in creating afresh a certain degree of interest. We should be guilty of great injustice were we not to point out for especial commendation his graphic delineation of the celebrated portrait of 'Beatrice Cenci.'

'The Barberini palace contains three or four masterpieces of painting. The most celebrated is the portrait of Beatrice Cenci, by Guido.

The melancholy and strange history of this beautiful girl has been told in a variety of ways, and is probably familiar to every reader. Guido saw her on her way to execution, and has painted her as she was dressed, in the gray habit and head-dress made by her own hands, and finished but an hour before she put it on. There are engravings and copies of the picture all over the world, but none that I have seen give any idea of the excessive gentleness and serenity of the countenance. The eyes retain traces of weeping: but the child-like mouth, the soft girlish lines of features that look as if they never had worn more than the one expression of youthfulness and affection, are all in repose; and the head is turned over the shoulder with as simple a sweetness as if she had but looked back to say a good-night before going to her chamber to sleep. She little looks like what she was—one of the firmest and boldest spirits whose history is recorded. After murdering her father for his fiendish attempts upon her virtue, she endured every torture rather than disgrace her family by confession, and was only moved from her constancy, at last, by the agonies of her younger brother on the rack. Who would read capabilities like these in these heavenly and child-like features?'

This wants only the concluding words of Shelley's magnificent tragedy—

> 'Farewell, my tender brother—Think
> Of our sad fate with gentleness, as now,
> And let mild pitying thoughts lighten for thee
> Thy sorrow's load.—Err not in harsh despair,
> But tears and patience.—One thing more, my child;
> For thine own sake be constant to the love
> Thou bearest us.
>   And, though
> Ill tongues shall wound me, and our common name
> Be as a mark stamped on thine innocent brow
> For man to point out as they pass,—do thou
> Forbear, and never think a thought unkind
> Of those who perhaps love thee in their graves.
>   My lord,
> We are quite ready.—Well; 'tis very well.'

'Immense interest was made for the poor girl, but it is said the papal treasury ran low, and if she was pardoned the large possessions of the Cenci family could not have been confiscated.'

When was mercy ever the attribute of priestcraft? The most obdurate of all hearts is that of a priest, when employed in the exertion of a power granted by law for the furtherance of his own sordid views. It is not necessary to revert to so remote a period for an example, nor does this sacerdotal vice appertain to Catholicism exclusively. Even in this age the widow's mite has been forcibly wrung from her—even in this country the son has been slaughtered in defence of his aged mother, by the military hirelings of Episcopalian cupidity.

We cannot avoid pointing out the glaring error Mr. Willis has been guilty of in regard to the 'Temple of Ridicule.' It has nothing to do with ridicule, but is styled '*Il Tempio Redicolo,*' from the word *redire*, to return, being built on the site of Hannibal's camp, when he raised the siege of Rome, and returned to Naples. The common guide-book would have enabled Mr. Willis to avoid this error.

Leaving Rome, Mr. Willis proceeds to Leghorn to join the officers of the United States frigate, who had invited him to a cruise in the Mediterranean. Visiting Palermo, Trieste, and taking a hurried trip to Vienna, he goes to Corfu, and the classic land of Greece.

> 'The isles of Greece—the isles of Greece,
> Where burning Sappho lov'd and sung;
> Where grew the arts of war and peace,
> Where Delos rose, and Phœbus sprung.
> Eternal summer gilds them yet,
> But all except their sun is set.

It is to be hoped that their sun is now in the ascendant—that they will in time occupy a station amongst the kingdoms of Europe, which the advantages of their favoured position would decree to be an important one. As yet inexperienced in self-government, having but lately rent their bonds asunder, they might have been placed under better guardianship than that of a court whose claim to notoriety is mainly derived from the circumstance of being the most barbarian extant amongst the civilized kingdoms of Europe. The young gentleman '*in an exceedingly well cut swallow-tailed coat, of very light blue, with a red standing collar, wrought with silver,*' will have enough to do to manage his new kingdom.

Our author is an enthusiastic admirer of Byron, and every object in his eyes increases or decreases in interest according to the notice bestowed on it by the 'friend of Greece.' He does not neglect to offer a passing tribute of admiration to the 'Maid of Athens,' a fact that has drawn forth the irony of the Edinburgh reviewer. It has been the constant custom for Englishmen, on their return from Greece, to say that Byron's beauty had degenerated into a fat, coarse, vulgar woman, and we feel grateful, therefore, to Mr. Willis for having so authoritatively substantiated the wilful falsehood of these perambulating atoms of aristocratic folly.

After having visited Constantinople—having been invited to a *fête champêtre* on the plains of Troy by a Turkish bey—seen Sultan Mahmoud at his devotions, and witnessed the Paynim ceremony of drowning frailty in a sack, he takes leave of his agreeable hosts at Smyrna.

'The commodore sailed this morning for his winter-quarters in Minorca. I watched the ship's preparations for departure from the balcony of the hotel, with a heavy heart. Her sails dropped from the yards, her head turned slowly outward as the anchor brought away, and with a light breeze in her topsails the gallant frigate moved majestically down the harbour, and in an hour was a speck on the horizon. She had been my home for more than six months. I had seen from her deck, and visited in her boats, some of the fairest portions of the world. She had borne me to Sicily, to Illyria, to the isles and shore of Greece, to Marmora, and the Bosphorus; and the thousand lovely pictures with which that long summer voyage had stored my memory, and the thousand adventures and still more numerous kindnesses and courtesies, linked with these interesting scenes, crowded on my mind as the noble ship receded from my eye, with an emotion that I could not repress.

'And so, to the gallant ship—to the "warlike world within"—to the decks I have so often promenaded, and the moonlight watches I have so often shared—to the groups of manly faces I have learned to know so well—to the drum-beat and the bugle-call, and the stirring music of the band—to the hammock in which I swung and slept so soundly—and, last, and nearest my heart, to the gay and hospitable mess with whom for six happy months I have been a guest and a friend, whose feelings I have learned but to honour my country more, and whose society has become to me even a painful want—to all this catalogue of happiness, I am bidding a heavy-hearted farewell. Luck and heaven's blessing to ship and company!

With no ordinary feelings of gratification we turn from the perusal of 'Inklings of Adventure.' As a literary composition its merits are far superior to 'Pencillings by the Way.' Unlike its predecessor, it is professedly written for more than American eyes. Greater merit is displayed in the arrangement of the subject-matter, the expressions are more choice, and the whole work bears the impress of mature reflection.

It is a collection of tales which have already appeared in the pages of the 'New Monthly Magazine,' and are now collected and published under their present quaint designation.*

These tales purport to be the Rambles, in the New and Old World, of Mr. Philip Slingsby; and, as he is often the hero of the adventure, we may be permitted to congratulate him on the general success of his adventurous wanderings; the more so as we have good reason to believe that some of the incidents, although highly coloured, and displaced from their original scene of action, have a slight foundation in truth.

* The title is a preposterous affectation, besides being glaringly incorrect. *Inkling* means a *hint* or *whisper*, and is improperly applied in the present instance. We rather suspect that it was intended as a titular accompaniment to 'Pencillings by the Way.' In that case, we can only say, that, in reference to '*ink*,' there is no such word in the English language.

In the first tale of '*Pedlar Karl,*' Mr. Slingsby introduces himself as an unsuccessful suitor, and a successful go-between; perhaps the reverse would have been more satisfactory to his feelings. Prefatory to the narrative are a few remarks, and amongst them the following is not the least true:—Men, women, and pine-apples, I am inclined to think, flourish with a more kindly growth in the fervid latitudes. By the word 'flourish,' it is meant to intimate that the physical properties attain a greater degree of perfection—that the human plant luxuriates with greater freedom—yielding flowers of a more brilliant hue, and fruit of a more exquisite flavour than in the frigid regions of the north. The moral pruning-hook is in vain applied to check the rapid development of the shoots which sprout forth with such marvellous vigour, for the sap driven back on one point breaks out with redoubled energy at the next convenient opportunity.

We strongly recommend to all ladies in want of that commodity commonly termed a companion for life (so called, we might often suppose, from the want on both sides of all qualities fit to render them lasting associates for each other)—we earnestly conjure them, if our author's narrative be correct, to visit the baths of Lebanon, Saratoga, or Balston. The facility with which a person may there be linked in the holy bond is perfectly astounding. A perusal of '*Pedlar Karl,*' '*Saratoga,*' '*Tom Fanead,*' and '*Larks in Vacation,*' will fully bear out the assertion of the matrimonial tendencies of these hot springs.

Mr. Slingsby, accompanied by his friend Mr. Forbearance Smith, visits the Fall of the Niagara. The description of this roar of waters is more correct than any of the numerous accounts we recollect to have read. It is, moreover, uninfected by verbosity—the usual character of passages descriptive of scenery. Where the objects of natural beauty are manifold, a complicated detail is unavoidable, but where the attention is directed to a single feature the delineation should be terse, to afford an unbridled play to the imagination, and to be in strict harmony with the subject.

'We descended to the bottom of the precipice—it looked rather appalling. Our way lay through a dense descending sheet of water, along a slender pathway of rocks, broken into small fragments, with an overhanging wall on one side, and the boiling caldron of the cataract on the other. A false step, and you were a subject for the "shocking accident" maker.

'The guide went first, taking Miss ——'s right hand. She gave me her left, and Job brought up the rear, as they say in Connecticut, "on his own hook." We picked our way boldly up to the water. The wall leaned over so much, and the fragmented declivity was so narrow and steep, that, if it had not been done before, I should have

turned back at once. Two steps more and the small hand in mine began to struggle violently, and, in the same instant, the torrent beat into my mouth, eyes, and nostrils, and I felt as if I was drowning. I staggered a blind step onward, but still the water poured into my nostrils, and the conviction rushed for a moment on my mind that we were lost. I struggled for breath, stumbled forward, and, with a gasp that I thought was my last, sunk upon the rocks within the descending waters. Job tumbled over me the next instant, and as soon as I could clear my eyes sufficiently to look about me, I saw the guide sustaining Miss ——, who had been as nearly drowned as most of the subjects of the Humane Society, but was apparently in a state of resuscitation. None but the half-drowned know the pleasure of breathing.

'The air was scarcely breathable—(if air it may be called, which streams down the face with the density of a shower from a watering-pot,) and our footing upon the slippery rocks was so insecure, that the exertion of continually wiping our eyes was attended with imminent danger. Our sight was valuable, for, surely, never was such a brilliant curtain hung up to the sight of mortals, as spread apparently from the zenith to our feet, changing in thickness and lustre, but with a constant and resplendent curve. It was what a child might imagine the arch of the sky to be where it bends over the edge of the horizon.

'I was screwing up my courage for the return, when the guide seized me by the shoulder. I looked around, and what was my horror to see Miss —— standing far in behind the sheet upon the last visible point of rock, with the water pouring over her in torrents, and a gulf of foam between us, which I could in no way understand how she had passed over.

'She seemed frightened and pale, and the guide explained to me by signs (for I could not distinguish a syllable through the roar of the cataract) that she had walked over a narrow ledge, which had broken with her weight. A long fresh mark upon the rock at the foot of the precipitous wall, made it sufficiently evident: her position was most alarming.

'I made a sign to her to look well to her feet; for the little island on which she stood was green with slime and scarce larger than a hat, and an abyss of full six feet wide, foaming and unfathomable, raged between it and the nearest foothold. What was to be done? Had we a plank, even, there was no possible hold for the further extremity, and the shape of the rock was so conical, that its slippery surface evidently would not hold a rope for a moment. To jump to her, even if it were possible, would endanger her life, and while I was smiling and encouraging the beautiful creature, as she stood trembling and pale on her dangerous foothold, I felt my very heart sink within me.

'The despairing guide said something which I could not hear, and disappeared through the watery wall, and I fixed my eyes upon the lovely form, standing, like a spirit in the misty shroud of the spray, as if the intensity of my gaze could sustain her upon her dangerous foothold. I would have given ten years of my life at that moment to have clasped her hand in mine.

'I had scarce thought of Job until I felt him trying to pass behind me. His hand was trembling as he laid it on my shoulder to steady his steps; but there was something in his ill-hewn features that shot an indefinable ray of hope through my mind. His sandy hair was plastered over his forehead, and his scant dress clung to him like a skin; but, though I recall his image *now* with a smile, I looked upon him with a feeling far enough from amusement *then*. God bless thee my dear Job, wherever in this unfit world thy fine spirit may be fulfilling its destiny!

'He crept down carefully to the edge of the foaming abyss, till he stood with the breaking bubbles at his knees. I was at a loss to know what he intended. She surely would not dare to attempt a jump to his arms from that slippery rock, and to reach her in any way seemed impossible.

'The next instant he threw himself forward, and while I covered my eyes in horror, with the flashing conviction that he had gone mad and flung himself into the hopeless whirlpool to reach her, she had crossed the awful gulf, and lay trembling and exhausted at my feet! He had thrown himself over the chasm, caught the rock barely with the extremities of his fingers, and, with certain death if he missed his hold or slipped from his uncertain tenure, had sustained her with supernatural strength as she walked over his body!

The guide providentially returned with a rope in the same instant, and, fastening it round one of his feet, we dragged him back through the whirlpool, and, after a moment or two to recover from the suffocating immersion, he fell on his knees, and we joined him, I doubt not devoutly, in his inaudible thanks to God.'

Going down Lake Ontario the steamer happens to be engaged as a transport for an Irish regiment. Of what the amusements of the privates of the regiment consisted, may be gathered from the following passage. It is needless to observe they were accompanied by numerous females, willing victims of Hibernian blandishments. What was to be done with them? Slingsby contrives to patch up one couple for better or worse, according to the strict rules of canonical regulation. He is less fortunate with another couple, meeting with a character very foreign to the naturally blithe, courageous, and warm-hearted Irishman.

'I stepped forward, and was not a little surprised to see standing against the railing on the larboard bow the motionless figure of an Indian girl of sixteen. Her dark eye was fixed on the line of the horizon we were leaving behind, her arms were folded on her bosom, and she seemed not even to breathe. A common shawl was wrapped carelessly around her, and another glance betrayed to me that she was in a situation soon to become a mother. Her feet were protected by a pair of once gaudy but now shabby and torn moccasins, singularly small; her hands were of a delicate thinness unusual to her race, and her hollow cheeks, and forehead marked with an expression of pain, told all I could have prophesied of the history of a white man's tender

mercies. I approached very near, quite unperceived. A small burning spot was just perceptible in the centre of her dark cheek, and, as I looked at her steadfastly, I could see a working of the muscles of her dusky brow, which betrayed, in one of a race so trained to stony calmness, an unusual fever of feeling. I looked around for the place in which she must have slept. A mantle of wampum-work, folded across a heap of confused baggage, partly occupied as a pillow by a brutal-looking and sleeping soldier, told at once the main part of her story. I felt for her, from my soul! • • •

'"You can hear the great waterfall no more," I said, touching her arm.

'"I hear it when I think of it," she replied, turning her eyes upon me as slowly, and with as little surprise, as if I had been talking to her an hour.

'I pointed to the sleeping soldier. "Are you going with him to his country?"

'"Yes."

'"Are you his wife?"

'"My father gave me to him."

'"Has he sworn before the priest in the name of the Great Spirit to be your husband?"

'"No." She looked intently into my eyes as she answered, as if she tried in vain to read my meaning.

'"Is he kind to you?"

'She smiled bitterly.

'"Why then did you follow him?"

'Her eyes dropped upon the burden she bore at her heart. The answer could not have been clearer if written with a sunbeam. I said a few words of kindness, and left her to turn over in my mind how I could best interfere for her happiness.'

He goes to the colonel.

'"Colonel! will you oblige me by sending for Mahoney? Steward! call me that Indian girl sitting with her head on her knees in the boat's bow."

'They stood before us.

'"How is this?" exclaimed the colonel; "another! Good God! these Irishmen! Well, sir! what do you intend to do with this girl, now that you have ruined her?"

'Mahoney looked at her out of a corner of his eye with a libertine contempt that made my blood boil. The girl watched for his answer with an intense but calm gaze into his face, that if he had had a soul, would have killed him. Her lips were set firmly but not fiercely together, and as the private stood looking from one side to the other, unable or unwilling to answer, she suppressed a rising emotion in her throat, and turned her look on the commanding officer with a proud coldness that would have become Medea.

'"Mahoney!" said the colonel, sternly, "will you marry this poor girl?"

'"Never, I hope, your honour!"

'The wasted and noble creature raised her burdened form to its fullest height, and, with an inaudible murmur bursting from her lips, walked back to the bow of the vessel. The colonel pursued his conversation with Mahoney, and the obstinate brute was still refusing the only reparation he could make the poor Indian, when she suddenly reappeared. The shawl was no longer around her shoulders. A coarse blanket was bound below her breast with a belt of wampum, leaving her fine bust entirely bare, her small feet trod the deck with the elasticity of a leopard about to leap on his prey, and her dark, heavily fringed eyes glowed like coals of fire. She seized the colonel's hand, and imprinted a kiss upon it, another upon mine, and, without a look at the father of her child, dived with a single leap over the gangway. She rose directly in the clear water, swam with powerful strokes to one of the most distant islands, and, turning once more to wave her hand as she stood on the shore, strode on and was lost in the tangles of the forest.

The '*Gipsy of Sardis*' is a wild tale of eastern imagery, opening among the crumbling ruins of the once imperial Sardis, and terminating amidst the enchanting scenery of the Valley of Sweet Waters at Constantinople. The site of the ancient church elicits from Slingsby a train of sound apocalyptical reflection. 'His strong and never-wasting under-current of early religious feeling rushed back on him as he sat on the end of the broken wall of the church of Sardis, with the sacred volume open at the "Revelations" in his hand—his excited imagination pourtraying the angel of the church hovering around the holy spot.' These musings suddenly vanish, and the celestial angel is summarily dismissed for the contemplation of one of a more material and congenial nature.

'She was of the height and mould of the younger water-nymph in Gibson's Hylas, with limbs and lips that, had I created and warmed her to life like Pygmalion, I should have just hesitated whether or not they wanted another half-shade of fulness. The large shawl of the East, which was attached to her girdle, and in more guarded hours concealed all but her eyes, hung in loose folds from her waist to her heels, leaving her bust and smoothly-rounded shoulders entirely bare; and, in strong relief even upon her clear brown skin, the flakes of her glossy and raven hair floated over her back, and swept around her with the grace of a cloud in her indolent motions. A short petticoat of striped Brusa silk stretched to her knees, and below appeared the full trouser of the East, of the same material, narrowed at the ankle, and bound with what looked in the moonlight an anklet of silver. A profusion of rings on her fingers, and a gold sequin on her forehead, suspended from a coloured fillet, completed her dress, and left nothing to be added by the prude or the painter. She was at that ravishing and divinest moment of female life, when almost the next hour would complete her womanhood—like the lotus ere it lays back to the prying moonlight the snowy leaf nearest its heart.'

This *real* angel is placed under his care in order to convey her to Constantinople, and the effect of her presence at his side during the day, and her sleeping at his feet in the khans, is calculated to fill with envious interest the bosom of the reader.

Arrived at Constantinople, the fair being mysteriously disappears. A clue, however, to her retreat is discovered, and recourse is had to the assistance of Mustapha, a person whose profession is so universal as to render a more particular detail of the duties attached to it superfluous. Suffice, that in this instance his ostensible, though less lucrative calling, was that of an 'attar merchant.' The interior of the slave market is delineated with pointed accuracy; and the author, it cannot be doubted, by some means or other obtained a stealthy ingress. The slave merchant displays to the gaze of the Mussulman the beauties of his commercial article, with the same eager anxiety that Mr. Tilbury trots out a first-rate Leicestershire hunter, to challenge the criticising acumen of Mr. Payne or Lord Gardner. The impression that such an indelicate act conveys to the mind of an English propounder of moralities is one of unfeigned disgust. Before passing judgment on this custom of the East, let us consider how far the situation of the Stamboul flesh-vender is analagous to that of the Almack's matron of England. Both introduce into the market for public inspection a commodity that is to be relinquished to him who will offer the highest price; in neither case any other of the qualities of the bidder being much adverted to. He who has the largest mass of accumulation is proportionably nearer to the possession of the coveted object, provided that the desire of possession be once engendered. To effect this Mr. Tilbury and the Osmanlie resort to legitimate means; but the astute matron of Almack's appeals to every cunning device that human ingenuity can invent, to resuscitate the dying embers of wealthy concupiscence, or to excite beyond the power of repression in the breast of high-born youth the vivid scintillations of burning passion.

Maimuna is discovered in the slave market, and purchased for *forty pounds!* Englishmen are seldom able to buy their ladies at so cheap a price, and with an equal facility of transfer.

The '*Revenge of Signor Basil*' is a correct account of Florentine life as it is, and it is not possible to cite any particular portion of it in preference to another. With the exception of one or two trifling inaccuracies, it may be said to be perfect; and the knowledge that no slight portion of the incidents actually occurred, tends infinitely to increase the interest of the tale.

We close our remarks on Mr. Willis's work with a sincere expression of gratitude for the amusement the perusal has afforded us. As an American author we hail his success with unfeigned de-

light, fortified by the intimate conviction that he is qualified, and likely, to attain a literary station honourable both to himself and to his country.

C. A. H.

Art. XI.

BRIBERY AND INTIMIDATION AT ELECTIONS.

THE frequency of general elections in the last few years, and the unprecedented fury with which they have been contested, have made familiar to too general experience the intolerable defects of our electoral system. In the good old time, when Parliaments died a natural death, and His Majesty's ministers could, on most occasions, count out the best *whipped* muster of His Majesty's opposition, the struggle at elections was comparatively feeble. Two rich Tories would, perhaps, spend their last shilling in a contest for the glory of representing some place honourably distinguished by the title of *open borough;* but the contest was purely personal, and excited little interest except among the parties immediately concerned. Contests of public principle and political feeling were rare occurrences, for the simple reason, that public principle was a thing almost unknown, and political feeling was irresistibly on one side. The case is now different; a new class has arisen, strongly imbued with new opinions, and invested by the Reform Act with the power of giving effect to them. The party formerly predominant has been despoiled of the monopolies on which its power was founded, and sees itself for ever reduced to a contemptible minority in the nation, which innocent admirers of the theory of representative government would think must necessarily leave it in a correspondingly eternal minority in the House of Commons. But not so thinks that party. It is not content to submit to this dispensation, or to sacrifice all chance of regaining power to the proprieties of such a fantastic theory. The ascendancy which it once held so easily, and so fully appreciated, is well worth a struggle; and it now throws itself back on resources which, before the Reform Bill, were rarely called forth, because rarely needed. The unsparing employment of these resources has lately been, and must henceforth be, the sole means of existence to an antipopular party. If it for a moment relaxes, its doom is straightway sealed. Every accession of strength to the cause of the people renders necessary increased exertions on the part of their adversaries, and every day, we may rest assured, such exertions will be more and more unscrupulously made. Wealth

and influence are at their command, and the corrupt employment of these advantages is their only hope, and our only fear. Before the last great struggle in 1835, few people had any notion of the full extent of power which bribery and intimidation could bring to bear on a Parliamentary election. Nor have we any reason to think we know the limits of that power yet. On the contrary, we should be prepared to expect that it will be stretched on every occasion, to keep up with the increase of popular rights, and that, unless our Legislature speedily and wisely interposes, popular rights may eventually be crushed by the deadly incubus of bribery and intimidation. We do not, however, affect to assert that the antipopular party is the only one which has recourse to these infamous expedients. It does so to the greatest extent, because it has the amplest means, and because its existence as a party depends upon these practices; but its opponents retaliate when they can—they are obliged to do so; and we may broadly say, that in these days of political fury and universal partisanship there is hardly a single individual, possessing influence of any description, who scruples to employ it, and to employ it in any, the most effectual, manner.

What with the sudden growth of political earnestness, and the nice balance of parties in Parliament, we can hardly point out the class, or the individual, that is not deeply absorbed in election speculations, and deeply interested in the result of every contest. Except in the days of the threatened invasion, who can ever recollect England in such an universal ferment? No doubt there is essentially a vast gulf between the opposing opinions, but enthusiasm and cunning have made it unnaturally wide. The most respectable man of one party very generally believes of the most respectable man of the other that his only object is the ruin of his country. The squire, whose delight it has hitherto been to lie under a spreading beech-tree, and be lulled to sweet forgetfulness by the lowing of his home-fed oxen, can no longer sleep. O'Connell appears to him in his uneasy dreams. Yes, O'Connell is coming to shoot all his partridges, and to glut the English market with Popery and Irish corn! Full of this big thought, he sends his steward to order his tenants to have the same fears, or, at least, to vote as if they had. The impious O'Connell invades also the slumbers of his innocent partner. Yes, he is calling nineteen-twentieths of English women by a naughty name, and significantly insinuates that she is one of that respectable majority. In the course of a week she has cut half her acquaintance, because they supported, what she calls, O'Connell's nominee. She has dismissed from a charity school, which she patronizes, four children of as many rebellious tenants, and has transferred half her

custom in the neighbouring borough from yellow to purple tradesmen. The mild pastor, who was contented to sit and smile on the prosperity of his flock, or, at all events, upon the tenth part of it, sees the same terrific apparition. He cries 'Wolf,' or 'O'Connell,' which, in the Church language, is the same thing; and, if his flock will not run away from this fabled monster, he turns wolf himself; a veritable wolf, as his flock soon find to their cost. And thus hundreds of thousands, who never loved strife before, now hurry with enthusiasm to enlist under the anti-popular banner.

Add to these recruits the old veteran forces of corruption, and we may well expect a disastrous issue. Does the reader want one more instance of the increased fury of these latter times, let him steal along the still purlieus of the Carlton Club; let him station himself under the window of the room where stands the far-famed depository of the Conservative funds. Night and morn the listener shall hear the monotonous sound of crumpling paper and tinkling gold, as they fall into those unfathomable coffers. The rustic may wait in vain till this Pactolus shall have done flowing—for flow on thou shalt, thou shining river, as long as thou hast an unimpeded channel, to the illimitable ocean of bribery and corruption. Strange to say, but no less strange than true, many a worthy man contributes to this disgraceful hoard; and where it goes, and how it goes, we will not take the trouble to inquire. Will any one ask us, Of what avail would be the corrupt employment of money and power in England? Where, we will answer, is the land so genial to every species of corruption? Look at the vast inequalities of wealth and privilege—the many demi-millionaries—the innumerable demi-paupers—and then wonder at bribery! Look at the hundred thousand pot-houses that line our streets and our highways, and the shoals of drunkards that hourly issue from them, and then wonder at the efficacy of treating! Look at the relations of landlord and tenant, of tradesmen and customers—look at the long chain that binds so many miserable dependants to the will of some imperious man of privilege—and then wonder at intimidation!

We have said that every one, or almost every one, good or bad, unconsciously or wilfully, is determined to employ those means which he has at command, to enforce the Conservative doctrine of 'doing as we will with our own.' Come we now to see whether any consideration intervenes between the wish and the power.

Let us look to the fact. Let us observe the frightful desolation which a modern election carries in its train. We need appeal to no petitions or printed records. The experience of every being

endowed with ears and eyes, who has lived in the scene of a contest, be it town or country, can bear witness to the terrors of this visitation. If some return could be made of the number of families ruined at the last election on account of obnoxious votes, and of those who, to avoid ruin, were compelled to sacrifice their integrity; of the number of men who sold themselves for money, beer, or advancement; of the number of divisions amongst friends, occasioned by difference of partisanship; of the number of panes of glass, and heads, that were broken by the glorious mob; in short, of every injustice, outrage, or crime committed within that short period—we should be able to appreciate the blessings of our present electoral system.

Fortunately these bitter truths have been brought home to representatives as well as to constituents. The majority of the House, at this moment, are of the party most likely to suffer from the bribery and intimidation of the rich; and even the minority have begun to discover that the mob have a very disagreeable sort of influence, and a very considerable inclination to avail themselves of it. Hence a not unwilling response in the House of Commons to this unanimous complaint of the people. A very general interest has been directed that way, and sundry remedies have been proposed, and met with a very encouraging reception. Either to deliberate upon these, or to stop the mouths of those who called for something more decisive, a Committee was appointed last year, and is still sitting, commissioned to inquire into the best means of preventing bribery, corruption, and intimidation at elections. It is to the evidence produced before this Committee, and the various suggestions of remedies, thrown out by most highly competent witnesses whom they examined, that we wish particularly to direct the attention of our readers.

The whole catalogue of evils incidental to our electoral system is here developed, and we waited anxiously for the Report which this Committee should make, and the remedies to which it should give its important recommendation. The remedies which are needful, or at least the principal of them, have been so clearly pointed out, and are in themselves so palpable, that the world, we were satisfied, would know what to think if, when the Report appeared, it should find them refused. It has appeared, and they are refused.

As it is, the representative system is utterly defeated. The Reform Bill, if it have fair play, shall grow up a Hercules to rid the political world of monsters; but already, as it lies in its cradle, has the envious goddess of Corruption sent two most deadly serpents, Bribery and Intimidation, to strangle the baby-giant. On the issue of this fight, good government

depends. If bribery and intimidation are not effectually restrained, the Reform Bill will prove worse than a nonentity—a positive curse; for, under the pretence of extending privileges to the great mass of the people, it has merely increased the number of victims to be sacrificed to the Tory Moloch. Better, far better, recal the days of peaceful monopoly;—better Schedule A, and the reign of omnipotent patronage! But there is no necessity for this ignominious alternative. This single Committee, or rather Parliament, acting on their suggestions, might have given us a political regeneration. It is true that, as long as Schedule B exists, and the otherwise capricious distribution of the elective franchise, so long must there be anomalies and injustice in the working of the scheme. But that is matter for future correction. That correction, and whatever else we require, may be had from the present constituency, if its real sentiments are permitted to determine its votes. We are confident that no faithful representatives can see what we now see in the ponderous volumes before us, without being equally awake to the evil and the remedy. The time will soon come when they must give us full redress; and, when they have done so, we pray them to destroy all vestige—all memory—of the nuisance they have extirpated. Let them bring in a Bill to make the mention, nay, the thought of it, highly penal. Let the printed Minutes of their proceedings be hid, or consigned to the charge of some unreformed Record-office, where alternate heat and damp may soon rot its accursed leaves; or rather let the public hangman burn it, and let its ashes be sent to poor disfranchised Stafford, which, in its disgrace, will perhaps find some consolation in this memento and type of its former honours. Suppose a foreigner, impressed with a veneration of the tripartite ingenuity of our curious constitution,—suppose he were to turn over the pages of this disgraceful libel (for truth is still a libel,) on the British Aristocracy and the British poor,—if he should read there the evidence of so many intelligent and irreproachable witnesses, coming from all parts of the kingdom, and all speaking to the unsparing (we may almost say the universal) employment of the advantages of wealth and station in tampering with and coercing those whom the accidents of fortune have rendered dependent upon them for subsistence,—what would be his opinion of our mysterious scheme?—what his opinion of our boasted Aristocracy and our free people? And yet, where could he look to more authentic records, and more directly come in contact with, and mark the relative position of, the great divisions of British society? He has read of the high value attached to Aristocracy in England, especially in its benign influence on the morals of the people; he has read, too, of the stern independence and

stubborn virtue of that people. Well, he now has a capital opportunity of reading how rich and poor really do behave, when, for instance, they are for the first time engaged in exercising the solemn privilege of the elective trust; and a noble rivalry of virtue he sees exhibited. The rich man is busy, bullying and bribing and drenching every poor wretch accessible to such inducements; and the glorious mob is staggering, roaring, and rioting through the streets.

We will now examine the forms under which these evils exist, and the preservatives which we should suggest as best calculated to prevent their recurrence. And, first, we will begin by bribery.

We suppose we need not take up much time in proving the enormity of bribery. Though vastly practised, and a gentlemanly crime, inasmuch as rich people alone can commit it, we never yet heard it defended on principle; we therefore shall assume that it is indefensible, and shall claim support to any plan that tends to put it down.

We have not any wish to interfere much with the prevailing statute or common law on this subject; at all events we will postpone that consideration for a little. It is the mode of encouraging and enforcing evidence before the parliamentary tribunal, which we hold to be of the greatest importance; because it is that tribunal alone which looks upon bribery as a political offence; and because it is the influence of bribery on politics, and not on morals,—on a seat in Parliament, and not on an eternal soul,—that will always interest the public in suppressing it. If no political advantage—no party triumph—were looked to from detection of bribery, a man would be quizzed, most probably, as a saint, who stirred a step in the matter. The greatest blow, therefore, we can aim at bribery, will be to give every encouragement to its discovery before the parliamentary tribunal, and to apply adequate severity of punishment to it when discovered. We need hardly point out how utterly unavailing that tribunal has hitherto been for this purpose. It would seem, from the general run of its decisions, that it considers the whole question to be between the two candidates; the poor constituency are left altogether in the lurch. Bribery might have prevailed to the most shameful, notorious, ascertained extent; the returns have been effected by it, and the constituency have been utterly juggled out of their rights. No matter, unless the bribery can be brought home to the sitting Member. They have no redress beyond the punishment of one or two poor wretches, which they do not desire, and who really are not the most guilty of the parties concerned, after all. The bringing home the bribery to the sitting Member

is rendered very nearly a matter of impossibility, from the mischievous protections which screen him, his witnesses and agents. Mr. Cockburn in his very valuable evidence, observes that he can imagine no candidate to be so thoroughly infatuated as to permit the chance of his bribery being brought home to him; yet, unless it is so brought home, as we have before said, the Committee have almost invariably refused to go into any evidence of such acts; and this state of things, coupled with the frightful expense attending petitions, has the very common effect of deterring parties from prosecuting any attempt to substantiate bribery, even where there is an absolute certainty of its having taken place to a considerable extent. The obvious remedy to this evil is to enact that evidence of bribery may be gone into without any necessary evidence of the Member's participation in it; and that, where it shall appear to the Committee that the return was materially affected by bribery, they shall cancel such return, and give the constituency the redress of another election. This alone (for we apprehend that few people have recourse to bribery except when they think that it will materially affect the return,) will be a strong encouragement to one party to hunt out all cases of bribery, and a correspondingly strong inducement to the other to abstain from such a dangerous experiment.

But much more assistance is wanted, and can be had. In ninety-nine cases out of a hundred, it is a matter of certainty that the candidate has eventually to pay the money which is expended in the form of bribes; and this, of course, makes him a party to the crime; and, if proved against him, he will forfeit his seat: and we should wish this additional penalty to be added,—that he be for ever incapacitated from sitting in Parliament again. But the difficulty is to get this proof, as long as the present rules of evidence prevail. Let us revise those rules. The candidate knows that some of his money goes in bribery; very often he knows more of the particulars. His agent knows a great deal more; and there is usually some mysterious third person who knows the whole mystery of the transaction from beginning to end. Now, under the present system, all these most important parties are screened from examination, or, at all events, from any examination that it is of any use to go into. The mysterious third person is not obliged to say anything that may criminate himself, nor, of course, is the sitting Member; and the agent throws between himself and the truth the convenient shield of professional privilege. Now, it appears to us that the obvious remedy for all this is to enact that these immunities be abolished —that this third person, or any witness whatsoever, be obliged to answer any question put to him, whether it tend to criminate

himself or not; giving to the chairman the power of absolving him, by certificate, from all personal consequences of his disclosures; and rendering him, on the other hand, liable to an indictment in case his answers should have been false. That no agent, town or country, or counsel, be permitted to plead any privileges, but obliged to speak out like any other witness; and, finally, that where strong presumption exists that the Member has been implicated in the transaction, and other testimony is not sufficient to prove it, he himself may be called in and examined, on his oath, before the Committee.

We shall be surprised if, with these facilities of detection, bribery will often pass undetected; and we shall be equally surprised if, such being the chance, it be often undertaken. Partisans, it may be said, will in that case be the bribers,—the Carlton Club, &c. No doubt that may be the case at some isolated election in the middle of a session; but then, if it may be shown (as we have above proposed that it may be permitted to show) that the return was materially affected by bribery, (and there will be the same facility of tracing the bribery in this case,) the seat will be forfeited, the briber defeated, and the constituency indemnified. And it is the punishment of the bribery by the way of forfeiture of the seat, that will be the strongest inducement to every party to hunt it out.

Observe, once more, how strongly our plan holds out this inducement. In all cases, by our new rule of evidence, we prodigiously increase the facilities of detection. The sitting Member is the most likely person to be the briber; a single case traced to him forfeits the seat. Partisans may possibly bribe for him; but they will only do so where they think the return will be most materially affected thereby. But, again, if that can be proved, the seat is likewise forfeited; so that, in any case in which bribery is likely to occur, we find that there is great chance of its being detected; and that if it be detected, the seat will certainly be forfeited. Accordingly, in every constituency, there will be plenty of interested politicians on the alert to pursue to the death such an easy and valuable prey as the briber will then become.

Since the great battle against bribery will infallibly always be fought before the parliamentary tribunal,* we propose that a conviction of bribery before that tribunal have the same effect as one in a court of common law, that the fine be enforced, and the culprit

* Of course we presuppose a radical reform in the constitution of this tribunal before we intrust to it such enlarged power. This work of reform we are happy to find already begun, and under more happy auspices. Mr. Charles Buller, in his very able speech this session, on the subject of Parliamentary Committees, has not only pointed out the grievance, but suggested a remedy. A 'Buller Act' that shall effect the object of the changes suggested, will afford greater public benefits than any derived from the 'Grenville Act.'

ever incapacitated from exercising any species of election privilege. But we must deter the candidate and the sitting Member by additional fears. The Member, under the present system, unseated for bribery, is incapacitated from sitting for the same place at the next election. We have already proposed that he be for ever incapacitated from sitting for any place in any future Parliament: in addition to this, he should invariably pay the whole costs of the petition. Even in the case where bribery cannot be brought home to him, but where the return has manifestly been brought about by it, we doubt whether he ought not equally to be liable to the costs; because, in the first place, there is always a strong presumption that the candidate knows when bribery is going on, though he has not actually committed it himself: if he seeks to benefit by it he becomes an accessary after the fact, and ought to be punished accordingly. Again, if a petition be presented against him, on the ground of bribery, will he take good care, before defending himself against such petition, to inquire of his partisans whether any bribery was committed by them? and if he finds that there was, and chooses to go on defending his seat, he should stand in the shoes of the principal, and suffer as such.* The Committee, of course, in this case, would have the privilege of making a special report, and exonerating the sitting Member to whatever extent they thought proper. While we are on the subject of costs we will remark that, in election committees, the rule of common law should prevail, and the unsuccessful party generally pay them. This would be hard now-a-days, where there is such difficulty in the way of proving the plainest case; but, under our proposed system, where these difficulties are done away with, the party putting forward a bad case should suffer for their indiscretion.

We have one more method to propose of discouraging bribery on the part of candidates, and this is by means of a declaration, or rather two declarations; the first to be taken at his nomination, to the effect 'that he has not advanced, paid, or promised, nor will ever after advance, pay, or promise, to any person whatsoever, any money, gift, *loan*, or reward, of any kind, for the purpose of corruptly procuring or promoting his return to Parliament;' and a similar one on his taking his seat in the House, with the additional words,—'nor is he cognizant that any other person or persons, in his interest or in his behalf, have, &c.' Mr. Ord, in his plan, we observe, only proposes this oath to be taken on the Member's being sworn in; but we think there would

* These suggestions are chiefly taken from the very important evidence given by Mr. A. E. Cockburn before the Bribery and Intimidation Committee, and most of them are embodied in a Bill lately brought in by Mr. W. Ord and Mr. Hardy.

be an advantage in the one at the nomination, inasmuch as, in the first place, the constituency would have the opportunity of hearing it taken; and, secondly, it would catch the unsuccessful candidate in case he should at any time be guilty of any of the practices forsworn. We attach exceeding importance to this oath. We believe that the men who are returned to Parliament are sufficiently men of honour to be deterred from breaking, or in any way evading, so solemn and explicit an oath as the one above proposed; and if any one ever tried the experiment, and was detected, the public indignation, we are confident, would be sufficient to deter all others from following his disgraceful example.

With these inducements to the Member, on the one hand, to abstain from acts of bribery, and the inducements to his constituency, on the other hand, to expose him, added to the great probability of success, we think that bribery would soon grow out of fashion. We are going to put to flight other kinds of corruption by an equally summary process. At present the friendly cloak of legal expenses 'may be made to cover almost every species of corruption short of direct bribery.' Treating, for instance, is a legal expense, except for the short period which intervenes between the test of the writ and the election. As many months before and as many days after, as a candidate likes, he may regale the virtuous electors with blue beef and buttered ale. The Legislature has not condemned this, and therefore few electors and few candidates object to it. From the existence of such practices we have seen the immoral and deplorable results. The only difference between treating and direct bribery is, that, in the one case, the vote is purchased by money, and in the other by money laid out in beer; and the latter we think much the most objectionable of the two modes of purchase, because, when a man is bribed by money, there is, at all events, a chance of his spending it well, for his own lasting advantage, or in the support of a poor family; but, when he is treated, he has nobody to impart the benefit of his treat to, beyond himself; and this benefit to himself consists in the very possible ruin of his morals and his health. We would not allow a single ounce of meat or a single drop of beer to be furnished to any elector, by either candidate or partisan, on any pretence. It is impossible to draw a line between treating in excess and treating at all; therefore, henceforth, be it enacted, there shall be no treating at all.' Buttered ale and blue beef have too frequently been sounds musical in dissolution times; but, henceforth, buttered ale and blue beef be banished from our reformed electoral circles!—refreshments and refreshment-tickets, for ever, adieu! Go, if you will, and hold your harmless revels among the children of

Schedule A, in the obscurity of our political Herculaneums and Pompeiis. See if your old patrons will revive the means, now that the end is beyond their reach: at all events, never appear again to mock the solemnity of a reform election. Many will be the cry of shame at this severe and illiberal decree:—'O, it is a hard thing a gentleman may not give some refreshment to a poor man who comes from a distance on a hot day to give him a vote!' But this is a wrong theory, friend gentleman; he does not come to give you a vote; he comes to give his country a vote; and if he is thirsty that day, let him slake his thirst at his own expense, as he would any other day. Besides, it is so difficult to draw the line, see you, as to how much treating the poor fellow in question should be allowed to have. If it is hard that he should not have a glass of grog for his patriotism, it really is more hard he should not have two; one is only teazing him; and there is the same reason in favour of three over two; and so this *à fortiori* argument goes on, getting stronger and stronger with every glass. Besides, only recollect how many toasts a man ought to drink if he drinks one; and it is a settled rule at elections, that no man drinks a single glass without a sentiment: there's his honour the candidate's health; then his wife's and heir's; then the agent's; then—'The King and the Queen!' and 'The People, the source of all legitimate power!' It is certainly shocking work, a sad piece of destructiveness, to upset such a noble institution as this; but, nevertheless, go it must. A candidate should henceforth be fined, and so should any partisan, £50 for every species of treating. We see that there will be some difficulty in determining what shall be considered treating in a partisan. For instance, it will be hard to say that a person, who has long been resident at such and such a polling place, may not offer a glass of beer to an old friend who has come up from a distance. However, we believe we may safely leave this to the law. It will not be too severe against a glass or so; and, on the other hand, parties will be very cautious how they trust their '*animus*' to the tender mercies of a probably hostile jury.

Another vast source of corruption consists in the employment of men for fictitious services;* for instance, flag-men, side-men, musicians, criers, and *id genus omne.* If these are not voters themselves, they are (what is the same thing) invariably selected from the brothers and relations of voters, and supply, in that manner, the means of corrupt influence. We see no advantage in all the processions, and such devices for loss of

* Mr. Joseph Parkes, in his evidence, which is throughout highly instructive, suggests that it might be advisable to make even the hiring of an agent penal.

time, about which these worthies are to be compensated. If flag-men, side-men, musicians, and criers had never existed, we should have been just as great a nation, had as good a navy, and won the battle of Waterloo. They must all be sent to the right-about.

Again, we mean to prohibit all payment of expenses for coming to the poll: under pretence of compensation under this head a vast deal of bribery goes on; a voter is paid often a sum equivalent to twenty times that which he ought to have expended, or in fact really did expend, in coming up. But, even if he were only allowed the exact expense he had incurred, we should object to allowing a candidate to pay it, because some electors might be tempted to listen even to that slight inducement; and this would consequently be giving the man of wealth an undue advantage. If you leave any opportunity for the expenditure of money, you will always leave, to that extent, an opportunity for its undue advantage.

Mr. Hume has a Bill now before the House to empower the magistrates of every county to alter the present polling places if they appear to have been injudiciously distributed. This, if carried into effect, will do away with all hardship in leaving an elector to find his own way to the poll.

We would also reduce the poll, in counties, to one day, and abolish all fees to town-clerks and other officers. The erection of poll-booths and hustings we would leave to the constituency themselves; indeed, as a general principle, we would throw the payment of all unavoidable expenses as much as possible on them; for we would take every opportunity to impress upon them, that, in the election of a representative, they are the most interested party, and that the seat ought not to be merely a matter of speculation for the candidate.

Another very fertile source of corruption is to be found in the system of paying up a voter's rates and taxes as a consideration for his vote. In our opinion there are many objections to making a compliance with this condition necessary to registration; all sorts of trickery and eternal disputes arise from this one source. However, it is not our present business to enter upon these considerations; we object to it just now as opening the door to a very formidable species of bribery. It is notorious that many poor £10 householders are bought in this way; and it would be highly desirable, on many grounds, to modify this provision of the Reform Bill.

One more species of corruption, and we have done with this branch of the subject; and this refers to a very common practice, namely, that of giving votes by paying for the admission of freemen, in some large towns in which the right of acquiring freedom by birth and

servitude, and therewith the elective franchise, was retained by the democratic Lords. This is the only sort of freedom which that unreformed House will ever tolerate;—but we must be tyrants, and crush it. The most obvious method would be to abolish the unnecessary connexion of political and municipal privilege; or there is another very sufficient and less destructive plan, and which would, at all events, prevent the taking up freedoms in these towns from being the occasion of much bribery; namely, getting rid of the stamp thereon. The total expense of a man's taking up his freedom in Coventry, for instance, is £1. 3*s*. 6*d*., of which £1 goes in the way of stamp-duty, leaving only 3*s*. 6*d*. for fees, &c. The whole sum is a consideration to a poor man, and one for which he would, in nine cases out of ten, be too ready to exchange his vote. But in nothing like so many cases would he do so for merely 3*s*. 6*d*.; and, consequently, by the repeal of that duty, a great facility to bribery would be removed. We cannot permit ourselves to propose such an end for these gallant freemen without stopping to drop one tear over the ill-fated but chivalrous loyalty which invariably distinguishes them in common with every other branch-society of Toryism, even at the moment that they are engaged in the most illegal enterprise. Loyalty was in the mouth of the Orangeman when he was accused of meditating a change in the succession to the throne; and these fine fellows—these freemen—when they are laying themselves out for a bribe, cannot help dressing their unconstitutional demand in the garb of the most picturesque loyalty, and prettily observe that 'they are fond of seeing the King's picture.'*

We would here remark, that the oath of the candidate and Member should refer as well to treating and election expenses as to bribery; and that any violation of it, in these other respects, should subject him to similar penalties.

We have now, we think, pointed out the chief forms under which bribery and corruption exist, and to each have suggested an appropriate remedy. If to these remedies we might only add that of the ballot, which would prevent all knowledge how the acceptor of the bribe, after all, voted, we should fearlessly laugh to scorn the most desperate devices of bribery and corruption. Leave the bribery laws as they are, and the ballot would render bribery very clumsy and very dangerous; but when the ballot is combined with a great reform in those laws, bribery will be impossible.

The grand argument to show the insufficiency of the ballot, as a protection against bribery, is generally put forward in this shape:—A candidate will say, 'If I am returned, such and such

* Evidence of Mr. Vigors, p. 397.

a quantity of money shall be divided among my supporters.' But now, be it recollected, that, in order that this inducement shall have any effect, it must be generally made known, and the electors must be few in number; and how can it be generally made known without coming to the ears of some person well disposed to betray it, and who would lay himself out for the bribe? Of course, in ninety-nine cases out of a hundred, this wholesale bribery would emanate from the candidate himself. or, at all events, he would sooner or later be cognizant of it; and accordingly he would forfeit his word pledged in the proposed declaration, and would subject himself to that most humiliating of all expenses to a gentleman—an indictment for perjury, besides the other penalties of fine and perpetual *dismemberment*. But suppose the candidate was one of the old St. Ives and Penryn school, who thought there was no harm in election perjury;—let him go on with his experiment. He is returned, we will say, having polled 400 votes; at the day appointed for the division of the promised money 600 electors will come and present their claims;—how is he to recognize the 200 impostors? However, their appearance will raise a hubbub among the faithful. 'Holla! Treachery!' they will cry. 'Who are the rogues?' If, in this state of things, the cat does not jump out, we shall indeed admire the bag and the holder; for, recollect, we have the power of producing any suspected person before the Committee, the agent, and the candidate himself, who shall all be obliged to answer any question put to them; and we once more assert, that, even though none of them should care what falsehood he swore to, a rigid cross-examination, under such advantages, could not fail to elicit the truth.

It will be of great importance to introduce the same facilities of getting at the truth in actions under the statute, and in prosecutions at common law. It will, no doubt, be familiar to our readers, that, in the Bribery Act, 2 Geo. II., there is a clause, usually known by the name of the '*Discovery Clause*,' whereby every offender discovering and establishing an act of bribery in another person, within a certain time after the election, shall be indemnified himself. This clause, at first sight seemingly so well adapted to its object, has, however, afforded the most effectual means of defeating it. The action for bribery, be it observed, is in the nature of an action for debt; the plaintiff asserts that the £500 penalty which the Act imposes upon proof of the offence, is a debt due to him; and, if the verdict is in his favour, he pockets the damages. Now, the discovery clause enables the offender to escape in the following ways. In cases where he feels certain that his offence can be proved, and that parties are determined to proceed against him, the moment the election is over he gets a friend to

bring the action against him. His friend recovers this debt *of honour*, and makes it over again to the offender, who thereby comes off altogether uninjured. But even where an offender did not anticipate detection, and had not, consequently, taken the precaution to get his friend to bring an action against him, an action brought in earnest, by a third party, may be as easily evaded. The offender simply commences a friendly action against the man whom he had bribed; judgment is obtained by default; and, in answer to the action against himself, he is ready to plead the discovery of his friend's offence. So it seems that every conceivable act of bribery may be screened by this precious clause; and it should be recollected here that the costs of these friendly actions are a mere nullity. The difficulty now is to remedy it. It is of the highest importance to encourage treachery in the camp of bribers. Nothing makes a man so cautious of committing an offence, in which others must be engaged with him, as the knowledge that his accomplices have a strong interest in betraying him. On the other hand, however, we must take equal care that, in encouraging treachery, we do not do so to such an extent as to make it worth a man's while to bring false charges against another from the hope of great benefit to himself. If we were to get rid of the bribery clause, and content ourselves with indemnifying witnesses who furnished proof of bribery, (as some persons propose to content themselves,) we should have very much the same means of evasion as under that clause; for the offender, if an action was brought againt him for bribing A., would get a friend that instant to bring an action against A. for having been bribed; and, coming forward himself as witness, would, in like manner as before, be able to urge that evidence as an answer to the action brought against himself. In this latter case the difficulty might certainly be met, by refusing such privilege to the evidence of any offender against whom an action is already commenced for any offence under the Bribery Act; but then, what would be the consequence? The briber would invariably get his friend to bring the action against the bribee the moment after the election, and before any other party was likely to sue him—and so would escape any future consequence of his own guilt, by giving evidence against the bribees; and this regulation would be just as liable to evasion as the discovery clause. We confess we see no way of getting out of this difficulty except by altering the nature of the penalty. Either have no pecuniary mulct at all, or divert it from the pockets of the plaintiff to those of the King, or to the payment of the national debt, or to the building of the new Houses of Parliament, or, still better, to the highly useful purposes of the 'London and Westminster Review.' There is no doubt, however,

an obvious objection to giving the plaintiff no direct benefit from his action; namely, that everybody then has one great inducement *minus* to ever becoming plaintiff. But we think that by increasing, as we propose to do, to a great extent, his political inducements to become so, we may afford to give up even this great personal one. Of course, we wish that the same privileges should be taken away from witnesses, agents, and candidates in courts of law, as before the parliamentary tribunal; and therefore the same facilities would be offered there of detecting the offence and tracing it up to the real source. If the complainants make out a clear case in the court of law, they will be very apt to carry their complaint still further, namely, to the parliamentary Committee; and in case the time, as at present limited for preferring a petition to the House, should have expired, perhaps it would be a useful exception for Parliament to admit that, whenever it shall appear probable, from what has transpired at a trial, that bribery had been carried among a particular constituency to an extent that might have influenced the return, the right of that constituency to petition shall be revivable within certain fresh limits.

We throw this out hastily as a suggestion, but have not at present time to argue it out. We certainly prefer altogether the remedy by indictment, and the punishment by imprisonment. Imprisonment is pleasant to nobody, and especially disagreeable to a rich man, to which class the givers of bribes almost invariably belong. To such people a penalty of £500 is often trifling. There is, however, this great objection to indictments, that prosecutions for bribery being almost always instituted for party purposes, the grand jurors, who are generally strong party men, might perhaps not be particularly anxious to promote that particular party purpose, and might be induced to ignore the Bill boldly at once, or leave the room, so that it could not be found. And it is the rule of the Court of King's Bench never to interfere by criminal information in these cases, until the two years for bringing the action under the statute have expired. Under any circumstances, we think that the court might, with great advantage, relax in this respect.

We will take the opportunity here of mentioning one species of bribery which prevails to a considerable extent, but which it has been found can be reached by no existing law: this is the giving of money after an election, without proof of any previous agreement. In the case of Huntingtown *v.* Gardiner, (1 *Barnwall and Cresswell,*) it was ruled, that, under such circumstances, the statute offered no remedy. But it is high time to supply one, and we think that where such cases recur, it might be fairly left with a jury to decide the *animus* with which the money was given.

We feel that we have spun out to an alarming length our inquiry into this part of the subject, and that we have, after all, left it very incompletely argued; still, how to have been shorter we do not know, nor how, being as short, we could have done it full justice. We hope, however, to be less tedious on that part of our subject which relates to intimidation.

If we have expressed a doubt as to whether bribery and corruption have not increased since the Reform Bill, we may, at all events, confidently assert the formidable increase of intimidation. Perhaps the last five years furnish more numerous and more atrocious instances of its employment than the whole previous annals of British electioneering. Intimidation, indeed, seems now the constant occupation of many—the sole occupation of not a few. It is no longer confined to the mere period of an election, for no sooner is one election over, than *preparations* are making for another; in other words, an organized, watchful, harassing system of intimidation is permanently established in every district in the empire. Rare is the happy neighbourhood that is free from the ever-present curse of some political club or association. We call them a curse, as they are now constituted, for their object is intimidation. It is well to say that they are mere unions of men of similar opinions, and that their end is to keep alive among themselves a strong party feeling. That is not all. The main object of these associations is to keep up a strong standing force, which shall always be at hand, and always strong enough, to overwhelm the few stragglers that may fall in their way.

Their first manœuvre is to establish exclusive dealing. The parson of the parish, the squire, who is a magistrate, the neighbouring attorney, and the rich old dowager, who supports so many charities,—all belong to the parish Conservative Association. There is hardly a farmer in the neighbourhood that is not more or less under the influence of one or other of these authorities; and, however remote that influence, it is astonishing how closely and how surely it is brought to bear. Mr. Terrel (of Exeter), in his evidence, says, that at the Tory committee-room at Exeter, it was a common question in going over the list of voters, 'who can influence this man? and who can lay the screw on that one?' And this is the question that is daily asking at these political associations. Not merely on the day of election, but for months and years before it, goes on this slow hunting down of the dependent electors. We have heard enough from Tory mouths of the depression of the agricultural interest, and the difficulties and dangers to which the farmer is exposed. But mark how invaluable that state of uncertainty and difficulty is to the tactics of these confederated intimidators. They are always at hand to take ad-

vantage of every passing necessity of every elector; and they are able, at the most favourable moment, to hold out the inducement or the threat. These are emissaries of these associations that are never idle. They hunt out the circumstances of every elector. They ascertain his hopes and fears, and there is sure to be some one in the association who knows how to 'use the screw.' The persecutions of these greedy spies are beyond endurance. They hover around those that are in trouble, much in the same way that sharks are said to hover around the ship which bears a dying passenger; and too often is their foul gluttony rewarded. At that moment they have the power of at once relieving, or for ever crushing, those unfortunate men. They press the alternative: and in the long run, in the vast majority of cases, who can doubt the efficacy of this terrible surveillance? Look at the circumstances of nine-tenths of the electors of this kingdom. Deduct those that are at the mercy of landlords, or customers, or attorneys, or bankers, or the Government, or the church, or the magistracy; and we shall have left a very select and gentlemanly constituency, but certainly not as much as one-tenth in number of that body, which, by the present fiction of Parliament, is said to exercise the privilege of choosing its representatives.

We will now point out a few of the principal forms under which intimidation is carried on in this country, and then lay before our readers the arguments which are set up in its justification; for we must premise, that while there is hardly any exercise of influence on the part of the powerful over the weak, too ungenerous to be sanctioned by modern practice, so there is hardly any which is not defended by modern morality.

We may begin by asserting, that there are very few instances of a tenant of land being entirely independent of his landlord. A great clamour was made in Parliament about Lord Chandos's clause, and a great distinction insisted upon between tenants at will, and those on lease. But, in reality, there is no such great distinction, as far as the power of intimidation is concerned. It is very rarely that some of the covenants in a tenant's lease are not broken, and he thereby is just as much at the mercy of the landlord as the tenant at will; nay, more so, for the latter has, in some cases, the landlord at his mercy, namely, in those cases where the landlord is very anxious to keep him as a tenant, and he threatens to quit. Besides, however long a man's lease may be, and however regularly he may observe all the covenants of it, he knows that he may very possibly have to ask, by and by, some favour of his landlord. He may want certain repairs beyond the agreement, or he may want a little more time to pay his rent: in short, there are a hundred ways in which he may derive benefit

from the good-will of his landlord, beyond what he can claim from the terms of his lease. These hopes act pretty nearly as strongly upon him as his fears; and leave him as little independent. We scarcely need stop to quote instances of the slavish subserviency of tenant to landlord. They not only usually are compelled to vote in the same way, but, when the landlord rats, that instant the tenants are expected to rat too;* and it must be recollected, that ratting is getting very much in fashion among the country gentlemen now-a-days. The prevailing feeling upon this subject, in high life, is that it is *ungentlemanly* to canvass a tenant without the leave of his landlord; that the vote was given to the land, and not to the mere cultivator of it; and that he who has the fee-simple of the land, should have the full control of all privileges attached to it. Doctrine worthy of the exalted race of country gentlemen—those wooden walls of old England—and flattering to the pride of the British yeoman! Nevertheless, enforced it is, in one or the other of the following ways:—Either the landlord says, in so many words, 'If you don't vote for my friend, you shall quit my farm;' or he goes in a more roundabout and cowardly way to work, and dresses his threat in the form of a polite request: 'He will feel exceedingly obliged to his tenantry by their supporting his friend.'† But if the tenant, in his simplicity, thinks of answering by a polite negative, the steward, who is generally the bearer of the request, explains to him its real nature, and points out the very intimate connexion between the giving of the vote, and the holding of the farm. There has been so much suffering among tenantry for non-compliance with these polite requests, that they are now very well understood to be just as significant as the most downright threat. In many cases, we are willing to admit, the conduct of the landlord is harshly interpreted; an alarm is often felt which is not justified by any intention of his. He really may mean no more than to ask a favour, and never dream of visiting non-compliance with punishment. But so general is the terror on this head, and so ready always are some unscrupulous people to frighten the tenants into believing it, that the canvassing by a landlord of his tenantry is almost always felt as an intimidation. It would have a very good effect if well-disposed landlords would, at every election, publish a declaration, pledging therein their honour that they would never in any way injure a tenant for his vote. But where should we ever meet with such well-disposed landlords! There are too few of them. Yet these few would do well to make their conduct as public as possible, for the sake of

* In illustration of this, see Mr. Terrel's evidence before the Committee respecting the ratting that went on at the last Devonshire election.

† See Lord Kenmare's Letter.

the contrast, and that they might really stand as they deserve with the public. Many gentlemen of high character, honourably and charitably disposed, are confounded in the odium which attaches to their class. We know, of our own knowledge, a perfect illustration of this:—A county member was charged on the hustings with having intimidated at a neighbouring borough election. He distinctly disproved the charge, though he certainly had the power of influencing many voters; he was a true radical, and had never exerted one tittle of that influence. 'But,' said his questioner, 'were you not present in the town-hall at the time of the election; and was not your very countenance, in such a place, a species of intimidation?' If our readers had ever seen that countenance, they would have wondered at the injustice of such a charge. A more mild and innocent physiognomy never smiled above leather breeches. The most awkward pickpocket would have greeted it as the certain assurance of an easy plunder. The most bashful maiden has, at first sight, placed her full confidence in its gaze. But he was a man of great power! Men of great power appearing in a polling booth are seldom there for harmless purposes. They are there to watch their dependants, to confirm the dishonest, to frighten the waverer, and mark the recusant. Our friend was naturally, though unjustly, included in the number of these tyrants: in truth, they are tyrants, and their dependants are miserable slaves. Look at those seventy farmers that follow, so gaily decked out in the train of that imperious squire. He is the most unpopular man in the county; and out of those seventy followers, there are not five that would have voted with him if they could have helped it. They think his nominee a rogue in private life, and an adventurer in politics. But he has sent them a polite request, and they know they must attend to it. Oh! yes; and he, that great bully and hypocrite, will be able to say he never held out a single threat to them; that they vote from sympathy with him, and are so many proofs of the strong conservative feeling in the county. But follow some of them to yonder public house, and hear the hearty bumper which they fill to the success of the true Reformer, and then you will understand the secret.

The poor county voters have several other enemies besides their landlords. First of all, there is the parson, armed with the awful power of taking tithes in kind. Almost all the witnesses produced before the Bribery and Intimidation Committee, agree in giving our reverend pastors an honourable pre-eminence in the unscrupulous fury of their partisanship. Then there is the attorney, who has mortgages on their estates, and who is well up to the many hundred ways in which the law will help him to do them

an injury;—the banker, who has lent them money, and can demand repayment at the most inconvenient moment; the magistrate, and last, though not least, the formidable old dowager, who will not admit to her schools the children of obnoxious voters.

'O fortunati nimium, sua si bonâ nôrint,
Agricolæ.'
'Ah! if they did but know how fortunate they are.'

Extraordinary blindness!

The voters in towns are spared in general the persecution of landlords; but the impartial god of Intimidation has amply made up to them for that exemption. Here prevails the intimidation of customers, and the goodly system of exclusive dealing. Here reigns in full empire the clever and profligate attorney. Poor tradesmen! reckon up your customers. Which are the most numerous among them, the Reformers or the Tories? for you must make up your mind to lose one party or the other, if you give your vote. Poor inhabitants of towns! you ought indeed to resume your old name of villains, for you are treated as such. Perhaps there is hardly a borough in England where exclusive dealing is not the fashion, and where tradesmen are not for ever harassed by the importunate threats of their customers. The evidence of Mr. Florance (p. 38), relating to the last Westminster election, among others, gives us a good insight into the pitiable state of the poor tradesmen. Not only did fine lords and ladies write them threatening letters, but even on some occasions they were known to send to them their liveried flunkies, with the insulting order that they should promise their vote, or send in their bill. Sometimes, too, these latter gentlemen were known to go on their own authority, and try their hand at the gentlemanly amusement of intimidation. Officials belonging to Government establishments, where Government has any great power, follow in the same track. Observe the politics of the tradesmen at such places as Devonport, or Plymouth, or Portsmouth. The great majority of them have boxed the political compass. There is no ministry that they have not supported. And yet this was not from caprice or indifference. Many of them had decided and earnest convictions, which invited them far away from any of those ministries. But they must support the ministry, or be ruined. And so it is with nine-tenths of the present constituency of England. Honesty and ruin are too often inseparable. This is the state of degradation to which they are reduced. And is it necessary to *prove* to them that they are degraded; that their condition is such as none but the most insolent tyrants would impose upon the most abject slaves? How long will this vast majority be content to sit still, and permit themselves to be used as mere instruments in the

hands of a supercilious minority? Do they admit the brutal doctrines of the Tory, that they are the mere mouth-piece of the land they live in, or the goods they sell, and, by right, go to the owner of the one, or the purchaser of the other? Do they really acknowledge that our boasted constitution meant to give them nothing more than a mechanical share in its working, and are they content to submit to such an iniquitous apportionment? If they think all this, and do not rise in furious rebellion, they are pitiful slaves; and such, too, are they, if, believing they have noble rights, they fear to assert them. But we advise them no fury—no rebellion. There is a simple, peaceable, secure remedy for all their evils in the ballot-box. Without the Ballot, we cannot call upon them to be honest. We cannot call upon them, year after year, to make the deep sacrifices of their own happiness, and that of those who are most dear to them, even though it be at the sacred altar of public duty.

Poor wretches! how many, after the experience of the dangers of conscientious voting, have sought a species of relief in self-disfranchisement! But even this relief is rarely permitted them. The landlord, the customer, the neighbouring association, are just as interested, and just as active, in watching the registration, as in watching the election. There is nothing for these men to look to but the Ballot. There is no provision by which a landlord can be prevented from parting with an obnoxious tenant; none by which a customer can be forced to continue dealing with a particular tradesman, or an attorney or banker from calling in at any time his dues. You may make penal, as that sagacious reformer Mr. Hardy has proposed, the confession that such an act was done in consequence of an elector's vote; but then, whom, after the passing of such a Bill, would you find foolish enough to make such a confession? It is quite possible, certainly, that you might now and then catch some very passionate and thoughtless, or drunken man; but still we fear that the good such a Bill would do, would hardly be worth the expense of printing it. As long as the inequalities exist, which at present separate the different classes in English society, so long will it be impossible to prevent intimidation, except by the obvious remedy of the Ballot; and to the struggle for this great measure, we implore the undivided energy of that vast majority which never can be free without it. They are bound to embark in this struggle. They must not forget that the elective franchise is a sacred trust, and that it is their duty to let no consideration interfere with its due discharge. It will not do for them to sit idly still, and point to the dangers of fidelity. They are bound to struggle to overcome those dangers, and victory lies in the Ballot.

We are no jealous levelling destructives (if any such there be) that seek to disturb the reciprocity of good feeling between landlord and tenant, superior and inferior; we wish not to discourage the interchange of kindly offices between those whose relations are so intolerable without them. Not on us does such a charge fall rightly, nor on those conscientious men who endeavour faithfully to discharge their public duties to their country, but rather surely on the greedy trespasser who demands the sacrifice of those duties to his imperious will. What right has he to make an important public duty a question of kindly feelings between individuals? What right has he to mix up a man's duty to his country with his relations to his landlord? As well might a landlord insist on his tenantry changing their religions, as their political opinions. A squire is just as much justified in ordering his tenant to believe in the Pope, as in ordering him to vote for his nominee.

These rash self-called Conservatives should consider well whether this system of intimidation is the best calculated to preserve the harmonious relations between high and low. They are ever lamenting the dangerous schism which is daily widening between the Aristocracy and the people, and the growing disaffection to the present distribution of wealth and power in this country. But do they know rightly in what that feeling originates; and do they go the right way to allay it? It originates in no ignorant impatience of wealth and power; in no jealousy; in no wantonness, but rather in the experience of the many ways in which the possessors of wealth and power abuse those advantages. The prestige in favour of Aristocracy is not easily rooted out of the English mind. The most violent 'destructives' have some affectionate remembrances of the kindness of the old patriarchal squire; and we once saw a radical attorney shed tears on hearing the song of the 'Old English Gentleman.' But still this feeling may be rooted out. The classes below the Aristocracy hold opinions often widely opposite to theirs. They do feel that it is a tyranny, which prevents their giving expression to these opinions; and we sincerely hope that they will never have recourse to any more dangerous expedient than the Ballot to assert their independence.

The Aristocracy would do well to take warning by the fate of the Church. What has of latter years so increased the unpopularity of that institution? Certainly not merely its doctrines. The Church would long have withstood the inroads of dissent, had it no other enemies. But by its political partisanship it has attracted political, as well as religious hatred. Half the world now look upon the establishment more in the light of a political engine than anything else; and certain it is, that if it were over-

thrown to-morrow, the cause of Toryism would suffer more than the cause of Religion. In like manner will the Aristocracy sink in the good-will of the people, unless they adopt some better scheme of conciliation than that of intimidation. They will discover, after a sad experience, that political persecution is not more effectual than religious, and that, cost what it will, the one yoke, like the other, will sooner or later be thrown off.

We know that we shall be retaliated upon, and told, that in spite of our fine talking we intimidate just as much as any other party when we have the opportunity; and that it is not the inclination but only the means that are wanting to make us as bad as any Tories. And what then? We admit the propensity of all mankind to exercise improper influence, provided it be necessary to their end. And it is to render the indulgence of that propensity impossible in our own case, as well as in their case, that we call for the Ballot. As long as intimidation goes on to the extent it does on the other side, we cannot afford *not* to intimidate in our turn. But we have this advantage in the argument over our adversaries, that, even when in self-defence we are obliged to have recourse to this disgraceful system, we are still doing all in our power to put it down, and they are doing their best to maintain it. 'Look at the intimidation of your mobs,' triumphantly exclaims the Tory. We have often looked at it, and with sincere regret; and still, while things are in their present state, we wish that mobs would intimidate much more. If the elective franchise were bestowed upon all to whom it were safe to trust it (we pass no opinion here as to whether it at present is so or is not), and if those so selected had the full and free exercise of that privilege, then we should loudly protest against any species of interference on the part of those whose knowledge and circumstances did not entitle them to a similar confidence. But as long as the freedom of the more dependent electors is invaded on the one hand by the intimidation of the rich, we hail with gratitude the counter-intimidation of the poor. Long live the glorious mob! As long as turning adrift a tenant on account of an obnoxious vote is called doing what the landlord likes with his own, so long we hope that mobs will claim the privilege of punishing the obnoxious vote of the landlord himself by a broken head. We should like to see the heroic conduct of these landlords, if this privilege were really allowed by law to the mob—these landlords who talk of the cowardice of a poor man's concealing his vote when ruin is the consequence of honesty. Yes! we wish that the law permitted a strapping non-elector to march them up to the poll, to stand by them as they voted with a large cudgel in his hand, to *request* them beforehand, under penalty of a terrific beating, to vote for

the Radical, and to put that threat into execution if they dared to disturb the proper harmony that should exist between high and low. Nay, more; that when they were well thrashed, their families might be instantaneously turned out of their fine mansions, and consigned to the tender economies of a reformed workhouse. Would not these great men think the Ballot some protection then? Would not their British pride quickly enough stoop then to the humiliation of giving a secret vote? Should we not find more than one Sir Charles Wetherell running over house-tops, and too glad to put on old woman's clothes to shelter himself from that species of responsibility to the non-electors (another sort of responsibility), to which, with a noble candour, they admit they ought to be subject? They abhor the intimidation of the mob, but they would give them the privilege of grumbling; and therefore it is, among other reasons, that they object to the Ballot, because then the mob would not know whom to grumble against. 'The mob,' say they (no, not 'the mob:' when arguing against the Ballot, they dignify the mob, the brutal swinish mob, of other occasions, with the politer name of non-electors), 'the non-electors should have some control; they should, at least, have the opportunity of praising or blaming the conduct of those above them who are intrusted with the more valuable privilege of voting.' True Tory concession to the people! The privilege of praising or blaming an act when such considerations have no influence whatever upon the actor, amounts merely to the privilege of grumbling. Does it amount to more? We cannot, at all events, understand how a Tory elector can pretend it does. He, from time immemorial, has voted in the teeth of the non-elector, and not cared one sixpence for his praise or his blame. How he laughed but yesterday, in Devonshire and Staffordshire, at the 'forest of dirty hands' that was raised in behalf of the Liberal candidate! Yet those dirty hands were the hands of the non-electors; ninety-nine out of a hundred of them were for the Reformer. Still the Tory had a large majority. If that majority had voted according to their inclinations, they would have voted the other way. They were in heart with the non-electors. The blame of the non-electors could never have been more properly directed than against them, for voting, as many of them notoriously did, against their consciences. And still, in spite of that, and in spite of their own leanings, they were compelled to submit to the far stronger intimidation of their landlords. It is idle to compare, for a moment, the two species of terror. The moral responsibility to the non-electors is a mere nullity; and it is only because it is so that it is insisted upon by the party that now raise the cry. Put a cudgel or a brickbat, as we have proposed, into each of those dirty hands, and then, indeed, there will be some meaning in t

doctrine of responsibility to them: and with the present system we strongly advocate that species of responsibility. But, as we before said, if the electors were subject to no undue influence whatever on any other side, then we should strongly condemn the doctrine of their being responsible to the non-elector. For, the theory is this: votes are given to those who are supposed to be intelligent enough to exercise that privilege discreetly; the remainder are excluded, on the ground that it is unsafe to trust them: and still can it be proposed to subject the former class to the control of the latter? Is not this subjecting the better to the worse opinion? Oh! yes; this notion is of a piece with the other democratic freaks of the party from whence it comes.

We have yet a few words to say respecting the species of intimidation peculiar to Ireland.

Looking at that part of the evidence brought before the Bribery, &c. Committee, which relates to this country, we cannot help being reminded of the innocent blunder of Mr. O'Dwyer, that he came from 'a land where no man could speak the truth.' Before that Committee, as before most other committees and public bodies nowadays, a most undue proportion of time was taken up in the investigation of Irish complaints. To be sure, there was ample ground for complaint; but the perplexing part of the thing is, that each half of the evidence consists in a flat contradiction of the other half. The priests make the most elaborate charges against the landlords, the landlords against the priests, and each party in its vindication brings forward several thousands of facts, and several dozens of witnesses. Perhaps it is the safest plan, though certainly somewhat Irish, to believe that both are right. Quite enough, at all events, is proved, to show the deplorable omnipotence of intimidation throughout that country. A pretty picture between them do they draw of Irish freedom of election. In one corner behold the merciless agent riding about with his landlord's written order to a Catholic tenantry to vote for an Orange candidate, and whispering the dreadful words of 'suing for arrears,' 'actions of ejectment,' and 'quitting the estate.' These are horrors which, fortunately, Englishmen cannot fully appreciate. The Irish landlord is more like an Oriental despot than anything British. He literally sweeps his victims from the face of the earth. He razes their habitations to the ground, and a week after the offence there is no vestige of the offender. Numerous witnesses speak to the actual depopulation of whole districts in consequence of electioneering crimes. The landlords, in their defence, produce their stewards' account-books, and show, beyond doubt, that all these ejected tenants were in arrear for rent. But this is the invariable custom in Ireland, and does

not disprove the charge of political persecution; for, though these poor wretches were in arrear, it was not for that they were ejected: it was because they voted against their landlord's nominee. Others who yielded to his intimidation, and were equally in arrear, still remained unpersecuted on his estate. The worst of our squires is not half so bad as a very moderate Irish one.

Well! while the landlord threatens to drive these poor wretches from the face of the earth, the priest threatens to close against them the gates of heaven, and they have nowhere to go, except where, on parting, they are generally told by their persecutors to go—to the devil.

The priest, we are assured by the Orangemen, is unscrupulous in the employment of a boundless spiritual power. Temporal power he has none. In that respect he is dependent upon his flock. But he has all the angels and devils at his command. Some of his flock he frightens by the secret assurance that heaven is only for Repealers; others by publicly holding them up to the scorn and indignation of their exasperated comrades. From the very altar he makes a political harangue: even there he nominates the candidates, and cries, 'Let those who are for O'Connell and Mullins hold up their hands.'

Now, we are not going to defend all that such priests really do, still less what they are represented by their enemies as doing; but we think we see much better defence for them than for the landlords. They say that the few cases where they justify political allusions from the altar, are where bribery or very gross intimidation is apprehended. Accepting a bribe, or listening to a threat, either of which shall interfere with the conscientious discharge of a man's duties to his country, is a sin in the eyes of God as well as man, and, as such, fit subjects for comment in any the most sacred place. We really cannot find much fault with this. The priests rarely originate intimidation. They threaten, in general, in order to prevent a voter from being influenced by the previous threat of his landlord. There is hardly ever an opportunity for their threatening in order to frighten a conscientious opponent; such unanimity is there among parties in Ireland. If the priest were to go against the Liberal, if he were to preach for Colonel Bruen, where would be his mighty hold upon his flock? He might rail, and roar, and denounce as much as he chose; he might unlock all the secret thunders of superstition—what would he gain? He would have his chapel deserted, and probably his head broken. The distinction between the intimidation of the landlord and that of the priest seems to be this: that whenever the landlord threatens a poor wretch if he does not turn renegade to his opinions, the priest threatens him if he does; and we

the distinction is very much in favour of the priest. The Liberal cause is greatly in debt to these men. Ireland owes the little she has obtained, and the much that she has in prospect, to their zeal; and may they persist in still more violent intimidation, as long as the example of the landlord is before them!

One glance now at the Irish mob. Shortly before the election, one hundred stout non-electors, converts to the doctrine of the responsibility of all others to themselves, and prepared to argue it out with their shillelaghs, sally forth at midnight, and beat up the quarters of those they suspect. From these they extort an immediate promise of their vote, or, if that is resisted, they thrash them within an inch of their lives, and pull their hovels about their ears. If they have not time to inflict immediate vengeance, they stamp the house with their seal of death's head and cross-bones, so as not to forget it on their next visit. The following morning they go by thousands to the place of election. Simply, we suppose, because the Irish are never known to meet in large bodies without having a row, our Legislature, in its wisdom, has ensured a necessity for such large meetings, by allowing only one polling town in a county. Oh! what a pandemonium is this one town turned into! Whereas, in England, the military are always sent out of the way when an election is going on, in Ireland it is always found necessary to call them in; and whereas, in Ireland, the tumult is sure to be much greater on such occasions than in this country, they are allowed four days for it, while we are restricted very wisely to two. The mob line the road to the hustings, in order to pull back some from voting, or mark the future victims of their vengeance. The military endeavour to restrain the mob, and the natural consequence is one continued fray and uproar as long as the election lasts. But we are all for the mob. We thank them for every crack which they open in the skull of the intimidating landlord. But still we implore the Ballot to put them down —to put down the landlord; yes, and when it is necessary, to put down the priest.

A question arises here. It is contended, that even if the Ballot succeed in annihilating the intimidations of other people, it will not reach that of the priest, who has the power of the confessional to worm out the elector's secret. In answer to this, every single priest examined before the Committee emphatically and indignantly denied that that institution ever was, or ever ought to be, turned to such a purpose. But even suppose that it were, the secret would go no further, for what passes at the confessional is for no ears beyond. Suppose the priest had there discovered how his penitent had voted, the only advantage he would gain thereby would be the opportunity of private rebuke, or ex-

hortation. He durst not, as he now does, hold him up to the public execration of his brethren; for if he breathed a word of what he had heard under that sacred confidence, there would not be a man in his flock who would not with reason apprehend a similar betrayal of his secrets. Depend upon it, however dear a party triumph is to the Repealer, the inviolability of the confessional is far dearer to the Catholic. There does not live in Ireland the priest who would venture upon such an experiment; and if ever one such were to rise, he may take our word for it, that he would not live long enough to venture it a second time.

The Ballot is the effectual remedy for every practicable species of intimidation, and the only remedy. For bribery and corruption there are, as we have seen, others that must be added. These have been argued by the most competent authorities before the Committee to which Parliament has delegated the duty of considering this question. We can hardly conceive how that Committee could honestly come to any other conclusion than that which we have proposed. They had a noble opportunity, such as falls to the lot of few, of rescuing their country from great distant danger and immediate suffering. The morality, the happiness, of this nation was in no small degree at their mercy. They have been weighed and found wanting. But shall not what they have left undone be done by Parliament? If, after all they have heard, the Legislature shall put us off with some sham and trifling provisions which any country squire will have the wit to evade, they will have to answer for all the crimes and misery which may, and must, be the consequence; but, if they will rightly use the axe which is in their hands, if they will boldly cut down this poisonous tree, under whose shade so many good feelings in this country are withering and dying, they shall be rewarded with the sight of returning health and vigour, and with the conscious pride that it was they who caused so happy a regeneration. Then the power which they wrest from tyranny they give to wisdom and virtue. The iron chains which they break between dependant and oppressor are exchanged for the gentle bonds which so surely bind independence to truth; and Englishmen will henceforth be persuaded by affection and reason, and not by bribery and intimidation.

A. B.

Art. XII.

FRENCH LITERATURE OF THE SIXTEENTH AND SEVENTEENTH CENTURIES,

FROM MAROT TO CORNEILLE, AND FROM RABELAIS TO PASCAL.*

THE sixteenth, and the beginning of the seventeenth century, was the period of the transition of French literature, from infancy to maturity. On account of certain accredited graces of *naïveté,* its productions have been occasionally ranked even above those belonging to the era of maturity itself; but while this must be considered absurd, yet, when historically considered, the transitional period is perhaps the more interesting of the two. Before passing in review the principal writers of that important period, it might be proper to take a comprehensive survey of the progress of improvement, intellectual and literary, during that era; from this, however, we shall abstain, principally because such abridgments are always liable to be more censured for what they omit, than valued for what they contain. We shall therefore confine our attention to a few general characteristics, and to the great leading names.

In the parallel march of French poetry and prose, where the poetry has more attractiveness than solid worth, and the converse of this remark applies to the prose, *five* distinguished names (which are surrounded by many satellites) serve in themselves by way of abridgment, and mark forcibly the simultaneous advances of the French language and literature. *In poetry,* the leaders are Marot, Ronsard, and Malherbe,—Marot placed betwixt the end of the fifteenth century, and the commencement of the sixteenth, serving thus as a link between them; Malherbe, who flourished during the second half of the sixteenth century, and the early years of the seventeenth, like Marot, closing one century and opening another; Ronsard, who flourished during the middle of the intervening period, having lost the route traced by Marot at its commencement, and not being capable of entering upon or divining that which would be struck out at its close, though contributing unconsciously (as we shall afterwards show) to the reformation accomplished afterwards by Malherbe. *In prose,* the great leaders of this era are Rabelais and Montaigne. Intermediate and inferior authors are of course numerous—of whom take the following list:

* The accomplished author of the article on 'Victor Hugo' in the fourth number of the 'London Review,' (M. Nisard, well known by his '*Etudes sur les Poètes Latins de la Décadence,*' and other critical writings of great merit,) has allowed us the privilege of being the first to publish what will hereafter constitute one of the most interesting chapters in a history of French literature, which he is preparing for the '*Dictionnaire de la Conversation et de la Lecture,*' a popular Encyclopædia greatly esteemed in France, and conducted, as the name imports, on a plan suggested by that of the celebrated German '*Conversations-Lexicon.*'—Ed.

among poets, Mellin de St. Gellais, Bredeau, Charles Fontaine, all three of the school of Marot; Du Bellay, co-renovator of poetry along with Ronsard; Du Bartas, who exaggerates Ronsard's faults into caricature; Desportes and Bertaut, who, as Boileau observes, are somewhat more *retenus;* Passerat, one of the authors of '*La Satyre Menippée,*' who did not follow any school, but obeyed the dictates of a peculiar and independent spirit; D'Aubigné, who is a serious Regnier; and Regnier himself, who fancied himself the opponent of Malherbe, but in reality promoted the same objects, but with this difference, that instead of doing it consciously and on system, he only gave the reins to natural impulses and excellent talents. The prose writers are also very numerous. We have Calvin, who has usually been reckoned only as a sectarian, and not as a literary character, though Pasquier entitles him one of the fathers of the national idiom, and there are in his works many pages beautifully composed, in a style firm, severe, and of precocious correctness. We have Aimyot, who translated Plutarch with French *naïveté* and Italian *concetti;* then La Boëtie, the friend of Montaigne, whose '*Contre un, ou la Servitude Volontaire,*' is the work of a noble young man, who might have become a first-rate author. We have Charron, austere and dry, in comparison with Montaigne, yet a correct writer, and the father of the school of Port Royal. We have Pasquier, whose letters are so curious, and written with such delightful *abandon.* We have D'Aubigné, the poet already mentioned, whose prose is no less energetic and original; also Brantôme, who requires all the piquant scandal of his subject to excite interest for memoirs written in the feeble and vapid style of the antechamber. Lastly, there are the authors of the celebrated '*Satyre Menippée,*' *viz.,* Florent Chretien, Pierre Leroy, Gilles Durand, Nicolas Rapin, and Passerat. Most of these prose writers deserve to be read and studied. But history is more concerned than criticism in productions originating from the passions and misfortunes of the time, and which for the most part belong substantially to the class of memoirs and confessions. Such works form a kind of local and personal literature full of the exaggerations of the time; very different from that which is equally addressed to every age, presenting a picture of human nature in repose, instead of a society constantly agitated, where the pen was a sword, and the piece, whether tragic or comic, was played only for the actors. That maturer literature could not be produced earlier than the seventeenth century.

We shall commence with poetry, limiting our attention to the three great authors who mark its progress in the sixteenth century. The history of Marot, Ronsard, and Malherbe, will be but a comment on Boileau's lines:—

'Marot bientôt après fit fleurir les ballades,
Tourna ses triolets, rima ses mascarades,
A des refrains reglés asservit les rondeaux,
Et montra pour rimer des chemins tous nouveaux.'

The last line is perhaps not quite accurate, for it has the appearance of announcing a sort of revolution in French poetry, or at least in French versification; whereas from Villon to Marot there was no revolution, but a gradual advance and developement. In the rules of versification, Marot did not make any material change. The verse of ten syllables, which he managed with so much grace and facility that it seemed his natural language, was in use before his time. The alternate employment of masculine and feminine rhymes (to which he does not strictly adhere, sometimes terminating ten lines successively by rhymes of the same gender) was then merely an ornament, and did not become a fixed rule till afterwards, in the time of Ronsard; it was, however, in use before Marot. There are instances of it in the productions of his father, Jean Marot, a poet worthy of considerable estimation. Nor was the elision of the *e* mute at the end of the first hemistich, in ten-syllable verse (though unknown to Villon), Clement Marot's invention, for he found it exemplified in the poems of Jean Lemaire. The rondeau and the ballad already existed, and all the other forms of light gay composition which are to be found in his collection. But the glory of this poet consisted in bringing these forms to perfection. He broke the stiffness of French verse, varying its modulation, and, above all, introduced into his works a degree of grace and *esprit,* with a vein of good-humoured and piquant satire, such as before no French author had ever evinced. Those previous forms were like mere empty frames, which he filled with admirable pictures.

Marot, nevertheless, must be looked on as a follower of Villon, the verses of both being merely their own history illustrated in rhyme. Excepting the tribute he pays to allegory in his first work, his poetry, like that of his predecessor, is altogether derived from the experiences of his own life. Like Villon, he sings his amours and his imprisonment, only his amours are of a different tone, and belong to another sphere. We no longer meet '*la gente Saulcissière du coin,*' but ladies of the highest rank, such as Margaret of Navarre and Diana of Poitiers. As a prisoner, too, he is not, like Villon, taken into custody by the night-watch, and shut up in the Châtelet as a swindler. Twice, however, was Marot imprisoned; the first time on suspicion of heresy, for he had inclined to the new ideas, partly from hatred to the devotees of the Sorbonne, partly because they were *de bon ton,* and the ladies approved them. During his confinement in the Châtelet, he main-

tained dignity of demeanour, and made verses on his judges in the tone of a blameless man, who has been oppressed and maltreated by pretended saints. On the second occasion he stood accused of having rescued from the hands of the police a man whom they were leading to prison, but from that dilemma he was extricated by the interference of Francis I.

Under these differences of situation and circumstances, it could not but happen that the productions of Marot and Villon differ in tone, and that the *morale* of French poetry must thereby make progress. The language of love in Marot is always graceful, and gallantry, except in a few passages, supplies the place of mere grossness. His ideas are subtle, polished, and delicate; his verses are of a courtly turn, without being insipid, like the allegorical gallantries of Villon's predecessors, or licentious like the ballads of that natural but rude genius of the *Carrefours*. If a prison did not inspire him better than his precursor, at least it inspired him in a different way. Villon, making his mock testament, bequeathing his wine-cask to a drunkard, his mistress to a curate, and his lawsuits to a friend who was too fat; making a jest of his own death, and waxing merry over the description of his own skeleton,—in all these caprices shows great originality and *verve*. Marot, defying his judges, ridiculing their interrogatories, their complex procedure, their avidity for victims, their mode of tormenting by insidious questions, almost worse than bodily torture, blends with his peculiar vein of satire a certain nobleness and dignity. Here then we behold a whole world of new ideas, or of new shades of feeling, added to French poetry. Marot is, in short, Villon rescued from poverty—

'Où ne loge pas grand téloyau.'

He is Villon turned courtier, cavalier, privileged attendant of court ladies, and *protégé* of the king. They are two poets of the same family, of whom fortune has condemned one to remain in the mud and mire of poverty, whilst the other is domesticated in the king's palace. Yet both retained the most perfect *franchise* and *naïveté*, with that genuine poetic vein which comes from the inherent character of the poet himself.

Marot belongs to that small corps of privileged poets respecting whom there is but one voice; which, in the present instance, results perhaps from his never having obtained any such exalted rank as to excite envy or rouse controversy. One can only repeat what has been said by all the world of his unambitious playful grace, his delicate shades of thought, and the happy turn he could give to every subject; an art which Voltaire and La Fontaine revived again two centuries afterwards, and which Jean Baptiste Rousseau imitated laboriously, mixing the most subtile and artificial style

of the beginning of the seventeenth century, with almost literal transcripts of the *naïf* turns of Marot. But the *naïveté* so much admired, or rather loved, in Marot, is very different from that of any previous poets. In them it seems to arise from the imperfections of the language rather than from any peculiarity of their turn of mind. In Marot, on the contrary, it is a natural characteristic of the man. He is *naïf* even when expressing ideas the most subtle and *recherché*, and when one would expect anything rather than an air of unconsciousness. And we observe this the more, because from his time onwards the French language appears very much improved—it becomes rich, flexible, copious; insomuch that La Bruyère has said of Marot, 'he wrote exactly as we do, excepting the difference of a few words.' With regard to the old writers in general, we believe it is by a sort of illusion only, though a very natural one, that we impute *naïveté* to their rude and imperfect turns of expression; we contrast them with the elaborate efforts and attempts at singularity of our own age. But in the case of Marot it is very different. The *naïveté* in his poems is independent of the state of the language, we might almost say independent of the ideas; it is obviously the very genius of the man. Let him write elegies in a style rather subtle, or translate the Psalms; he is *naïvement* inflated in the one, and *naïvement* mystic in the other. Betwixt him and La Fontaine there exists the especial resemblance that, with the graceful simplicity of children, both speak a language which is extremely mature, and in a high state of advancement; though the language of Marot's time was but comparatively so, and that of La Fontaine's absolutely. Jean Baptiste Rousseau, in his frothy epistle to Marot, has said cleverly enough—

> 'Par vous en France, épîtres, triolets,
> Rondeaux, chansons, ballades, virelais,
> Gente épigramme, ou plaisante satyre,
> Ont pris naissance, en sorte qu'on peut dire :
> De Promethée hommes sont émanés,
> Et de Marot joyeux contes sont nés.'

The tender verses in Marot's works have been numbered, which proves that they are not numerous. But in his age gallantry was the only channel for the display of sensibility. Perhaps the real amount of tender feeling is not greater in times when authors are apparently more lachrymose. Marot may have wept in composing passages that seem to us only gallantry in disguise, and possibly more modern authors elaborate, without the slightest emotion, productions which they would have it supposed can emanate only from a wounded heart.

After the death of Marot his manner was imitated by Octavien

Mellin de St. Gellais, whose artificial, affected verses, full of Italian *concetti* (which had come in with the Italian wars), utterly lost that characteristic of simplicity which is so attractive in his predecessor. His style is no longer French, but Frenchified Italian. Besides, St. Gellais, a prelate and courtier, knowing well with what capricious and jealous powers he had to deal, might indeed imitate the amatory poems of his predecessor, but he durst not attack ecclesiastics, being one himself, least of all the judges of the Sorbonne, of whom even bishops were afraid. Nor was his poetry improved by such influence as that of Diana of Poitiers, who was now in her decline, and whose bigotry came in place of that pleasant hardihood which had before prevailed at the court of Francis I. St. Gellais is Marot diluted, Italianized, expurgated by an ecclesiastical *bel-esprit;* Marot without his satirical power, his amiable badinage, his *gaîté de cœur,* and his inexhaustible epigrams against fools, judges, monks, and married men.

It was at this period that certain young men of talent, having commenced the study of the ancients, began to lift the standard of revolt against the degenerate style of poetry introduced by St. Gellais. Hitherto that solid learning, of which we see such happy applications in Rabelais, and which had reanimated all Italy, the learning of an Erasmus, a Budœus, a Thomas More, a Melancthon, had not entered into the education of poets. Even the best-instructed among them, such as Marot, having read the Art of Love, Catullus, Tibullus, and Martial's epigrams, constructed all their poetry either (like Jean de Meung and Charles d'Orléans) on ideas already become common-place, or (like Villon and Marot) on actual occurrences of their own chequered lives. Hitherto erudition existed among magistrates, professors, and writers in Latin, but had not reached the poets. The first among them who had access to the Greek and Roman sources, so abundant and inspiring, considered it their duty to treat with contempt that national poetry which St. Gellais had deteriorated, and which owed its birth to Villon and Marot, whose productions were limited to *jeux d'esprit,* epigrams, gallantry, and satire, almost wholly excluding grave thoughts and deeper feelings. The disposition to revolt was first manifested by the 'band of Ronsard,' whose names have been rescued from oblivion by that acute and subtle critic M. Sainte Beuve; and their first manifesto was written and sent forth to the public by Joachim de Bellay.

The character and style of this document would be remarkable in any age, and most rudely did it shake in his elbow-chair the rich prelate, the courtier-poet, the prosperous St. Gellais, absorbed perhaps at the moment in the subtleties of some affected sonnet after the

Italian. While it defends the French language and idiom, it insists on the necessity of enriching and fertilizing it by the study of the languages of antiquity. Declaring himself an impassioned partisan of that indigenous dialect so much despised, the author yet strenuously advocates imitation of the Greeks and Romans. The idea was sound as well as elevated; but there was joined with it a violent spirit of *reaction*, and it is the nature of a reaction to go farther than its original purpose. Besides, there was not in all the '*brigade*' a man of sufficient talent to realize the theory of De Bellay, and profit by classical inspiration without ceasing to be French. The result was the growth of poets less French than their predecessor Marot, and bad translators, rather than intelligent imitators, of the ancients.

At the head of this new school was a man who took upon himself to confer patents of immortality on all his companions in the work of revolutionizing French literature, and who himself did nothing but precede or follow them in that ridiculous downfal which Boileau has commemorated. This individual was Ronsard, born at Vendôme in 1524, and descended from a noble family originally Hungarian. Like other distinguished persons he has had his fabulous chroniclers, according to whom he boasts kings for his ancestors or connexions. An affinity in the seventeenth degree was made out betwixt him and Queen Elizabeth of England, but, unluckily, a relationship so distant no longer secures any inheritance. A marquisate was founded for him in *Thrace*, vulgarly called Bulgaria. Moreover, the day of his birth has been fixed for Saturday, the 11th of September, the date of the battle of Pavia; in order that it might be said, that on the day which brought the greatest of misfortunes on France, Heaven granted to the country a compensation in the birth of her most illustrious poet. Nor is this all: like other heroic bards, he must also have the 'mysterious cradle.' On his being carried to the baptismal font the nurse let him fall, but luckily he fell among flowers. A beautiful young damsel emptied on his head a small vase full of rose-water and other perfumes, 'symbols of his sweet and odoriferous poesy.' Lastly, Ronsard from early youth became deaf, and this entitled him to be compared to Homer, there being no difference betwixt them except that of the particular organ affected.

Such flatteries, independently of his natural stock of vanity, must have strangely blinded his judgment as to his own merits. His life was rather that of a beatified person, a saint prematurely canonized and worshipped, than of a poet *militant*. Crowned at the '*jeux floraux*,' where, instead of the mere garland of modest eglantine, he received a massive silver Minerva, with a decree dated from the *Capitol* (of *Toulouse*),—obtaining grants succes-

sively from Henry II., Charles IX., and Henry III.,—receiving an official station from one, a pension from another, and from the latter abbacies and priories,—wealthy, prosperous, adulated like a king,—extolled even by men of great acquirements (who, though severe in their judgments on other writers, were completely blinded by their admiration of Ronsard),—reckoning among his admirers Pasquier, Scaliger, Pithou, Turnebius, Muret, De Thou, &c.;—scarcely disquieted in his exaltation by the appearance of aspiring rivals, to all of whom he might have said, and all literary Europe (except Italy) would have echoed the assertion—

'Vous êtes mes sujets; je suis seul votre roi,'—

commented on (not without ample need for it), like Homer and Dante, at the same time, and in the self-same schools,—boasted of as the 'prodigy of nature,' and as the 'miracle of art,'—dealing out prizes to contemporary poets, like the sovereign and legislator of Parnassus, and, in imitation of the Greek Pleiades, forming *une Pleiade Française*, wherein seven or eight satellites were appointed to revolve round the grand planet, and, alas, to accompany it in its extinction,—beloved by the fair sex, though he has boasted more, on that subject, than truth entitled him to do,—praised even by Montaigne, and consulted by Tasso (who confided to him the first cantos of his Jerusalem, and was condescendingly encouraged),—admired, too, by the unfortunate Mary Stuart, who consoled herself in captivity by reading his verses, and who presented him with a silver Parnassus, bearing this inscription—

'A RONSARD, l'APOLLO de la Source des MUSES,'—

attacked by the Protestants for his Roman Catholic zeal, and publicly thanked by the pope and the king for having taken the trouble to answer certain preachers and ministers of Geneva,—of a prepossessing person, moreover, and enjoying excellent health, which a mind so self-satisfied and contented, if it cannot bestow, at least tends to preserve,—lastly (we may add) having, like most other people, abused all these advantages. Ronsard died on the 27th of December 1585, at his priory of St. Côme, where during some previous years he had lived in pious retirement, and, as it has been alleged, not without some slight apprehensions for the stability of his reputation, though his name was still held in unimpaired honour, and it may be said that he was 'buried in his triumph.' Ronsard affords in the history of poetry perhaps an unique example of fame, or rather fashion, actually besieging and pursuing an author as a courtier follows a king, so that he had himself nothing to do but to enjoy the honours showered upon him. But the men of true genius, who have been attacked, misunderstood,

and undervalued during their lives, have usually been so, because, their minds were superior to the spirit of the times in which they lived, and their views were too extensive to be understood by their short-sighted contemporaries. An author, on the contrary, who has nothing of genius but its semblance, becomes the idol of his epoch, because he himself represents its exact *calibre*, or, to speak more accurately, the *average* quality of its mind—a characteristic the most inconsistent possible with true genius.

In this sense Ronsard is completely the representative of his era, a *savant* of the first class, a poet of erudition (the only muse then invoked), and a man of considerable talents, not inferior, indeed, to any of his eminent admirers, except, Montaigne and Tasso. Yet he left a reputation relatively more unstable than that of some among them, because posterity will not judge poets by their original endowments, or by what they *might* have been, but solely by what they were; and because the Pasquiers, Scaligers, De Thous, and others, never undertook to support any part beyond their strength, unlike Ronsard, who wished to be Pindar, Homer, Virgil, and Petrarch, all at once, and could not, in reality, equal even Marot.

We have said that the idea of a literary revolution, of which Du Bellay issued the manifesto, and of which Ronsard was the hero, aimed simultaneously at the imitation of the classical poetry, and the improvement, well or ill judged, of idiomatic French. Had there been any one individual of real genius connected with this enterprise, the glorious task might have been fulfilled, which was eventually left for the seventeenth century. But neither Ronsard nor any of his '*brigade*,' afterwards denominated the '*Pleiad*,' had any such gift. In their hands the plan never went further than an awkward imitation of the ancients, and the revolution produced only cold and inanimate plagiarisms. Ronsard, for his own part, looked at the best works of antiquity as mere mechanical models; what he concerned himself with was their forms, their metrical arrangements, and he accordingly fabricated Pindaric odes, Anacreontic songs, Virgilian eclogues, and Tibullian elegies. He cut his *Françiade* on the pattern of the Æneid. From one author he would seize upon an ode, of which he translated the middle, and then elaborated a beginning and end that often jarred sadly with the central portion. From another he would take an elegy, entirely changing the *dénouement*, and from a third a song, wherein modern manners and those of antiquity were strangely blended. In short, as Boileau says, he was an universal *jumbler*; '*il brouilla tout*,'—realizing Horace's picture of the beautiful woman with the fish's tail, attempting an amalgam of Italian subtilty with the masculine beauties of Greek poetry, composing odes which are Pindarics

caricatured and anything but French, whilst his inventions are confined to the *names* of these various compositions. His satellites, as usually happens, carried the system further. They seriously proposed the introduction into French poetry of the identical forms of metre used by the Greeks and Romans, and began to publish French hexameters, pentameters, and asclepiads. As to the national idiom, instead of the projected improvements, the performances of Ronsard and his 'Pleiad' ended in the most absurd *gallimafrée* and *galimatias* that ever was devised, a ridiculous mixture of provincial *patois* with a multitude of terms borrowed from different professions—words of Norman, Walloon, or Picard growth, incorporated with that false dignity and those borrowed and ambitious forms already mentioned, altogether presenting an absolute travestie of the classical authors. At last it turned to such a medley of language, such a pedantic and unintelligible jargon, that the ladies to whom Ronsard addressed his madrigals were obliged to ask the aid of commentators before they could unravel the meaning of their polite admirer. It was a language vague, unconnected, not grounded on analogy, meagre in substance, and outwardly decked with the clippings of an antique mantle —a hodge-podge of the dead languages with contemporary *patois*, mixing Latin, Greek, and Italian,—loaded with Homeric epithets, descriptive to excess, and full of useless innovations without taste or discrimination. It is at once foppish and plebeian, erudite and barbarous, an absolute jumble of pretension and impotence, of sterility and diffuseness, of childishness and inflation, of rudeness and subtilty, of slovenliness and elaborate effort; in fine, it is the *bizarre* production of that giddiness and infatuation which often enough seize men who assume a part to which their abilities are unequal, and whose heads are turned by excessive notions of their own importance. Such poetry is of a kind altogether *unique*, like Ronsard's own fortune, and has obtained for its author a sort (though not the most enviable sort) of immortality.

However, it must be acknowledged that Ronsard is not without imagination; he has some fecundity, some invention as to style; some of his sketches are happy; he has a certain dignity in manner, if not in ideas; here and there also, more especially in his amatory poems, there are fine and delicate passages in which he approaches to Marot; he has ingenious epithets and *tournures*, and throughout a pomp and gravity which afforded good hints for his successors, and in which respect he excelled Marot. Besides, one entertains a natural feeling of pity for the touching contrast betwixt such dazzling reputation and such an irreparable fall. But one must not attempt to raise the prostrate statue of

poor Ronsard to a level with those of Marot and Malherbe. Statues, once prostrate, never rise again. They are fit only for the museum of antiques and curiosities, and *there* henceforth is the only niche for Ronsard. His ingenious reviver, M. Sainte Beuve, wishes to reverse the decrees of time, and by his historical critique to reinstate the eccentric poet in public estimation. But he has merely exposed his own clever work to share the fate of its hero. In the annals of literature it is truest of all that the dead do not return.

In almost every reaction there is a good principle, and an undue excess. The tumult once subsided, that excess disappears and is forgotten, carrying along with it to oblivion some names which have owed to it a noisy celebrity, while the good principle alone endures. For example, from Ronsard's career arose and endured the important, the prolific idea, that all the schools of literature draw their resources from the same original fountain—that a knowledge of ancient authors was indispensable—that French poetry could not remain isolated, but that, if it drew *materials* from the treasures of other literatures, the *form* into which these ideas were cast should be exclusively national and indigenous. Such was the character of Malherbe's poetry. He also had erudition; he also fed the flame of his genius by the stores of antiquity and by the Italian models; but as to his *language*, he resolved, *en despote*, that it should be purely and exclusively *French*. A new and rational revolution destroyed the complex scaffolding of Ronsard, and the grotesque polyglot decorations of his '*Pleiad*,' in order to revive the language of Marot and Villon, now, however, to be enriched, ennobled, and elevated by good taste and good sense, and by an incipient assimilation of the ideas of the classical models. This reaction had the effect of banishing the ridiculous exhibition of French poetry in hexameters and pentameters, also the forced mixture of national *naïveté* with Italian sentimentality, the compound Homeric epithets,* the Pindaric style engrafted on the Petrarchan, and, lastly, of sending back to their native villages the adopted provincial words, with their tinsel trappings of Greek and Latin. Malherbe was the commander-in-chief of this revolution, and the principal poet of the period.

During his early youth he paid a tribute to Petrarchism, but this lasted only a short time. His instinctive preferences as a Frenchman, and his exceeding good sense, prevented his approval of those affected productions, those canzonets and sonnets, which Desportes and Bertaut continued to weave in the tranquil retire-

* La toux *ronge-poumon*; le soleil *brule-champs*; la guerre *verse-sang*; Bacchus *aime-pampre*, &c.

ment of their rich prelacies. He freed himself from the yoke of servile imitation, and expressed the utmost contempt for those who submitted to it; at once assuming the office, not merely of a poet, but of a reformer, and, like a general officer, sharing the labour as well as directing it. He *centralized* the French language. Paris, under Henry IV. and Richelieu, having become the political capital of France, became, under and through Malherbe, also the literary capital.* Although himself a Norman, he resolutely denounced the use of Norman *patois;* and if he did not, singly and alone, *create* the literary language of France, he at least despotically imposed the use of it on all succeeding writers. Here we cannot help remarking the analogy subsisting betwixt the movement which produced political, and that which produced literary unity and consolidation in France. It is impossible to avoid comparing the characters of those two eminent men who were the most active and devoted agents in this double work, Richelieu the politician, and Malherbe the author. What, we may ask, gave to this Norman *écuyer* the right of proclaiming himself on literary questions *infallible*, of treating his predecessors with contempt, of cancelling the entire works of Ronsard, of allowing to Desportes (as if in charity) only a few meritorious lines, of stigmatising without mercy as *sottises non-pareilles, bourres excellentes, niaiseries, pedanteries,* all that his own good sense abhorred,—of telling his most intimate friends that he could not endure their bad verses, whilst, though he disliked Regnier, he yet held his poetry in high estimation? He did this by the same right by which Richelieu mowed down the last heads of the feudal oligarchy of France; the thing was fit to be done, and he *could* do it: the philosopher who delights in tracing through history the ways of Providence will say, he was appointed to do it. If *success*, incontrovertible, enduring, confirmed by all men of sense, indicates a providential design—success was achieved by Malherbe as well as by Richelieu. At the risk of pushing the comparison rather too far, we may remark another point of resemblance betwixt these two eminent men, though this is altogether physical. There is a striking likeness betwixt their physiognomies. Both countenances have an air of decision, pertinacity, and imperiousness; there is the same breadth of visage, the same bold and high forehead, the same gentlemanlike delicacy, yet unequivocal strength. Malherbe's eye is not so fierce, but this may be accounted for, his part on the stage of life being comparatively pacific. He had to fight only against bad rhymers, against Homeric words, Italian *concetti*, and pentameter verses. His wars shed no blood.

To Malherbe is owing the establishment of lasting principles in

regard both to the matter and form of French poetry. He insisted on a careful choice of suitable thought; he formed the theory of poetic diction—not without admirable good sense, and certainly not without profound study, ascertaining its proper characteristics; fixed the language of poetry, pointing out, as sovereign legislator, what were good or bad, admissible or inadmissible expressions, and marking with unqualified censure many which were neither French, nor deserved to be so, although, previous to his time, they had been extolled and admired. Moreover, like Villon, he insisted that the French language should be sought for among the people of Paris, and if he were asked who spoke good French, he answered, the porters of the corn-market. Both his natural disposition and his time of life were admirably suited for this dictatorship. Malherbe was of mature years; his finest odes were written at the age of 60. After threescore, the fancy is not extinct in those privileged persons in whom it is well regulated; the taste becomes nearly infallible, and reason, matured by comparison and experience, is firmly seated. It is the proper season of life for deciding in all things '*quid deceat, quid non,*' and for laying durable foundations in literature. Malherbe's genius was not very prolific; but this, which would have been a defect in a poet, is a virtue in a theorist. Too much fertility might have led him into excesses, and the legislator might have been contradicted by the poet. The part of legislator suited best with his taste and with his indolence. He hesitated even at difficulties which were of his own creation; he was better furnished with good sense to see what is good, than with fervid genius to achieve it. To the labours of composition he always preferred long conversations in his 'little parlour with six chairs,'—conversations which out of doors turned to *decrees* in regard to language and style, both for the town and the court.

Behold then, at last, a class of poetical compositions, where clearness, precision, sound logic, dignity without bombast, were no longer fortunate accidents, but the results of calm reflection and theoretical principles. The higher order of French poetry has commenced. Malherbe's successors will indeed remove from its long majestic periods a little of that stiffness and doctrinal pedantry which encumber them; they will bring a richer stock of ideas into this poetical garment, which is perhaps too wide for the thoughts which it invests; and we shall have poetry at once severe and rich, copious and chastened, harmonious and full, *naïve* and rational, with all the qualities of inspiration, and yet a regularity and solidity almost mathematical.

Malherbe, after a life sufficiently monotonous, died in 1528, and in his very last moments, it is said, corrected a grammatical

error made by his attendant. He left behind him only few compositions, but a literary influence unprecedented and immense. In vain was he attacked, cautiously, by the good Regnier, who, without knowing it, had greatly assisted Malherbe's dictatorship, by instinctively effecting in his admirable verses those reforms which his rival attained in theory. In vain, too, was he attacked by Mademoiselle Gournay, the adoptive daughter of Montaigne, who laboured to re-establish Ronsard and his old 'Pleiad,' in *brochures* which are more clever and amusing than the subject deserved. In a word, the leading characteristics of French poetry in its higher departments were by Malherbe irrevocably fixed.

Less esteemed than the poetry, which alone had hitherto been considered a work of art, the prose of this century was destined, however, to leave far deeper impressions. Two distinguished men, whom we have already named, Rabelais and Montaigne, created, we may say, the entire *matériel* of its structure, and, instead of receiving, like the poetry, vast improvements in the seventeenth century, the prose was only subjected afterwards to modifications of mere form and manner.

Of these two fathers of French literary prose we shall begin with Rabelais, born at Chinon, a small town of Touraine, about the year 1483, his father, it is said, being an apothecary. In consequence of the *mania* among critics and admirers for investing every great author's life with the character of his works, numerous burlesque anecdotes have been circulated of Rabelais; for example, the story that his last will was in these words: 'I have nothing, I owe much, I give the rest to the poor.' By such commentators his life has been terminated in divers ways. Some represent him as uttering witticisms in his last moments—as having muffled himself in a domino, as a practical parody on the words of the Evangelist, '*beati qui in Domino moriuntur*.' According to others, his last words were sceptical: 'I depart in quest of *un grand peut-être*. Draw the curtain. The farce is over.' All that Rabelais' biography affords of the authentic and incontrovertible is insignificant, and all that is doubtful is *exagéré*. In making this remark we wish to carry its application further; for, on the same principles on which his life has been misrepresented, his book has been misjudged. His admirers insist on ascribing to it the characteristics of an epic poem; they find in it a grand design admirably followed out, a work of powerful deduction and superior combination; even in its most unimportant details they discover acute criticism and merciless satire. He has been compared to Brutus, in his madness concealing wisdom, courage, and purposes of vengeance. Those, on the contrary, who

dislike his writings, describe him as a mere madman, with scarcely an atom of genius. Will not the correct opinion rest betwixt these extremes? Why should we demand such inflexible consistency of motives, yet allow no place to contradiction or vacillation in the character of a celebrated author? It is impossible to make out Rabelais a consistent character—a literary Brutus. He must be taken by turns in all his humours, so diversified, and, for that very reason, so interesting. His work is tripartite, containing a proportion of pure fancy, broad humour, intellectual licence, and downright farce; a proportion obscene and filthy, *usque ad nauseam*; and, thirdly, a great share of the book is philosophical, evidently composed with a satirical purpose, containing much good sense and exalted reason, and in a style greatly more original and mature than that of the other parts. At the first portion we ought to laugh, and be thankful if we can understand its *finesses* and subtleties, but without racking our brains for the discovery of serious meaning, which in reality does not exist. The second portion must be passed over as contaminating and repulsive, from which he must be a depraved and worn-out sensualist who could derive entertainment. But the last-mentioned—the philosophical portion—deserves to be thoroughly studied and turned to account. The language is rich and powerful; there are thoughts which in their own nature are imperishable, and many aphorisms which deserve to be committed to memory for their universal applicability in all ages, and practical worth. The strange diversity of opinions among those critics who insist on finding a design, unique, uniform, and unchangeable in Rabelais, and thereby explaining every enigma, proves the folly and puerility of their efforts. They first quarrel about the *dramatis personæ*. 'Gargantua,' says one, 'is Francis I.' 'He is Henry d'Albret,' says another. One party insists that Grandgousier, Gargantua's father, represents Louis XII.; others will have it that he is Jean d'Albret. According to some, Pantagruel must be Anthony de Bourbon; and in the judgment of others he is unquestionably Henry II., although in 1529, the year when Geoffroy Tory copied and published a passage of the first book of Pantagruel, Henry was only 10 years old. Panurge figures by turns as the Cardinal d'Amboise, Cardinal de Lorraine, Jean de Montluc (Bishop of Valence), and Rabelais himself! Pichrochole, King of Lerné, who makes war on Grandgousier, is, according to some, the Prince of Piedmont, and, to others, Ferdinand of Arragon; moreover, he is Charles V. and Francis I. The best possible critique on all these commentators has been made by Rabelais himself; who has said of those who calumniated him in his own times, and found offences against God and the

king in his joyous *follastreries*, 'Ce que a paine, (a peine), de mille fois mourir, si autant possible estoyt, ne vouldroys avoir pensé ; comme qui pain interpréterayt pierre ; poisson serpent ; œuf scorpion.' There can be no doubt that the romance of Rabelais is full of allusions to public characters, as well as to the abuses of his age. Such allusions properly belong to the nature of satire, and although Rabelais wrote in a great measure for his own amusement, yet his work is principally satirical. However, he did not, as one of his wise interpreters has said, make war, sweeping and merciless, against the age in which he lived: he only amused himself with its absurdities, and delighted to exaggerate them by his imagination. His inventions, of course, were aided by his experience ; and where the follies of the times saved him the necessity of invention, he copied.

Two influences, equally prolific, acted on the mind of Rabelais, and inspired the greater part of his work—the spirit of the Reformation, and that of literary research and erudition ; the latter being then facilitated by the rapid extension of the art of printing. We have named the Reformation,—was Rabelais then a Protestant? No: he perhaps went a great deal farther, and yet by that means saved himself from the faggot. Judging by appearances (and we certainly cannot look further in regard to religious opinions), he is a Roman Catholic freethinker, not attacking the dogmas of religion, but showing the utmost disrespect for the *persons* by whom it was represented. All and every one—'*le papegot, les evigots, les cardingots*'—he ridiculed without scruple, but especially the monks, who are always attacked, and yet always flourish. Thus balancing betwixt two religions, Rabelais escaped the stake and the strapado. As a Protestant he would have incurred at least exile, like that of Marot under Francis I., or capital punishment like that of Anne du Bourg under Henry II. As a Catholic freethinker, on the contrary, he served the purposes of royalty. The kings made war on the Protestants, not so much on account of their heresy as because they were concealed enemies of the government, who were soon to throw off the mask and appear as an armed force. On the other hand, although Catholics, they bore unwillingly the yoke of the priesthood, and were not sorry to see its power undermined by ridicule. This seems to explain amply the protection granted to the author of 'Gargantua' and 'Pantagruel' by the kings Francis I. and Henry II., notable as were those kings for their burning of heretics. As to the learning of Rabelais, it did not in the least resemble that of the middle of the fifteenth century, which consisted in mere outward form and decoration. The learning of Rabelais is an erudition of ideas. It is obvious that

the ancient authors helped him to think, and that his debt to them was immense. The spirit of Greek and Roman wisdom thus joined with and assisted the natural development of the French mind. However, this mingling, or, if we may be allowed the word, this *fertilization*, striking enough in Rabelais, is much more observable in Montaigne. Even in Montaigne, however, French ideas and those of antiquity, though they appear together, do not always blend, but, for the most part, stand isolated one from the other. Erudition still appears an extrinsic ornament, a source chiefly of allusions and illustrations. We must await the seventeenth century to see ancient and modern ideas melted together into one whole—into a literature no longer personal and local, but addressed to the universal mind. Erudition was then no longer *seen* and pointed at with the finger, but inwardly *felt*. There was no more of borrowing and imitation; there was what is very different—assimilation.

At the commencement of the sixteenth century learning was by no means general, as in the seventeenth, and its advantages were confined to certain fortunate individuals, who, therefore, without taste or moderation, paraded and displayed their acquisitions in a style pedantic and exaggerated. Rabelais, himself, who thoroughly knew the value of thoughts borrowed from the ancients, did not escape the ridicule due to pedantry. He chose to introduce not merely borrowed thoughts but borrowed words, and to mingle with French idioms a whole vocabulary of Greek and Latin. This he may have done either from a share of erudite vanity, or because he actually required three languages at once, in order to express the incomparable variety of his ideas both serious and extravagant, to convey which the French language, then meagre and uncertain, was wholly inadequate; so that he who laughed at pedantry in others was infected by it himself. Pantagruel meets a Limousin student, who *counterfeits* the French language. 'A quoi passez vous le temps, lui demande Pantagruel, vous autres messieurs etudiants, on dict Paris?' 'Respondit l'escholier: Nous transfretons la Séquane au dilucule et crépuscule: nous déambulons par les compites et quadriuyes de l'urbe; nous despumons la verbocination latiale, et, comme verisimiles amorabondz, captons la bénevolence de omniuge, omniforme, et omnigene, sexe féminin . . . . puis cauponizons es tabernes . . . : et si, par forte fortune, y a rareté ou penurye de pécune en nos marsupies, et soyent exhaustes de metal ferruginé, pour l'escot nous dimittons noz codices et vestes oppignerées.' (Pantagruel, l. ii. c. 6.) Pantagruel laughs at the student. 'Quelle langaige diabolique me forge ce fol?—Ce guallant cuyde (pense) ainsi pindariser,' observes one of Pantagruel's troop. The student re-

plies, 'Mon génie n'est point apte, comme dit ce flagiose nébulon, pour escorcer la cuticule de notre vernacule gallique; mais versement je gnare, opère vice, et par veles et rames je me énite, de le locupleter de la redundance latinicome.' The caricature is excellent. There could not be a better sarcasm on Ronsard than to ascribe this language to some one of his '*pleiad*.' Rabelais is in the right, and yet he has committed the same faults himself. He also, like Pantagruel's student, speaks of people qui *advolent*, or *abvolent*, from place to place; who have *l'esprit acut*, or *abscons*, or *argut*, or *aorné*; who walk on a soil *areneux*, or sit on a *cathedrant*, who have *de la cautèle*, or make *des carmes canores*; who look at the stars *cœlivagues* et *coruscans*, &c. &c.; and who talk French Greek after having talked Latin-French. Does Rabelais then laugh at himself? Why not? *That* explanation would be as good as any other.

Rabelais' romance is an absolute chaos. One labours in vain to clear up its difficulties; they baffle all efforts of ingenuity. Is this merely because the author was mad—a madman of a genius? In every literary epoch, our own inclusive, we find men of wit and talent, 'whose brains,' according to the Spanish proverb, 'require a few grains of salt,' and who, though rational enough upon most points, are mad upon one. Why then should we not conclude analogically, that the good *curé* of Meudon, so wise at certain moments, was at others (perhaps not unwillingly) bereft of reason; that evincing sometimes incomparable sagacity, he occasionally lost it altogether; in short, that his genius had a mixture of insanity. If this be not a correct account of him, we confess that we cannot understand him. A contemporary critic settles the question very easily. He says, 'to *endeavour* to understand is not to understand.' Well, be it so.

To comprehend and analyse Rabelais' work is indeed beyond our powers, but to appreciate his influence on the language and literature of France is not difficult. He was the first prose writer who began to manifest the indigenous French spirit; a spirit free and sarcastic—hostile to prejudices, though compromising with them on prudential grounds—not allowing itself to be deceived by appearances, but penetrating the depth of characters and topics; delighting to mock the higher powers, and to detect the real dispositions of men under the disguise of their assumed parts on the stage of life; attacking the monks, the learned, and all classes who profit by popular simplicity; friendly to rational and practicable innovation, but not to what merely pretends to be, without being, improvement: a spirit more playful than malignant. All this might be expressed by his own single word '*Pantagruelism*,' for the character is felt better than it can be described. '*Je suys*,'

says he in the prologue to book the fourth, '*moyennant un peu de pantagruelisme* (*vous entendez que c'est une certaine guayeté d'esperit conficte en mépris des choses fortuites*) *sain et degourt* (dégourdi) *prêt à boire si voulez*.' This is delightful, and exactly what we wanted. It is a complete definition, though in words apparently vague. This peculiarly French spirit, sceptical, sarcastic, despising 'les choses fortuites,' and inclined to freedom both of speech and of thought, is not manifested either in Froissart or Philip de Comines. In the former we find only one of Rabelais' qualifications, *naïveté*. He abdicates his own personality; he narrates, but he passes no opinions, nor ever indulges in ridicule, but seems amazed and confounded at his own stories. In Comines we find rather a personal and individual than a national spirit. His notions of public affairs and public men are his own, or, at most, those of his class. The national character was not so devout as that of the good chronicler. Among the poets, however, this genuine French spirit amply appears; we have it in Jean de Meung, and Guillaume de Lorrs; and we find it altogether perfect in Villon. Among prose writers, as we have said, it exists only in Rabelais. The ambition of princes he represents by the insatiable hunger of Grandgousier; the parliament by '*la taupinière des chats fourrés*,' where Panurge is obliged to leave his purse. Corrupted and ignorant judges are represented by Bridoye, who decides causes by the throw of a die, and decides them never the worse—Bridoye, the legitimate progenitor of Beaumarchais' Bridoison. For the abuse of Aristotelian logic, we have *Janotus à Bragmardo*, demanding back in *baralipton* the bells of Notre Dame, which Gargantua had appropriated for the trappings of his mule. For the sensuality of monks, or for monkhood in general, we have *frère Jean des Entommures*, who believes that a learned monk would be an unheard-of monster, and that, in order to live well and ensure his salvation, he needs only to eat and drink copiously, and always speak favourably of the prior of his convent. Nor does he spare the physicians, though he was one himself. How diverting are those '*valets, munis de lanternes*,' whom Gargantua, under an attack of the colic, swallows with the pills in which they are inclosed! Rabelais was, within rational bounds, an innovator: he stickled for everything good, although it might be new. Panocrates, the preceptor of Gargantua, wishes to teach him to reflect: in the first place, he makes him renounce all the *formulæ* of the schools, and addict himself to natural sciences,—to arithmetic and gymnastics. He leads him into the workshops, among labourers and artisans, to show him the sources of national wealth. *Maître Editue* proclaims, in the *Ile Sonnante*, the equal division of inheritances, as being of

natural right. There are many other innovations and *hardiesses* of this description; but we must beware: in attempting to elevate Rabelais above his age, we must not fall into the exaggeration of the critic who quoted him as an authority for the National Guard of 1789.

The influence of such a mind as that of Rabelais over his contemporaries could not fail to be very great, though assuredly not equal to that of the poetical writers of the time, so immeasurably inferior to him in sterling worth. He founded two schools, —one of the *esprit Français* already commemorated, and one of sheer buffoonery. The admirers of his buffoonery, of his inexhaustible burlesque *verve,* have lost themselves in attempts at imitation, with the exception of Béroalde de Verville, whose '*Moyen de Parvenir*' comprises some excellent stories. The admirers of his good sense, of his delicate raillery, of his contempt for adventitious distinctions, form a band of freethinkers, among whom Montaigne is to be reckoned in the first class, then Voltaire, and, in our own times, Paul Louis Courrier. With regard to the language, few writers have done more for French idiom than Rabelais; he introduced a multitude of expressions and *tournures*, which still remain, though most of his Latinisms and Grecisms have died with him. Montaigne ranks him among authors merely facetious: by this disdainful judgment, did he not perhaps intend to disguise his own immense obligations to him?

We have now arrived at the proper place in which to speak of Montaigne, who (keeping aloof from literary quarrels, from the conflict of reputations, and theoretical discussions on the language) followed his own solitary course of reading and meditation, and became the most original genius of the sixteenth century. Surrounded by wars, political and religious, he was a calm philosopher; amid contradictory systems and contending theories, he became an admirable writer. In literature, in politics, in religion, every one at that period, whether well or ill qualified, was ready to assert—'I know everything!' Montaigne, on the contrary, took for his device—'What do I know?' But he is not chargeable with that absolute Pyrrhonism with which Pascal reproaches him. His incredulity* was only the opposition of a superior and independent intellect to all those parties who insist, one after another, that each possesses absolute truth; and, by dint of the rack, fire, and sword, would wish to force it upon their neighbours. The scepticism of Montaigne proclaims liberty of conscience, without impairing morality of conduct. He had the fate of a man superior to his age. Compare him with Ronsard, who lived and died in a constant uproar of applause. Montaigne was not appreciated. A few persons valued him, but did not say much about him.

Justus Lipsius calls him the French Thales. De Thou said of him, in Latin,—'He is a man of a natural freedom, whose essays will immortalize him to the latest posterity.' Cardinal du Perron styles his essays the 'honest man's breviary.' Montaigne was read and relished in private; he had individual admirers, but no general or extensive influence. His enemies were more numerous than his friends, but even they were not very numerous. Those among the clergy, who read him, represented him as a sophist. Joseph Scaliger calls him *un ignorant hardi*. At the beginning of the seventeenth century his admirers did not greatly multiply, notwithstanding the pious efforts of his adopted daughter, Mademoiselle Gournay, to increase his celebrity. By Balzac he was at once sincerely praised and sharply criticised. The whole school of Port Royal rose up against his scepticism; and the leading character of that pious society, the austere Pascal, is more incensed against Montaigne than even against the Jesuits. According to him, the Essays are pernicious, immoral, and full of indecencies; and '*Montaigne ne songe dans tout son livre qu'à mourir mollement et lâchement*.' In the Port Royal logic he is not better treated; the authors do not even render him literary justice, for they profit by him without acknowledgment. Towards the end of the seventeenth century a change took place in his favour. La Bruyère visibly imitates his manner; he was studied by La Fontaine; Bayle, whose own intellect is so judicious, sound, and forcible, becomes his commentator and follower. Yet it is not till the eighteenth century that Montaigne receives his just meed of admiration: he is then acknowledged and proclaimed, by all the most eminent writers of the age, as their precursor and illustrious ancestor; he is, for the first time, in his proper sphere, surrounded by sceptics, having no longer any concern with either clergy or Jansenists. Voltaire seizes on all Montaigne's ideas, clothing them in his own vivid and precise style, which seems made for action and controversy. He gives a polemical colouring to opinions before expressed in the *naïve*, picturesque, rich, and somewhat diffuse style of a speculative dreamer in the sixteenth century. Rousseau also became his imitator. He was studied by Montesquieu, Diderot, and all the Encyclopedists, who borrow from him without scruple, and present his ingenious reveries in a new dress. It is part of Montaigne's destiny that with the lapse of ages his reputation always increases. One after another, the best parts of his admirable work have received a kind of new life. In the eighteenth century his *ideas* were resuscitated; in the nineteenth, when people no longer care much either for the scepticism of philosophers or the disputes of Jansenists, his *style* is especially studied, and it has

been said that modern French might be greatly improved by adopting a portion of his expressions. For our own part, we must say that we do not know any style more worthy to be studied, for copiousness, piquancy, or force, than that of Montaigne.

His own character, as displayed in the Essays, shows, as the prevailing qualities, *nonchalance,* indecision, and variability. As he says himself, he is less regular in his opinions than in his moral habits. He dislikes deliberation, because it is laborious; he detests the trouble of domestic economy; he is a bad financier, and would prefer the inconvenience of being robbed to that of being obliged to watch the conduct of his servants. He is exceedingly jealous of his own independence, and to such a degree impatient of restraint that he considers it a gain to be detached from some people by their ingratitude. He is never enthralled by his own affections, and neither things nor persons have any hold over him. He is simple and sincere; patient of contradiction, because it suggests good repartees; a mixture of *naïveté* and *finesse*, of prudence and carelessness; polite without stiffness; obliging, but not to the extent of tormenting himself, or encroaching on his repose; the friend of few persons, and those extremely select; and lastly, something of an egotist and Gascon.

But is this then the whole character of Montaigne? No; he has many other traits. He has defined man as '*un être ondoyant et divers;*' and to himself, above all other mortals, this definition is applicable. He comprises within himself a *résumé* of all characters and qualities. He is a mirror wherein every one may behold himself reflected. His book is the chronicle of our 'undulating and diversified' nature. He had only to look into himself, and commit to paper what he found there. He may be said to have witnessed his own life like a spectator at a play, and has presented us with a most accurate analysis of it, not being in the least disquieted although the spectator and the play do not always agree well together. In short, the true and only subject of Montaigne's book is Montaigne himself, and in this respect it is a work altogether without parallel. Several authors, Rousseau in the first rank, have given us portions of their own characters, endeavouring to display themselves to advantage; some poets have painted themselves in their caprices of imagination, rather than the ruling qualities which governed their lives: but no one, on such occasions, has carried candour and accuracy so far as Montaigne; no one has ever been such a scrupulous historian, such a watchful chronicler of his thoughts, so eager to make himself known (*si affamé,* as he says, *de se faire cognoistre*). He is compounded of *two* personages or characters, one of whom overlooks the con-

duct of the other, watches and follows him like a shadow, and contradicts him occasionally, but always tells the truth.

In the department of moral reflections, and of scepticism, historical, philosophic, and religious, Montaigne's work is perhaps less original in its matter than in its form. In these parts the Essays resemble some of the treatises of the ancients, especially Plutarch's 'Morals,' which are delightful reading, and though more methodically arranged, present many fanciful turns and ingenious personal digressions. Montaigne avows that he could not dispense with Plutarch:—

'Mais je me puys plus malaysément desfaire de Plutarque; il est si universel et si plein qu'à toutes occasions, et quelque sujet extravagant que vous ayez prins, il s'ingère à votre besogne, et vous tend une main libérale et inépuisable de richesses et d'embellissements.'

We can picture to ourselves Montaigne on the days when, being comparatively at a loss for ideas, he set himself at random to turn over the leaves of Plutarch, and on coming to some passage, either profound or paradoxical, such as gave rise to a train of thought, seized at once on the subject, and indited on it several pages in the middle of a chapter already commenced, of which afterwards the title is strangely at variance with the contents; for his method consisted in not having any method at all, and he is therefore of all authors the most unmanageable by way of reference and consultation. He announces, it is true, a certain number of chapters, corresponding to the same number of subjects. But run over the table of contents, and then look at the chapter indicated: you will, in all probability, find every possible subject treated of except the one announced by the title; and this is what constitutes the author's peculiar charm. Can the name of *book*, in a literary sense, belong to these essays? A book is commonly uniform, connected, and concentrated, having some leading thought or purpose which holds the whole together. Most books which have lived, are the transcript and development of an idea, rather than the picture of an individual mind. Montaigne, on the contrary, passes to posterity in the shape of a chronicle of shreds and patches, divided, less for the sake of method than as a relief to the eye, into chapters which follow one another without in reality a vestige of connexion, each having a heading or title, but never fulfilling the promises contained in it. Montaigne is a capricious but profound thinker, carried away to all imaginable points of the compass by his own train of ideas,—who writes of poetry, medicine, natural history, politics, religion, morality, according to the whim of the moment, yet always keenly interested in his subject, and not allowing himself to waste the force of his genius in arranging for methodical readers his long gossiping monologues. He walks

through the world of his own thoughts like a traveller through some region of historical interest, stopping at one place to read an inscription, turning out of his way to visit some old ruin at another, and leaving, by way of memento, at the spot he has last quitted, some philosophical reverie—some reflections, melancholy or ironical. Open Montaigne, it matters not at what page; from the very first words you will be *au courant*. His book is one of those which *begin* at every page, and which you may lay aside without placing in the volume any keep-place to mark where you left off. Moreover, you may read the same passage many times before you are able to say that you have read it before. A book which forms a whole, which begins and finishes the developement of a single thought, will not stand this ordeal. Having once become thoroughly acquainted with the route, we do not wish to travel it again. Montaigne, on the contrary, leads us we know not whither; he himself starts without even guessing what is to become of him. We cannot remount or descend either by synthesis or analysis; and, as he leaves no track behind him, one may look ten times at the same page without finding in it less of what is new and unexpected, till it is at last learned by heart. There are people who have never read any author but Montaigne, and who read him perpetually.

He has himself admirably described his own capricious character and indifference to method:—

'Je n'ay point d'aultre sergent de bande à ranger mes pièces que la fortune; à mesme que mes resveries se présentent, je les entasse: tantôt elles si pressent en foule, tantôt elles se trainent à la file. Je veux qu'on voie mon pas naturel et ordinaire ainsi detracque qu'il est; je me laisse aller comme je me treuve. Je prends de la fortune le premier argument; ils me sont également bons, et ne desseigne jamais de les traiter entiers, car je ne veois le tout de rien; ne font pas ceulx qui nous promettent de nous le faire veoir. . . . Semant icy un mot, icy un aultre, échantillons desprins de leurs pièces, escartés sans desseing, sans promesse. Je ne suis tenu d'en faire bon, ni de m'y tenir moi même, sans varier quand il me plaist et me rendre en doubte et incertitude, et à maîtresse forme, qui est ignorance.'—(L. ii. c. 10.)

As he has best depicted his own humour, he has also best characterized his own style.—'*C'est aux parolles*,' says he, '*à servir et à suyvre, et que le Gascon y arrive si le Françaís n'y peut aller. Je veux que les choses surmontent, et qu'elles remplissent de façon l'imagination de celui qui escoute qu'il n'aye aucune souvenance des mots. Le parler que j'ayme c'est le parler simple et naïf, tel sur le papier qu'à la bouche; un parler succulent et nerveux, court et serré, non tant delicat, et peigné que vehement et brusque*,'

"Hæc demum sapiet dictio, quæ feriet;"

plutôt difficile qu'ennuyeux, esloigné d'affectation, derréglé, descousu et hardy; chaque lapin y face son corps, non pedantesque, non frutesque, non plaidaresque.' Such, in fact, is the style of Montaigne. Endowed with a vivid and poetic imagination, which placed every object in a picturesque point of view, and gave a colouring of life even to abstractions,—rich in materials, drawn both from his own mind and from the ancients,—he found French prose hardly emerged from its cradle, without models, bold and adventurous in its youth, and rendered it pliant to convey his wondrous fantasies, enriching it with original turns of expression which obtained currency under his name, and as characteristic of his manner. Behind him was no model which could impose rules of language or conventional proprieties of composition. Around him were no critics who could say that he had infringed on traditional language, and hold out to him *in terrorem*, like a Medusa's head, the inflexible '*Dictionnaire de l'Académie*.' Before him was an age for which no fixed principles of composition were yet established, and which waited to receive its language from its eminent authors. Being, therefore, without grammatical rules, or fixed and unchangeable principles of style, he felt himself the more at liberty to invent or create, and treated the language as if it had been his own peculiar property, instead of an heritage common to all. Such is the part of men of real genius who are born when a language is in its infancy. They imitate the common people, (always infants in the use of languages, even when perfected,) who, having many ideas and but few expressions at command, have recourse to comparisons and figures, assisting themselves by every possible means to speak as they feel, combining words *ad libitum*, and, in the fervour of the moment, making a language, incorrect, but vivid, impressive, and highly coloured. Even in his own time, however, cavillers were not wanting to find fault with his language. '*Tu es trop espais en figures*,' observes one; '*Voilà un mot du crû de Gascogne*,' says another. This was, perhaps, not asserted without reason; yet, who would have courage to criticise Montaigne?—a genius independent of all theories, and owning no subordination, moving along with his age, but not blending with it;—can he be criticised by virtue of a system, who himself set all systems at defiance? However, the language became regular and systematic, unknown to him and without his intentional co-operation. This was partly owing to Malherbe, who has written some pages of prose, more finished and richer in thought than his verse; but the theory of French prose was mainly the work of Balzac. In judging of Montaigne, every one ought to abandon himself to the enchantment, with a mind wholly unfettered by critical rules and theories. With

him properly commences the classical period of French literature; and his work is the first, both by sterling value and priority of time, among those *chefs-d'œuvre* which form the national contributions of France towards the general developement and progress of the human mind.

Having watched the advance of French poetry till Malherbe first subjected it to theoretical principles, we shall trace that of prose literature as far as Balzac, who is to be considered, in this respect, as the prose Malherbe. Its advance, however, did not take place, like that of poetry, amid conflicting systems—by action and reaction; it progressed peaceably, without being much noticed; nor did any one seem to think that it would ever become a medium to convey the higher conceptions of literary men. It was occupied principally with politics, and the affairs of social and domestic life; while poetry remained the only vehicle for elevated thoughts, and the inventions of creative genius. However, its march was perhaps the more secure because people thought less about the matter, and tried no experiments resulting in those violent extremes which were exhibited among the poets. By Calvin, (who was contemporary with Marot,) French prose had already been applied to dogmatical reasoning; and, under his management, if it showed little variety, and was not yet a literary language, it had gravity, precision, and logical clearness. In Du Bellay's '*Illustration de la Langue Française*,' it has brilliancy and spirit, and exhibits expressions and shades of thought which belong decisively to the literary character. Ronsard's prose is superior to his verse. In his absurd theory of epic poetry, (wherein he has given a receipt for an epic, like an apothecary's prescription, *secundum formulam*,) there is vivacity and delicacy of style; the *tournures* are sometimes spirited, and happily varied. Pasquier's language is simple, flowing, and graphic; Malherbe's measured, harmonious, and eloquent (if one can apply this last epithet to general ideas oratorically developed). In Montaigne it has all conceivable characteristics except that of art; to constitute which, a theory was required. Yet, what necessity for theory? Why should not every author be at liberty to create his own language? Apparently, because a higher destiny was intended for the French tongue than to be an implement used according to the peculiar caprice of every author. Besides, at the epoch when Balzac appeared, all the world was vaguely demanding a theory—a Malherbe in prose; and, as the strongest proof of the prevalence of this disposition, we may observe that the first individual considered fit to play the part and create the

theory, was, when little more than a youth, proclaimed the greatest author in the nation.

There is no analogy betwixt the progress of French poetry and French prose. Yet, betwixt the two eminent men to whom the task of theorizing was in each instance allotted, the points of resemblance are most remarkable. Both are hostile to the imitation of foreign literature, to the introduction of Spanish bombast or Italian *concetti*. Both are court-writers, detest the use of provincial *patois*, centralize the language at Paris, and take for its head-quarters the palace of the Louvre. Both are ardent partisans of the unity of the monarch, abhorring the factions by whom it is assailed or impeded, and not caring much about the justice of the cause, in the name of which that necessary result was contended against. Both incline to despotism, though Balzac, of the two, is the less intolerant; both are extremely and unaffectedly vain, and they vie with each other in admiration of Cardinal de Richelieu. In their literary productions we trace an equal resemblance. We find the same dignified gravity, the same precision, the same attention to the embellishment of minute details. The materials exhibit likeness as well as the forms in which they are cast. In Malherbe we find constant panegyrics, and *poésies de cour*—verses to the king, queen, to the cardinal, the steward of the household, the captain of the guards—epithalamia, addresses of condolence for a death, or congratulation for a birth. In Balzac we have prose epistles to all these similar personages, and his writings also are a perpetual panegyric. If the characters of these writers are so much alike, how comes it that their fate has been so different? Malherbe still keeps his place; Balzac has irrevocably fallen. The former truly is not much read, yet he is reprinted, and in schools and colleges some of his odes are still remembered. The latter is never read; and though his works have been lately reprinted, they are not by that means revived: the copy in the Bibliothèque Royale has not even been cut open. The reasons of this difference are obvious enough: for poems, if they have but melody and imagery, may subsist almost independently of ideas; more especially odes, the most superficial of all poetical productions. But from prose, the public require substantial and important ideas; poetry amuses, but prose must instruct; it is enough for poetry to be agreeable, but prose must be useful. Balzac has not ideas; he has only thoughts: he *solves* no question—he discusses nothing to the bottom; he merely throws out a multitude of ingenious *aperçus* and *demi-vérités*, applicable as well to one side of a question as to the other. *Ideas* are an author's stronghold and support, and when conveyed in finished language secure

his immortality, because they emanate from Reason, which is the common heritage of mankind. *Thoughts,* on the contrary, however well expressed, do not save him from oblivion, because they are too personal, result more exclusively from the peculiar impulses of the writer, and not from the calm contemplation of everlasting truths. On this account Balzac, notwithstanding that he has some admirable pages, and exhibits no little ingenuity, has become an empty name, with which nobody associates any ideas.

The eloquence of Balzac is an eloquence without a subject: he is a preacher without a pulpit, an orator without a tribune. One feels annoyed at so much oratorical fervour, applied to ingenious conceits, which do not, in reality, touch any of the great interests of mankind, religion, politics, or philosophy. It appears as if the pen of Balzac were an instrument without materials to work upon. It was not for himself that he sharpened it, but for the sake of the writers who were immediately to follow him, and who had ideas of their own to express. His three principal works, 'Aristippus,' 'The Prince,' and the 'Christian Socrates,' are extremely tiresome, although they glitter with ingenious thoughts perfectly well expressed. 'Aristippus' is a sort of treatise on the court, on good ministers, bad ministers, and courtiers in general; with fictitious portraits and much erudition interspersed through it: a sort of extract or quintessence of court life. However, all his observations are made *à priori* on this common place, and seem as if written by one who had never contemplated a court except through the medium of books, but who dreams of it in solitude, and, let it be said to Balzac's honour, as if produced by a man too honest and independent to come into closer contact with the men and things of which he speaks. His thoughts on the matter are mere phantoms, *pensées en l'air;* while Le Rochefoucault and La Bruyère, treating the same topics, afford us *ideas,* lasting, substantial, and strictly founded on truth. The 'Prince' is another production of the same class. It is a portrait, in chapters, of a prince, such as an honest-hearted dreamer might conceive him; with manners, character, and qualities such as only exist upon paper. It is *pensées en l'air* on the princely character, while every chapter is terminated with flattery of Louis XIII. and of his minister Richelieu. Finally, the 'Christian Socrates' is a long discourse on religion, on the *Ego sum,* on the translation of works sacred and profane, on the language of the church, and the invocation of saints, with here and there admirable thoughts, and erudition well applied; yet this last treatise, like the two others, is only an incoherent mass of unconnected things forced into union, and has, properly speaking, neither aim nor subject. Balzac had not strength for any longer

effort than an epistle, and yet desired to be more voluminous. He applied to his books the genius of a letter-writer, and having conceived a grand framework, had not materials wherewith to fill it. His treatises accordingly were less successful, even in his own times, than his letters, which procured him the title of *le grand épistolier*. But his letters are hardly more readable than his treatises. They are very pretty compliments, turned with *esprit*, and in an incalculable variety of shapes: never was *politesse* more copious or more ingenious than that of Balzac; no one ever contrived to display it in so many forms without needing to copy, and without its appearing very forced. He had a genius for those concluding formalities with which letters commonly terminate, and the degree of talent he expends, in order to vary in a thousand ways the introduction of the inevitable '*votre très humble et très obéissant serviteur*,' is incredible. If he had applied the same marvellous efforts to the profound consideration of any subject, it is possible he might have achieved some work sufficient to render his fame permanent. Ability shown in trifles is, perhaps, only a frivolous application of faculties, which might have commanded success in pursuits of importance. And truly Balzac was a victim to his peculiar talent. His letters were looked on as a treasure; to possess one in his own handwriting was an enviable distinction. They were in demand from all quarters, to such a degree, that to satisfy every expectant was impossible; for ten that he gratified, he must of necessity leave ninety malcontents. They were hawked about from house to house: to obtain the temporary loan of an original epistle was great good fortune, and dinner parties were made for the sole purpose of hearing one read aloud. Married men employed their wives to flatter him into the condescension of filling a scrap of paper, which, though it contained, perhaps, only half-a-dozen elaborate *fadeurs*, never failed to put the fortunate receiver into ecstasies. In his seventh dialogue he gives a picture of himself:—'*Il est la butte de tous les mauvais complimens de la Chrétienté, pour ne rien dire des bons, qui lui donnent encore plus de peine. Il est persecuté, il est assassiné des civilités que lui viennent des quatre parties du monde, et il y avait hier soir sur la table de sa chambre cinquante lettres qui lui demandaient des réponses, mais des réponses éloquentes, des réponses à être montrées, à être copiées, à être imprimées.*' Let us not commiserate him; for never was any mortal so happy under his persecutions.

Several of these letters, however, are in their style dignified, noble, judicious—others very playful, and all of them witty. They were adapted to the capacity of the age in which he lived. They diffused literary notions, and probably his contemporaries

would not so readily have received education in any other form. Some of these letters as well as some passages of his Aristippus, in which he manifested rather an independent spirit and enlightened views of religion, excited against him the hatred of a certain *Père Goulu*, general of the *feuillant* monks, who attacked him in ponderous volumes, and for several years tormented the good peaceable *épistolier*. Balzac was received as a member by the Academy in 1634, with especial honour, as they dispensed with the usual ceremony of his coming to return thanks in person. He is entitled to the credit of suggesting the annual prize for eloquence—an idea praiseworthy at the time, though at the present day it has become ridiculous; so true it is that everything which proceeded from Balzac, even what was good, is doomed to perish. What has not perished and never will,—what has saved at least his *name* from oblivion, is the part he played as a systematic and theoretical reformer of the language. It was he who first disembarrassed French sentences from the confusion and want of pauses and divisions which troubles the reader even in Montaigne; *he* first divided them into clauses, according to principles of harmony and proportion; so that if we may be allowed such a metaphor, the language which before crawled, now marched firmly and regularly. He first fitted it for conveying ideas with rapidity; for *action*; for polemical discussion. As we have already said, he was the first to *centralize* French prose, as Malherbe had centralized poetry; dismissing provincialisms, and combating, both by precept and example, Montaigne's notion '*qu'il faut employer le Gascon où le François fait défaut*,'—a plan which would bring into the established language of a country as many dialects as it possesses provinces; a heresy which in modern times has given rise to many absurdities, but which has never produced another Montaigne.

Balzac died the 18th of February, 1694. At that time the '*Lettres Provinciales*' had been four years published, and Descartes was dead. Corneille had published all his masterpieces. The great authors of the second half of the seventeenth century (born mostly in a space of ten years, from 1615 to 1625) were all formed by the study of the ancients, and by reading the illustrious fathers of French prose and poetry. The language now progressed with gigantic strides, and passed rapidly from the state of transition into that of maturity. Prose gained the victory in the race; it proceeded altogether perfect from the grand imagination of Pascal. With regard to poetry, improvements were yet to be made after the time of Corneille. That great man, standing between the transitional period and the period of maturity, with almost all the faults of the former, yet

exhibiting by anticipation the noblest, if not the most finished, beauties of the latter, is not the first of French poets; but France has no greater prose writer than Pascal.

Fontenelle, in a life of his uncle, Pierre Corneille, has said, 'To judge the merit of a literary production, it suffices to consider the work itself; but to appreciate the merits of an author, he must be compared with the age in which he lived.' He might have added, and with his *precursors*. In order justly to appreciate a creative genius, it is requisite to compare him with the chaos from which he has emerged. In this respect there is no greater name in French literature than that of Pierre Corneille. But if we consider his productions by themselves, according to absolute principles of art, and with reference to those models, either of ancient or modern times, which we now consider perfect, it must be allowed that he has been surpassed. We do not now allude to the *unities*, or the other conventional principles and rules—the mechanical part, the mere carpenter's work of the drama—those parts of its theory which are contestable, and which vary in different ages and countries. That there is a large portion of truth in these parts of the theory of the drama, we believe; but it is only necessary to read one of Shakspeare's great productions in order to doubt their being of much importance. We are speaking only of the faithful delineation of passions, manners, and sentiments; of consistency in the characters, and the interest which thence results; and finally, perfection of expression. Corneille has dramas which, judging them by mechanical rules, are well written, yet which in reality are detestable; and others which, according to the same rules, must be condemned, yet are full of a high order of beauties. Among his predecessors, Garnier is a most perfect specimen of a dramatic tailor shaping a new play on an old pattern; and Hardy, for the intrigue and intricacy of his plots, was almost a Lopes de Vega: but in regard to beauties, moral and philosophical, or the depicting of real passion, character, and manners, both were utterly ignorant and incompetent. It must be said, to the immortal honour of Corneille, that he had to lay the foundation of everything; he had to found the theory of poetry, and to carry it into practice too, affording by the same effort the best principles and the best practical examples. In three different points of view he is pre-eminently distinguished. First, he is in France the creator of dramatic ideas; secondly, of dramatic poetry responsive to those ideas; and thirdly, if the creation of comedy belongs to Molière, yet, at least, Corneille created and fixed its versification and style. Molière said that it was from Corneille he had learnt the language.

Who were his precursors? First, there were the tragedies of the youth Jodelle, whose death in 1560, at the age of twenty, has been imputed by some to starvation, and by others to grief, on account of the failure of certain masques commanded by Henry II. for a festival. Then Robert Garnier, who imitated Seneca in his acts of a single scene, followed by a chorus, and filled his meagre framework with declamation, descriptions, and sentiments. We find Hardy, the *universal* imitator, producing pastorals on the Italian model, complex plots after the Spanish, and distorted copies from ancient models, the whole without ideas, without characters, without command of language, exhibiting, moreover, the worst faults of all the authors whom he imitated; their exaggerations, obscenities, *pointes*, and unintelligible *concetti*. We have the vapid 'Sophonisba' of Mairet, a piece constructed strictly according to rule, but without *verve* or invention. Lastly, we have the 'Marianne' of Tristan, a production equally ineffective, neither good nor bad, written in a feeble, though tolerably pure, style. Nor will it be improper to remind the reader of Corneille's own earlier productions,—the 'Melite,' 1629; the 'Clitandre,' 1630; 'La Veuve,' 1634; 'La Galerie du Palais,' 1634; 'La Place Royale,' and 'Médée,' 1639; 'L'Illusion,' 1636; comedies and tragedies in which Corneille merely followed in the wake of his predecessors. After all these meagre attempts, all of which had in their turn been eulogized as noble specimens of art, appeared the 'Cid,' which, when first performed, caused a sensation universal and unparalleled; and even after the lapse of 200 years, is in every respect as fresh and as effective as if it had come out only yesterday.

Behold, at length, characters traced by the hand of a master, and endowed with permanent life; behold, at length, a situation thoroughly tragic; a lover alternately swayed by the duty of avenging a father's honour, and his anguish at by this means wounding the heart of her whom he loves. Behold passions which come not from the brain, but from the heart—which are not *Spanish*, but human and universal. The dialogue, too, is admirable; the sentiments are a simple expression of the situation: we have, in fine, dramatic *ideas*. If we speak of language, what a creation is the entire *rôle* of Don Diego! What a dialogue is that betwixt Rodrigue and the Count! What eloquence can exceed that of Chimène demanding vengeance, yet in her inmost heart wishing that she may not be heard! Behold then Malherbe's reformation introduced into the language of the theatre,—precision, dignity, melody, clearness, moderation in the use of epithets, the absence of ridiculous imagery; neatness; strength. Compare this poetry with that of Garnier, with the 'Sophonisba,' or the

'Marianne,' or with Corneille's own earlier productions, 'Clitandre' or 'Médée' (though in them we find occasional traces of genius to come). Again, who is there that will not acknowledge a resemblance to Molière in 'Le Menteur,' especially in the scene where the hero palms on his father for truth an adventure which he has only that moment invented—and in that where the father, roused to violent wrath, like old Chremes in Terence, pronounces his son's malediction? In one passage he is the Molière of 'Scapin;' in the other, the Molière of the 'Misanthrope.'

The peculiar originality of Corneille's drama is its grandeur. All his personages are elevated above the vulgar. They all prefer their honour, their duty, or their passion, to their life. They exhibit none of those nicer and more subtle feelings, drawn from the depths of the human heart, which give such charm and so much reality to the heroes of Racine. They are more external; they constantly transcend ordinary proportions; they have no weaknesses, no delicate shades of feeling; they are imperturbably heroic. We have old Horatius, on learning that the last and only survivor of his three sons had betaken himself to flight, pronouncing the famous '*qu'il mourût.*' We have the son, despising the regret expressed by Curiatius, and replying—

'Albe vous a nommé; je ne vous connais plus.'

Again, in Polyeucte overturning the sacrifice, and braving the wrath of Felix and the tears of Pauline; again, in the old Sertorius, giving the law, from his camp in Spain, to the courtiers of Sylla, who call themselves the Roman senate, and exclaiming—

'Rome n'est plus dans Rome; elle est toute où je suis!'

Again, in Cleopatra, who orders one of her sons to be put to death, and prepares to poison the other in order to destroy a rival; and when suspicions are entertained of the beverage which she offers in token of reconciliation, seizes the cup and drinks it herself, purchasing the destruction of her victim at the price of her own. The same characteristics are seen in Cornelia braving Cæsar; in Nicomedes braving all Rome in the person of Flaminius; in Don Diego preferring to risk the life of his illustrious son rather than live under the disgrace of having received a blow: addressing him in the words—

'Meurs ou tue.'

All these characters, it is true, run into excess; but it is an excess of noble and elevated sentiments. They exhibit pride, but it is the pride of duty, of honour, or of passion, before which the mere vulgar impulses of human nature give way. The actions are extraordinary, and the characters are exceptions to common rules; but, to the honour of mankind be it said, they are not out of

nature; and in depicting these superior natures, and expressing their feelings and ideas, Corneille was pre-eminent. For them he created that admirable style of versification, more oratorical than poetic, more forcible than harmonious, with more passion than imagery, that dignified, compact, precise manner, which even in its faults always evinces a certain strength. When he is expressing these thoughts, his style is at once copious and concise; marked by those *sententiæ* which are like a chosen *device* or *motto* of the character who utters them; by striking contrasts—by dialogues where verse responds to verse, and hemistich to hemistich; by the frequent antithesis of two characters, or two passions, in personal conflict.

> '*Horace.* Rome vous a nommé; je ne vous connais plus.
> *Curiace.* Je vous connais encore, et c'est qui me tue.'

And in 'Polyeucte'—

> '*Pauline.* Où me conduisez vous?
> *Felix.* A la mort.
> *Polyeucte.* A la gloire.'

Corneille is the first who rendered the language of passion rich, forcible, rapid—moreover, even argumentative, and at moments of the utmost excitement, retaining logical order and precision. He was the first who, exhibiting on the stage historical characters, warriors, politicians, and ambassadors, created for them a language adapted to their situation—grave, solemn, and enriched with political ideas; the first who could be eloquent without declamation, who could think profoundly without being sententious, and write logically without being formal; and the first who created and fixed the language of French tragedy.

Such was Corneille, viewed in comparison with his predecessors, and with the contemporaries of his youth.

But on the other hand, if we compare this great genius with the perfect models of his art, and appreciate his works, not according to their date, but their absolute and intrinsic value, we must observe that Corneille, in all his excellences, bordered on exaggeration and excess. His grandeur nearly degenerates into the *ton de Matamore*, and Spanish bombast; his sublime verges on the ridiculous; his oratory on declamation; in his politics, he ran a risk of falling into the abuse of *maxims*, and the mere abstractions of the politics of Balzac, and his vigorous reasoning sometimes borders on the dialectic subtlety of the schools. We might also censure in Corneille the influence of his favourite authors, Lucan, Seneca, and the Spanish poets, all of whom are inflated. We might regret not finding any female character that is truly feminine, always excepting Pauline in the 'Polyeucte,' who is

tolerably natural; and, with the exception of some passages infected with sentimentality and *Scuderism*, always speaks with propriety. We might criticise also those characters who make a display of their peculiarities, who analyse themselves, and represent themselves as worse than they really are, as if from apprehension that the author's meaning may not be sufficiently understood. We might find fault with his despots, giving a receipt for tyranny; and with his politicians, who speak in general and sweeping maxims, without any application to real life, nor even to their particular situations. We might censure his Romans, as having too much resemblance to the good Balzac's ideal Roman—that model of courage, virtue, stoicism, grandeur, immutability, and insensibility—a downright abstraction, personified by a man of austere aspect with contracted brows, on whose features there never has been a smile, reserved in speech, and immovable in heart, such as in Balzac's time used to be called the quintessence of a Roman. We might notice characters which contradict themselves for want of being completed, innumerable transgressions of the proprieties of the best tragedy; needless quarrels too with substantiated truths of human nature and feeling; in short, we might find more than enough to justify the animadversions of Voltaire, so unjustly imputed to literary jealousy; but which, in our opinion, were not always sufficiently severe, having been written, not with the intention of depreciating Corneille, but of guarding young authors against the seductive illusion of his errors, and fixing the notions of foreigners as to the proprieties of the French drama and language. We could show that Voltaire, divided betwixt the fear of appearing to defame Corneille, and fidelity to the maxims of good sense and good poetry, rather stopped short of a critic's duty than travelled beyond it. We might with truth describe the great Corneille as one of the most uncertain, fluctuating, and unequal of all French authors; stumbling at every step, having only an obscure consciousness of his own innate powers, and only a fortuitous taste; after having written the 'Cid,' 'Cinna,' 'Polyeucte,' and the 'Horatii,' falling at once even below his precursors, or to their level, and not able to surpass the *Venceslas* of Rotrou, a poet at once so great and so paltry, so elevated and so mean, and having so little command over his powers, that he could not account for his extraordinary inequalities in any better way than by imagining a familiar spirit, or hobgoblin, who assisted him in his good passages, and deserted him when he wrote abominably. Setting aside his meanness of style, his *pointes*, his trivialities, and those of his faults which are acknowledged even by those who systematically prefer the incorrect to the correct poets, and only speaking

of those faults which are demonstrative of energy, and which Quintilian calls *dulcia vitia*, we must admit, that for purposes of instruction and example, Corneille is a dangerous guide, and may give a young author a wrong direction; whereas, on the contrary, the study of the finished models (and why should we not name Racine as the most finished of all?), gently exciting the imagination without misleading the reason, has the same effect on the intellect which a good moral education and good domestic examples have upon the heart. Their beauties are not always fully appreciated by young people, on account of their extreme delicacy, and because *traits* of real passion cannot be comprehended by those who have neither felt it themselves, nor beheld its effects in others. But a time will come, when, in these productions, they will find, as in a mirror, the reflection of their own lives; and in the meantime they are not acquiring a perverted taste. Lastly, passing from the *matériel* of poetry to its *form*, we might observe that poetry requires at once the powers of music, painting, and language, and addresses itself to the heart, the understanding, and the ear. The style of Corneille, fiery, nervous, and vivid, yet often hard, unequal, obscure, embarrassed, without imagery, variety, or harmony, and full of expressions contrary to the genius of the French language, cannot be seriously compared to that of Racine; and will not be so compared, except by persons whose own vanity is interested in ascribing the highest dramatic merit to a man of unequal genius, and to his imperfect works.

While French poetry, reformed in its principles by the theories of Malherbe, aided by some excellent odes and satires of Régnier, still waited for Racine, Boileau, Molière, and La Fontaine, to bring it to perfection, the prose style had attained its highest stage of improvement in the *Lettres Provinciales* and the *Pensées* of Pascal. On what depends the permanent interest—the lasting admiration attached to these Letters? Is it their form, or their matter? The matter is of little interest to us, but rather shares the fate of polemic writings in general, which become insipid when the passions that excited the dispute are extinct. The whole interest of the work, therefore, would perish were it not for its *form*. To readers of the present day, of what importance is a record of the mean compliances of a sect who only governed by flattering the passions of the great, and domineered in politics as a crafty valet domineers over his master, that is, by accommodating themselves to every sort of service? Those subtleties of casuists, that war of equivoques and conflicting citations, that once death-dealing erudition,—all are lost upon us; we read them with the most perfect indifference. What, then, carries us on in the perusal of a work of

which so many parts are now dead and withered? It is the consummate art shown in the employment of the materials; it is the dexterity of the composition, the close *enchaînement* of the ideas, —in a word, it is not the matter but the manner, the merit of which is eternal and universal, applicable to all subjects, and to all controversies.

We cannot say the same thing of the '*Pensées*.' In them all is fresh, matter and manner; all might have been written yesterday. Perhaps we should except, in this respect, one considerable portion, the argument for the truth of Christianity, which again has been kept alive chiefly by the merits of its manner, and which, though replete with logical ability, yet, like most productions of its class, will not make many converts. It was, perhaps this part of the 'Thoughts' which overpowered the mind of Pascal; for, though never absolutely insane, it is well known that his faculties were materially disordered. To matters of faith and spiritual existence, Pascal applied the same rigorous analysis which he employed in his mathematical and algebraic problems. This misapplication of severe logic to subjects to which it is unsuited had its natural effect in engendering scepticism; in wishing for too much certainty he arrived at doubt, and to escape from it flung himself headlong, with his eyes open, into a creed which requires *blind* acceptance, and professed himself a believer whilst he trembled with doubt. In fact, nature had endowed Pascal with two faculties which can scarcely exist highly developed in the same individual without impairing the soundness of mind or body, if not both: a genius for the exact sciences, combined with the noblest faculties of imagination. At war within himself, driven by one part of his nature into implicit and childlike faith, by another into insupportable doubts, Pascal was destroyed. He even reproached himself for having intervals of health, and prayed that God would increase his infirmities! How interesting is that strange and sublime prayer, wherein he supplicates that God will enable him to make a good use of his complicated maladies, reasoning on this thought with a degree of acuteness and vigour quite incredible, and, with dialectic precision, labouring (if we may be allowed such an expression) to convince the Deity that his prayer must be heard, though he concludes by imploring pardon for what he has uttered! We know nothing more melancholy than this mathematical language applied to a class of feelings which ought always to be fervent and spontaneous.

Of the 'Thoughts,' many may be disputed, others are certainly erroneous, and some are absurd: but almost the whole are written in a style bold, poetic, and picturesque; at the same time, like that of the 'Letters,' natural and simple, even when treating subjects

of the most exalted and most intricate nature. Even these passages which are universally acknowledged to be false, stir up the mind in its inmost depths, and suggest whole trains of other thoughts.

Pascal's influence on French prose literature was decisive. In the 'Provincial Letters,' written before his health was so much broken, we admire the rigorous accuracy of his deductions, the lucidity of his expressions; the subject was more suited to the mathematician turned author, and his language, therefore, has perhaps more of strength and precision than brilliancy. It is in the 'Thoughts,' composed under the feverish excitement both of mind and body, in the midst of the agonizing struggle betwixt faith and scepticism, and under the influence of the devout enthusiasm to which he gave way in spite of himself—it is *there* we discover that splendour and richness of colouring, that solemn yet natural grandeur, that talent for *effect* and *relief* in language, which Bossuet afterwards combined with his own marvellous fertility. From these distinct styles of composition,—the one emanating from reason, the other from imagination,—there arose two distinct models and schools for French prose authors. Henceforth, in all works addressed to reason, logical precision, accurate connexion of ideas, and propriety of expression, were indispensable. On the other hand, for works of imagination there arose variety and richness of tones and colours—grandeur of imagery—the art of producing great effects with small means—(that quality peculiar to the writers of the highest order of genius)—and a language, copious, harmonious, and periodic, which appropriated to itself all the natural beauties as well as the successful *hardiesses* of the authors of the sixteenth century.

Pascal acquired an immense authority. Thirty years after his death he was proclaimed as the most perfect of models—as 'l'écrivain Français par excellence.' It was acknowledged that he had Balzac's dignity of style, applied to great ideas, instead of being thrown away on abstractions and puerilities. He was poetic and picturesque, but with due moderation, not in season and out of season, like Montaigne. If language is as much a natural gift as an effect of traditions and example, we believe it was much more difficult to write like Racine after Corneille, than to write like Bossuet after Pascal. The latter first supplied *en germe* those beauties which Bossuet afterwards so profusely exhibited in his '*Oraisons Funèbres;*' and those sublime ideas on the misery and weakness of human nature which his successor afterwards more amply enlarged upon. The '*Pensées*' naturally led to the '*Oraisons Funèbres,*' the 'Provincial Letters' to the 'Histoire des Variations;' but there was no model for the 'Discours sur l'Histoire Universelle.'

Among the influences which conduced to the maturity of the French language, we ought not to forget certain authors too much admired in their own age, and now too much forgotten;—for example, Voiture and Vaugelas, of whom the former afforded examples of a style sprightly, ingenious, and *piquant*, to which Mad. de Sevigné added the charm of *naïveté*; and the latter, by his philological labours, and his excellent good sense, did much to fix the rules of the French language and illustrate its character. Above all we ought not to forget René Descartes, and his discourse '*sur la Méthode*,' a *chef-d'œuvre* in which Science affords instructive lessons to Art.

All these national examples, joined to a profound study of the ancients and animating a whole generation of superior minds, tended to produce those glorious thirty years during the second half of the seventeenth century, wherein was realized by *chefs-d'œuvre* of every description all that was gradually preparing from the period with which this article commences, and much more than any subsequent period was able to keep up with.

All the great men who had been born betwixt 1615 and 1630, were now arrived at maturity, both of age and talents. Reaction had done its part, and was over. Boileau in the early part of his literary career had destroyed the remains of that school of incapables who still wished to uphold the pedantry of Ronsard. All these eminent men are of one mind respecting the principles and rules of Art; they no longer dispute about the best models, but diligently study them. There are diversities of Genius, but there is but one school of Art,—which Art consists in expressing in the most finished language ideas belonging to universal truth. The language belongs to the country in which it is spoken, but the ideas belong to all human nature. The language is henceforth to be exclusive, absolute, and faithfully adapted to the genius of the nation, avoiding foreign alloy; the ideas are to be adapted to the widest possible range of human comprehension, without regard to time, place, or diversity of manners. Fancy, that variable faculty, which excites one generation to tears where another would laugh, is henceforth to be only an ornament, strictly subjected to Reason, that permanent and immutable faculty, which alone has the power of conferring immortality. Ancient was now wedded to modern Genius, or metaphorically we might say the son trod in the steps of his father; it was an intellectual civilization which assimilated to itself two anterior civilizations. This is not imitation, unless it be imitation not to prefer being mad all alone rather than reasonable along with the rest of the world; there is *resemblance*, in intelligence, in the absence of idle pretension to originality, in the love of universal

truths and of systematic improvement in the means of imparting those truths, and of consecrating them in a form which will endure for ever. When Boileau wrote his 'Art of Poetry,' he did not imitate Horace, any more than Horace imitated Aristotle. All three expressed in highly finished language the same *fonds* of good sense and reason. They were not imitators; they only happened to meet or rather follow each other on the same road. If they had tried to avoid meeting, this must have been at the expense of losing the truths of which all were in quest. What proceeds from the imagination may be imitated, because imagination varies in different individuals; but what emanates from reason, which is the property of all men and for all ages cannot be imitated; like the sun in heaven, unique, and yet universal, each writer can only make them his own by the degree of perfection with which he can express them. Because Horace has said—

'Brevis esse laboro,
'Obscurus fio,'

is Boileau, therefore, interdicted from saying in his own language—

'J'évite d'être long, et je deviens obscur . . . .?'

If poetical rules be established for any country whatsoever, where this precept to avoid falling into obscurity in seeking conciseness be not imposed, the code will want a vital law. One individual is a man of tried probity, whose every action has been the fruit of virtue. If another person, from the same motives—from a similar instinctive perception of good, and a cultivated reason which is his own, although not differing from that of the former individual, does good like him, (the same good, in the same manner, and under the same circumstances,) is the latter a plagiarist of virtue? does he give up his own individuality to resemble others? or is it not rather that Providence has permitted the one to enjoy the same share as the other of a common gift? Now, what is true of the moral world is equally true with regard to art. In the course of ages the great works of literature which succeed one another consist of different expressions of the same fund of universal ideas, saving certain additions or modifications which result from diversity of time, country, religion, society, and climate, and which may be called the contingent and local portion. The golden ages of literature are those in which this stock of universal ideas have been expressed for the greatest number of cultivated minds, in languages which have arrived at their highest state of perfection. What constitutes the glory of these ages, and the imperishable popularity of their great men, is this,—that, having founded monuments of reason, they are safe from those caprices of imagi-

nation which destroy reputations from one epoch to another, and which change their favourites as well as their fantasies. These great writers are immortal, because their fame is based on reason, which is immutable; their authority is obligatory, because there is no possibility of being right without resembling them.

It was under the sway of these ideas, which then appeared to all instructed minds as evident truths which they inhaled with the air they breathed, that the school of great men was formed, of which Boileau and Racine (themselves formed by Pascal and Port-Royal) were the most exclusive theorists. It is within the circle of these ideas that even the most independent minds came, one by one, voluntarily to arrange themselves. Molière and La Fontaine, at first, inclined more to follow in the track of the imitators of foreign examples: they entered into the bosom of the common school at the most brilliant period of their genius; Moliere to write 'Le Misanthrope,' 'Le Tartuffe,' 'Les Femmes Savantes;' 'which are written,' says Voltaire, 'like the Satires of Boileau:' La Fontaine to compose the most beautiful of his fables, which are in a style as pure as that of Racine. Attempts have been made to distinguish Molière and La Fontaine from their illustrious friends, and make them the continuers of a school more free from the influence of the ancient, and writing in a language which is pretended to be more ample and varied, than that of Racine and Boileau. For our part, we should not less admire Moliere and La Fontaine, even if their share in the literature of France and of mankind had been confined to what they produced in those glorious years in which the double idea of combining the spirit of antiquity with pure French had fully prevailed,—in which Molière, La Fontaine, and Boileau had long conversations on the meaning of a word, on the propriety of a rhyme; in which La Fontaine, in a letter to Huet, Bishop of Soissons, on sending to that learned personage an Italian translation of Quintilian, told him, among other things, that—

> '. . . . Faute d'admirer les Grecs et les Romains,
> On s'égare en voulant tenir d autres chemins.'

And further:—

> 'Terence est dans mes mains; je m'instruis dans Horace;
> Homère et son rival sont mes dieux du Parnasse.
> Je le dis aux rochers . . . . '

And again, recalling his old admiration of Voiture:—

> 'Je pris certain auteur autrefois pour mon maître,
> Il pensa me gâter. A la fin, grâce aux dieux,
> Horace, par bonheur, me désilla les yeux.'

It was from 1665 to 1695, that is, at the time when these ideas governed, and when Boileau was in a manner charged by all his

contemporaries to give, in his 'L'Art Poétique,' a simple and brief *résumé* of them, which was approved and subscribed to by the most illustrious authors of the time—it was then that there were produced, in tragedy, '*Andromaque*,' '*Iphigénie*,' '*Phèdre*,' '*Britannicus*,' '*Mithridate*,' '*Athalie*;' in comedy, '*Le Misanthrope*,' '*Le Médecin Malgré Lui*,' '*Amphytrion*,' '*Le Tartuffe*,' '*L'Avare*,' '*Le Bourgeois Gentilhomme*,' '*Les Femmes Savantes*,' '*Le Malade Imaginaire*;' in other departments, '*L'Art Poétique*,' '*Le Lutrin*,' the *Epistles*, so superior to the Satires, which are only the last disputations of Boileau continuing the part of Malherbe, and which, like all polemical disputations, have lost much of their interest, unlike the Epistles, which live, and will live during the life of the universal ideas which inspired them; and the sixth, seventh, eighth, ninth, tenth, and eleventh books; the Fables of La Fontaine, in our opinion, the best. In prose, the funeral oration of Henriette d'Angleterre, a few of the Sermons, '*La Doctrine de L'Eglise Catholique*,' '*L'Histoire Universelle*,' the funeral oration of the Prince de Condé, '*L'Histoire des Variations*,' all the Sermons of Bourdaloue; the two little volumes of La Bruyère; the Treatises, too little read, of Nicolle, '*La Perpetuité de la Foi*,' and '*Les Essais de Morale*;' the famous Letter of Madame de Sevigné on the death of Turenne, and several others, written about the same time, and without which Madame de Sevigné would, perhaps, only have been a charming pupil of Voiture, the *Recherche de la Verité* of Malebranche; the only good funeral oration of Fléchier, that on Turenne: and finally, the '*Traité de l'Education des Filles*:' the appearance of a superior genius, Fénélon, who exaggerated, perhaps, the theories of that privileged period in his '*Dialogues sur l'Eloquence*,' and in his '*Lettre à l'Académie*;' and, in assigning too great a province to art, he risked its being confounded with mere mechanism. These 30 years are the noblest period of French literature, being the period at which the French intellect most completely appropriated and assimilated to itself, and expressed in the purest language, the greatest number of universal truths.

If there were places to give and rank to assign to so many great men, we must proclaim, as the greatest, Molière and La Fontaine, since they best realized the double aspiration of this glorious epoch, and contributed a larger share than their friends to the great body of universal truths to which the age gave appropriate expression. Molière and La Fontaine are the most popular writers in their language, precisely because they have the greatest abundance of what is fit for every time, for every age, for every country, for every condition, and the least of what is mere matter of convention and fashion. Does not this superiority

arise, first, from the more eminent abilities of these two great men, and next, perhaps, because comedy grows old less rapidly than tragedy, and the serious laugh has more affinity with reason than the tears which dry so quickly? and because Fables are, of all conventional compositions, the simplest, and the most suitable to the elementary faculties and the permanent taste of mankind.

Fifteen years later the period was already arrived in which Fénélon, in a correspondence full of courtesy, consented to defend Homer against his ridiculous abbreviator Lamotte Houdard, and almost (so to speak) begged indulgence for Greek poetry of the man who prefers to the 'Iliad' the 'Saint Louis' of Père Lemoine.

To the despotism, allowed, recognised, and obeyed, of Louis XIV., (a despotism quite different to that imposed upon a nation crushed by the sword of a soldier of fortune,—a despotism whose effects on literature had been to make reason predominate over fancy, and order, regularity, and method over caprice,) succeeded a general relaxation, and an intermission of everything inglorious, which might seem to many a termination, but which was, in reality, only the commencement of a new, and more noble destiny for France.

The literature of the age of Louis XIV. had been almost exclusively moral, religious, and monarchical, with the exception of certain works, which had neither the superior beauties, nor the influence, of the *chefs-d'œuvre* marked by these three characteristics. In the beginning of the eighteenth century all these characteristics disappeared: philosophy was substituted for morality, religious liberty for religion; loyalty to the royal office was supplanted by the spirit of servile flattery to the king personally. As in morals, men began to look deeper than the mere established lists of duties and sins; as in religion, that is, in the whole relations of man with God, they wished to look further than the mere authority of the Church; so in politics, they looked through the veil of that regal majesty which covered so many abuses and so much misery. No sooner was the illustrious old man, who had sheltered and protected this monarchy by the authority of his last years, by his misfortunes, by his sixty years of absolute reign, descended into the tomb, than the public began to look more narrowly into this monarchy, older and more decrepit than he was, more cadaverous than his dead body, and of which he, more than any one else, had worn out the springs by stretching them too forcibly.

Men of genius were not so servile as they have been represented. The new state of poetry was, if the word be allowable, *courtieresque*; keeping terms with the ante-chamber, and despising the throne; and in royalty, or in its favourites, who were frequently

parvenu mistresses, flattering only the sources of grace and favour. Certainly, if poetry requires enthusiasm, not the disorderly enthusiasm that has been imagined in latter times, but a passionate faith in art is the only enthusiasm of which anything comes; if it requires ideality and inspiration, it must be owned that philosophy, scepticism, the spirit of social and political criticism, the progress of physical science, and the popularity of statistical and financial discussions, have some tendency, if not to destroy poetry, at least to weaken it, and hasten its decline.

All the ideas which may be said to have been in *opposition* during the last years of the late king, and those which the reaction following his reign had widely diffused, also militated against the cause of poetry, which, instead of being the sole occupation of a writer, now became the mere ornament of a reputation principally dependent upon works in prose. The eighteenth century became the age of prose literature; a natural consequence of the enfranchisement of men's minds. Thoughts which had been repressed in the seventeenth century by causes much more elevated than the royal censorship, now overflowed; and of the two general forms of language, the freest, simplest, and easiest was chosen as the vehicle of their expression. French poetry had hitherto been marked by a great character, perfection of manner.

Henceforward we have poetry of an entirely new description; no longer simply moral, but philosophic, analyzing, discussing, subtilizing, everything—mind, heart, and sentiment; no longer religious, but deistical, substituting the religion of Nature for that of Faith; no longer monarchic, nor marked with the elevated tone and impressed with that full faith in royalty which give a certain dignity even to the flatteries of the contemporary poets of *le grand roi*. But ideas, and whatever was called by that name, now becoming predominant over manner, and poetry being attacked by men of great intellect, (even, for example, by Montesquieu,) the care bestowed on mere form was considered puerile, the labour bestowed on aiming at perfection was esteemed time thrown away, and Boileau's verse—

'Cherchant au coin d'un bois le mot qui l'avait fui,'

rather than leave the expression of any important thought imperfect, was turned into ridicule. This was a misfortune, for the importance of *finish* in poetry lies very deep. In perfecting the form, we bring to perfection also the thoughts,—in searching for a rhyme we discover something better,—by dint of correcting the style the matter is rendered choicer and less vague. Yet this part of the art became a subject of ridicule to the wits. People, moreover, had no longer time for such minute perfection. The peculiar tendency, both of intellectual and political emancipation,

is to produce much writing: literature was gradually becoming a sort of anticipated periodical press: improvisation already supplanted reflection, and 'lucky hits' came in place of art.

D. N.

NOTE.

We have received from a highly-valued correspondent the following observations on some statements in a former number of the London Review.

'In an article on German students, in the third number of the London Review, there occurs a brief notice of Follenius, now known in the United States under the name of Dr. Follen. The author of that paper is so evidently familiar with the institutions and classes of which he treats, that any incidental error in his statements is likely to be the more injurious. The London Review reaches America: and, although Dr. Follen is too well known in New England to be affected by the reviewer's description of him, his avowed sympathy with the principles of the abolitionists makes his character peculiarly liable to malignant interpretation in other states, where a slander upon him may be a convenient instrument against the anti-slavery party. I am assured by Dr. Follen, who is a correspondent of mine, that the whole statement of the reviewer, both praise and censure, is incorrect; and though he himself has made no direct request that the impression may be corrected, his most intimate friend, Dr. Channing, has urged me to communicate the real facts to the editor of the London Review, and suggest the propriety of an acknowledgment of error; and I apprehend that the very serious charges in the article ought unquestionably to be either substantiated or recalled. Follen was not the author of the patriotic songs mentioned, but his brother. He was not accessory to the murder of Kotzebue; his trial on that charge ended in acquittal on the clearest evidence. He was imprisoned fourteen days for disrespect to the judges, but emphatically declared innocent of the alleged crime. "So far," says Dr. Channing, "from being a mystic pietist and religious quack, he is a sober, frank politician, and a scholar of high repute; when he occasionally preaches, it is in a style of uncommon plainness and vigour. He stands almost alone among the Unitarian clergy from his singular simplicity, combined with knowledge of men and affairs. He has close relations with the best men here."'

The statement of Dr. Follen's being 'a pietist and religious quack' was not our own; we had it from a German physician of the highest merit, who, for his connexion with the *Burschenschaft*, had been imprisoned for many years in Germany. That Dr. Follen was accessory to the murder of Kotzebue is not a slander of ours; it is an assertion, which certainly may be entirely unfounded, but which we have heard a great many times in Germany. As to his brother, we can assert that we knew more of him than of Dr. Follen, as we have been ourselves in some personal connexion with him through the medium of Captain Dittmar who fell in the defence of freedom at the siege of Missolonghi. If we did not mention him, it was because we did not like to say what we knew of him; for this former conspirator, who now resides in Switzerland, sides with the most furious aristocrats there: he had fallen already very low in our opinion when, in a review, which he published about 1822, in Switzerland, he attacked, in a most scurrilous way, the respectable Zschokke, and whose life and activity has been consecrated to the cause of freedom and humanity. It was, perhaps, for this and similar reasons, that the review, though written with considerable talent, did not outlive a few numbers. The impression we had on the subject of the patriotic poems was not that Dr. Follen was the author of his brother's poems, but that he was the author of the *Hohe Lied*; and, if he is not the author of that, we are sorry for it, since it is an excellent production.

As to the two first points, we cannot be called upon to retract an error, because we stated assertions, the assertions of others, which, however, we very willingly exchange against those of himself and his friends; and we have made ample reparation to Dr. Follen's character by publishing the honourable testimony borne to him by such a man as Dr. Channing, whose good opinion cannot but outweigh, as it well deserves to do, any amount of mere common report.

Z.

ERRATA.

Page 405, line 18, and 11 from the bottom, *for* intranspossibility, *read* intrans-gressibility.
Page 405, line 8, *for* misno, *read* nisus.
Page 405, *for* strong, *read* stony.
Page 406, line 5 from the bottom, *for* larger, *read* layers.
Page 406, last line, *for* explanation, *read* volution.

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Art. I.

On the Definition of Political Economy; and on the Method of Philosophical Investigation in that Science.

IT might be imagined, on a superficial view of the nature and objects of definition, that the definition of a science would occupy the same place in the chronological which it commonly does in the didactic order. As a treatise or any science usually commences with an attempt to express, in a brief formula, what the science is, and wherein it differs from other sciences; so, it might be supposed, did the framing of such a formula naturally precede the successful cultivation of the science itself.

This, however, is far from having been the case. The definition of a science has almost invariably not preceded, but followed, the creation of the science itself. Like the wall of a city, it has usually been erected, not to be a receptacle for such edifices as might afterwards spring up, but to circumscribe an aggregation already in existence. Mankind did not measure out the ground for intellectual cultivation before they began to plant it; they did not divide the field of human investigation into regular compartments *first*, and *then* begin to collect truths for the purpose of being deposited therein. They proceeded in a less systematic manner. As discoveries were gathered in, either one by one, or in groups resulting from the continued prosecution of some uniform course of inquiry, the truths which were successively brought into store cohered and became agglomerated according to their individual affinities. Without any intentional classification, the facts classed *themselves*. They became associated together in the mind, according to their general and obvious resemblances; and the aggregates thus formed, having to be frequently spoken of as aggregates, came to be denoted by a common name. Any body of truths which had thus acquired a collective denomination, was called a *science*. It was long before this fortuitous classification was felt not to be sufficiently precise. It was in a more advanced stage of the progress of knowledge that mankind became

sensible of the advantage of ascertaining whether the facts which they had thus grouped together were distinguished from all other facts by any common properties, and what these were. The first attempts to answer this question were commonly very imperfect ones.

And in truth there is scarcely any investigation in the whole body of science, requiring so high a degree of analysis and abstraction, as the inquiry, what the science itself is; in other words, what are the properties common to all the truths composing it, and distinguishing them from all other truths. Many persons accordingly, who are profoundly conversant with the details of a science, would be very much at a loss to supply such a definition of the science itself as should not be liable to well-grounded logical objections. From this remark we cannot except the authors of elementary scientific treatises. The definitions which those works furnish of the sciences, for the most part either do not fit them, some being too wide, some too narrow; or do not go deep enough into them, but define a science by its accidents, not its essentials; by some one of its properties which may, indeed, serve the purpose of a distinguishing mark, but which is of too little importance to have ever of itself led mankind to give the science a name and rank as a separate object of study.

The definition of a science must, indeed, be placed among that class of truths which Dugald Stewart had in view, when he observed that the first principles of all sciences belong to the philosophy of the human mind. The observation is just, and the first principles of all sciences, including the definitions of them, have consequently participated hitherto in the vagueness and uncertainty which has pervaded that most difficult and unsettled of all branches of knowledge. If we open any book even of mathematics or natural philosophy, it is impossible not to be struck with the mistiness of what we find represented as preliminary and fundamental notions, and the very insufficient manner in which the propositions which are palmed upon us as first principles seem to be made out; contrasted with the lucidity of the explanations and the conclusiveness of the proofs as soon as the writer enters upon the details of his subject. Whence comes this anomaly? Why is the admitted certainty of the results of those sciences in no way prejudiced by the want of solidity in their premises? How happens it that a firm superstructure has been erected upon an unstable foundation? The solution of the paradox is, that what are called first principles are in truth *last* principles. Instead of being the fixed point from whence the chain of proof which supports all the rest of the science hangs suspended, they are themselves the remotest link of the chain.

Though presented as if all other truths were to be deduced from them, they are the truths which are last arrived at; the result of the last stage of generalization, or of the last and subtlest process of analysis, to which the particular truths of the science can be subjected; those particular truths having previously been ascertained by the evidence proper to their own nature.

Like other sciences, Political Economy has remained destitute of a definition framed on strictly logical principles, or even of what is more easily to be had, a definition exactly co-extensive with the thing defined. This has not, perhaps, caused the real bounds of the science to be, in any material degree, practically mistaken or overpassed: but it has occasioned—perhaps we should rather say it is connected with—indefinite, and often erroneous, conceptions of the mode in which the science should be studied.

We proceed to verify these assertions by an examination of the most generally received definitions of the science.

1. First, as to the vulgar notion of the nature and object of Political Economy, we shall not be wide of the mark, if we state it to be something to this effect:—That Political Economy is a science which teaches, or professes to teach, in what manner a nation may be made rich. This notion of what constitutes the science, is in some degree countenanced by the title and arrangement which Adam Smith gave to his invaluable work. A systematic treatise on Political Economy he chose to call an 'Inquiry into the Nature and Causes of the Wealth of Nations;' and the topics are introduced in an order suitable to that view of the purpose of his work.

With respect to the definition in question, if definition it can be called which is not found in any set form of words, but left to be arrived at by a process of abstraction from a hundred current modes of speaking on the subject, it seems liable to the conclusive objection, that it confounds the essentially distinct, though closely connected, ideas of *science* and *art*. These two ideas differ from one another as the understanding differs from the will, or as the indicative mood in grammar differs from the imperative. The one deals in facts, the other in precepts. Science is a collection of *truths*; art, a body of *rules*, or directions for conduct. The language of science is, This is, or, This is not: This does, or does not, happen. The language of art is, Do this; Avoid that. Science takes cognizance of a *phenomenon*, and endeavours to discover its *law*; art proposes to itself an *end*, and looks out for *means* to effect it.

If, therefore, Political Economy be a science, it cannot be a collection of practical rules; though, unless it be altogether a

useless science, practical rules must be capable of being founded upon it. The science of mechanics, a branch of natural philosophy, lays down the laws of motion, and the properties of what are called the mechanical powers. The art of practical mechanics teaches how we may avail ourselves of those laws and properties, to increase our command over external nature. An art would not be an art, unless it were founded upon a scientific knowledge of the properties of the subject-matter: without this, it were not philosophy, but empiricism: ἐμπειρία, not τέχνη *. Rules, therefore, for making a nation increase in wealth, are not a science, but they are the results of science. Political Economy does not instruct how to make a nation rich; but whoever would be qualified to judge of the means of making a nation rich must first be a political economist.

2. The definition most generally received among instructed men, and which is laid down in the commencement of most of the professed treatises on the subject, is to the following effect:—That Political Economy informs us of the laws which regulate the production, distribution, and consumption, of wealth. To this definition is frequently appended a familiar illustration. Political Economy, it is said, is to the state, what domestic economy is to the family.

This definition is far from the fault which we pointed out in the former one. It distinctly takes notice that Political Economy is a science and not an art; that it is conversant with laws of nature, not with maxims of conduct, and teaches us how things take place of themselves, not in what manner it is advisable for us to shape them, in order to attain some particular end. But though the definition is, with regard to this particular point, unobjectionable, so much can scarcely be said for the accompanying illustration; which rather sends back the mind to the current loose notion of Political Economy already disposed of. Political Economy is really, and is in the definition stated to be, a science: but domestic economy, so far as it is capable of being reduced to principles, is an art. It consists of rules, or maxims of prudence, for keeping the family regularly supplied with what its wants require, and securing, with a given amount of means, the greatest possible quantity of physical comfort and enjoyment. Undoubtedly the beneficial *result*, the great practical *application* of Political Economy, would be to accomplish for a nation something like what the most perfect domestic economy accomplishes for a single household: but supposing this purpose realized, there would be the same difference between the rules by which it might be effected, and Political Economy, which there is between the art of

* See the Gorgias of Plato.

gunnery and the theory of projectiles, or between the rules of mathematical land surveying and the science of trigonometry.

The definition, though not liable to the same objection as the illustration which is annexed to it, is itself far from unexceptionable. To neither of them, considered as standing at the head of a treatise, have we much to object. At a very early stage in the study of the science, anything more accurate would be useless, and therefore pedantic. In a merely initiatory definition, scientific precision is not required: the object is, to insinuate into the learner's mind, it is scarcely material by what means, some general preconception what are the uses of the pursuit, and what the series of topics through which he is about to travel. As a mere anticipation or prophecy of a definition, intended to indicate to a learner as much as he is able to understand, before he begins, of the nature of what is about to be taught to him, we do not quarrel with the received formula. But if it claims to be admitted as that complete *definites*, or boundary-line, which results from a thorough exploring of the whole extent of the subject, and is intended to mark the exact place of Political Economy among the sciences, its pretension cannot be allowed.

'The science of the laws which regulate the production, distribution, and consumption, of wealth.' The term *wealth* is surrounded by a haze of floating and vapoury associations, which will let nothing that is seen through them be seen distinctly. Let us supply its place by a periphrasis. Wealth is defined, all objects useful or agreeable to man, except such as can be obtained in indefinite quantity without labour. Instead of *all* objects, some authorities say, all *material* objects: the distinction is of no moment for our present purpose.

To confine ourselves to *production:* If the laws of the production of all objects, or even of all *material* objects, which are useful or agreeable to man, were comprised in Political Economy, it would be difficult to say where the science would end: at the least, all or nearly all physical knowledge would be included in it. Corn and cattle are material objects, in the highest degree useful to man. The laws of the production of the one include the principles of agriculture; the production of the other is the subject and the art of cattle-breeding, which, if it be really an art, must be built upon the science of zoology. The laws of the production of manufactured articles involve the whole of chemistry and the whole of mechanics. The laws of the production of the wealth which is extracted from the bowels of the earth cannot be set forth without taking in a large part of geology.

When a definition so manifestly surpasses in extent what it professes to define, we must suppose that it is not meant to be

interpreted literally, though the limitations with which it is to be understood are not stated.

Perhaps it will be said, that Political Economy is conversant with such only of the laws of the production of wealth as are applicable to *all* kinds of wealth: those which relate to the details of particular trades or employments forming the subject of other and totally distinct sciences.

If, however, there were no more in the distinction between Political Economy and physical science than *this*, the distinction, we may venture to affirm, would never have been made. No similar division exists in any other department of knowledge. We do not break up zoology or mineralogy into two parts: one treating of the properties common to all animals, or to all minerals; another conversant with the properties peculiar to each particular species of animals or minerals. The reason is obvious; there is no distinction *in kind* between the general laws of animal or of mineral nature and the peculiar properties of particular species. There is as close an analogy between the general laws and the particular ones as there is between one of the general laws and another: most commonly, indeed, the particular laws are but the complex result of a plurality of general laws modifying each other. A separation, therefore, between the general laws and the particular ones, merely because the former are general and the latter particular, would run counter both to the strongest motives of convenience and to the natural tendencies of the mind. If the case is different with the laws of the production of wealth, it must be because *there* the general laws differ *in kind* from the particular ones. But if so, the difference *in kind* is the radical distinction, and we should find out what *that* is, and found our definition upon it.

But, further, the recognized boundaries which separate the field of Political Economy from that of physical science by no means correspond with the distinction between the truths which concern all kinds of wealth and those which relate only to some kinds. The three laws of motion and the law of gravitation are common, as far as human observation has yet extended, to all matter; and these, therefore, as being among the laws of the production of all wealth, should form part of Political Economy. There are hardly any of the processes of industry which do not partly depend upon the properties of the lever: but it would be a strange classification which included those properties among the truths of Political Economy. Again, the latter science has many inquiries altogether as special, and relating as exclusively to particular sorts of material objects, as any of the branches of physical science. The investigation of some of the circumstances

which regulate the price of corn has as little to do with the laws common to the production of all wealth as any part of the knowledge of the agriculturist. The inquiry into the rent of mines or fisheries, or into the value of the precious metals, elicits truths which have immediate reference to the production solely of a peculiar kind of wealth; yet these are admitted to be correctly placed in the science of Political Economy.

The real distinction between Political Economy and physical science must be sought in something deeper than the nature of the subject-matter; which, indeed, is for the most part common to both. Political Economy, and the scientific grounds of all the useful arts, have in truth one and the same subject-matter; namely, the objects which conduce to man's convenience and enjoyment: but they are, nevertheless, perfectly distinct branches of knowledge.

3. If we contemplate the whole field of human knowledge, attained or attainable, we find that it separates itself obviously and as it were spontaneously, into two great divisions, which stand so strikingly in opposition and contradistinction to one another, that in all classifications of our knowledge they have been kept apart. These are, *physical* science, and *moral* or psychological science. The difference between these two departments of our knowledge does not reside in the subject-matter with which they are conversant: for although, of the simplest and most elementary parts of each, it may be said, with an approach to truth, that they are concerned with different subject-matters—namely, the one with the *human mind*, the other with all things whatever except the mind, this distinction does not hold between the higher regions of the two. Take the science of politics, for instance, or that of law: who will say that these are physical sciences? and yet is it not obvious that they are conversant fully as much with matter as with mind? Take, again, the theory of music, of painting, of any other of what are called the fine arts, and who will venture to pronounce that the facts they are conversant with belong either wholly to the class of matter, or wholly to that of mind?

The following seems to be the *rationale* of the distinction between physical and moral science.

In all the intercourse of man with nature, whether we consider him as acting *upon* it, or as receiving impressions *from* it, the effect or phenomenon depends upon causes of two kinds; the properties of the object acting, and those of the object acted upon. Everything which can possibly happen in which man, and external things, are jointly concerned, results from the joint operation of a law or laws of matter, and a law or laws of the human

mind. Thus the production of corn by human labour is the result of a law of mind, and many laws of matter. The laws of matter are those properties of the soil and of vegetable life which cause the seed to germinate in the ground, and those properties of the human body which render food necessary to its support. The law of mind is, that man *desires* to possess subsistence, and consequently *wills* the necessary means of procuring it.

Laws of mind and laws of matter are so dissimilar in their nature, that it would be contrary to all principles of rational arrangement to mix them up as part of the same study. In all scientific methods, therefore, they are placed apart. Any compound effect or phenomenon which depends both on the properties of matter and on those of mind, may thus become the subject of two completely distinct sciences or branches of science: one, treating of the phenomenon in so far as it depends upon the laws of matter only; the other, treating of it in so far as it depends upon the laws of mind.

The physical sciences are those which treat of the laws of matter, and of all complex phenomena in so far as dependent upon the laws of matter. The mental or moral sciences are those which treat of the laws of mind, and of all complex phenomena in so far as dependent upon the laws of mind.

Most of the moral sciences presuppose physical science; but few of the physical sciences presuppose moral science. It is obvious why. There are many phenomena (an earthquake, for example, and the motions of the planets) which depend upon the laws of matter exclusively; and have nothing whatever to do with the laws of mind. Many, therefore, of the physical sciences may be treated of without any reference to mind, and as if the mind existed as a recipient of knowledge only, not as a cause producing effects. But there are no phenomena which depend exclusively upon the laws of mind, except the phenomena of the mind itself. All the mental sciences, therefore, except pure metaphysics, must take account of a great variety of physical truths; and (as physical science is commonly studied first) may be said to presuppose them, taking up the complex phenomena where physical science leaves it.

Now this, it will be found, is a precise statement of the relation in which Political Economy stands to the various sciences which are tributary to the arts of production.

The laws of the production of the objects which constitute wealth are the subject matter both of Political Economy and of almost all the physical sciences. Such, however, of those laws as are purely laws of *matter*, belong to physical science, and to that exclusively. Such of them as are laws of the human *mind*, and

no others, belong to Political Economy, which finally sums up the result of both combined.

Political Economy, therefore, presupposes all the physical sciences; it takes for granted all such of the truths of those sciences as are concerned in the production of the objects demanded by the wants of mankind; or at least it takes for granted that the physical part of the process takes place somehow. It then inquires what are the phenomena of *mind* which are concerned in the production and distribution * of those same objects: it borrows from the pure science of mind the laws of those phenomena, and inquires what effects follow from these mental laws, acting in concurrence with those physical ones †.

From the above considerations the following seems to come out as the correct and complete definition of Political Economy:—

'The science which treats of the production and distribution of wealth, so far as they depend upon the laws of human nature:'

Or thus—

'The science relating to the moral or psychological laws of the production and distribution of wealth.'

For popular use this definition is amply sufficient, but it still falls short of the complete accuracy required for the purposes of the philosopher. Political Economy does not treat of the production and distribution of wealth in all states of mankind, but only in what is termed the social state; nor so far as they depend upon the laws of human nature, but only so far as they depend upon a certain portion of those laws. This, at least, is the view which must be taken of Political Economy, if we mean it to find

* We say, the *production* and *distribution*, not, as is usual with writers on this science, the production, distribution, and *consumption*. For we contend that Political Economy, as conceived by those very writers, has nothing to do with the *consumption* of wealth, further than as the consideration of it is inseparable from that of production, or from that of distribution. We know not of any *laws* of the *consumption* of wealth as the subject of a distinct science: they can be no other than the laws of human enjoyment. Political economists have never treated of consumption on its own account, but always for the purpose of the inquiry, in what manner different kinds of consumption affect the production and distribution of wealth. Under the head of Consumption, in professed treatises on the science, the following are the subjects treated of:—1st, The distinction between *productive* and *unproductive* consumption;—2d, The inquiry whether it is possible for *too much* wealth to be *produced*, and for too great a portion of what has been produced to be applied to the purpose of further *production*;—3d, The theory of taxation, that is to say, the following two questions, by whom each particular tax is paid (a question of *distribution*), and in what manner particular taxes affect *production*.

† The physical laws of the production of useful objects are all equally presupposed by the science of Political Economy: most of them, however, it presupposes in the gross, seeming to say nothing about them: a few (such, for instance, as the decreasing ratio in which the produce of the soil is increased by an increased application of labour) it is obliged particularly to specify, and thus seems to borrow those truths from the physical sciences to which they properly belong, and include them among its own.

any place in an encyclopedical division of the field of science. On any other view, it either is not a science at all, or it is several sciences. This will appear clearly, if, on the one hand, we take a general survey of the moral sciences, with a view to assign the exact place of Political Economy among them; while, on the other, we consider attentively the nature of the methods or processes by which the truths which are the object of those sciences are arrived at.

Man, who, considered as a being having a moral or mental nature, is the subject-matter of all the moral sciences, may, with reference to that part of his nature, form the subject of philosophical inquiry under several distinct hypotheses. We may inquire what belongs to man as an individual man, and would belong to him if no human being existed besides himself; we may next consider him as coming into contact with other human beings individually; and finally, as living in a state of *society*, that is, forming part of a body or aggregation of human beings, systematically co-operating for common purposes. Of this last state, political government, or subjection to a common superior, is an ordinary ingredient, but forms no necessary part of the conception, and, with respect to our present purpose, needs not be further adverted to.

Those laws or properties of human nature which appertain to man as a mere individual, and do not presuppose, as a necessary condition, the existence of other individuals, form a part of the subject of pure mental philosophy. They comprise all the laws of the mere intellect, and those of the purely self-regarding desires.

Those laws of human nature which relate to the feelings called forth in a human being by other human or intelligent beings, taken singly and individually, namely, the *affections*, the *conscience*, or feeling of duty, and the love of *approbation*, and to the conduct of man, so far as it depends upon, or has relation to, these parts of his nature, form the subject of another portion of pure mental philosophy, namely, that portion of it on which *morals*, or *ethics*, are founded. For morality itself is not a science, but an art; not truths, but rules: the truths on which the rules are founded are drawn (as is the case in all arts) from a variety of sciences, but the principal of them, and those which are most nearly peculiar to *this* particular art, belong to a branch of the science of mind.

Finally, there are certain principles of human nature which are peculiarly connected with the ideas and feelings generated in man, by living in a state of *society*, that is, by forming part of a union or aggregation of human beings for a common purpose or

purposes. Few, indeed, of the elementary laws of the human mind are peculiar to this state, almost all being called into action in the two other states. But those simple laws of human nature, operating in that wider field, give rise to results of a sufficiently universal character, and even (when compared with the still more complex phenomena of which they are the determining causes) sufficiently simple to admit of being called, though in a somewhat looser sense, *laws* of society, or laws of human nature in the social state. These laws, or general truths, form the subject of a branch of science which may be aptly designated from the title of *social economy;* somewhat less happily by that of *speculative politics,* or the *science* of politics, as contradistinguished from the art. This science stands in the same relation to the social, as anatomy and physiology to the physical body. It shows by what principles of his nature man is induced to enter into a state of society; how this change in his position acts upon his interests and feelings, and through them upon his conduct; how the association tends progressively to become closer, and the co-operation extends itself to more and more purposes; what those purposes are, and what the varieties of means most generally adopted for furthering them; what are the various relations which establish themselves among men as the ordinary consequence of the social union; what those which are different in different states of society; and what are the effects of each upon the conduct and character of man.

This branch of science, whether we prefer to call it social economy, speculative politics, or the natural history of society, presupposes the whole science of the nature of the individual mind; since all the laws of which the latter science takes cognizance are brought into play in a state of society, and the truths of the social science are but statements of the manner in which those simple laws take effect in complicated circumstances. Pure mental philosophy, therefore, is an essential part, or preliminary, of political philosophy. The science of social economy embraces every part of man's nature, in so far as influencing the conduct or condition of man in society, and therefore may it be termed speculative politics, as being the scientific foundation of *practical* politics, or the art of government, of which the art of legislation is a part *.

It is to *this* important division of the field of science that one

* The *science* of legislation is an incorrect and misleading expression: legislation is *making laws.* We do not talk of the *science* of *making* anything. Even the *science of government* would be an objectionable expression, were it not that *government* is often loosely taken to signify, not the act of governing, but the state or condition of *being governed,* or of living under a government. A preferable expression would be, the science of *political society;* a principal branch of the more extensive science of society, characterized in the text.

of the writers who have most correctly conceived and copiously illustrated its nature and limits,—we mean M. Say,—has chosen to give the name Political Economy. And, indeed, this large extension of the meaning of that term is countenanced by its original signification. Ὀικονομία πολίτικὴ, the economy of the πόλις, or commonwealth, must originally have meant the whole of the laws or principles which determine the working of the social machine. But the words 'political economy' have long ceased to have this extensive meaning. Every writer is entitled to use the words which are his tools in the manner which he judges most conducive to the general purposes of the exposition of truth; but he exercises this discretion under liability to criticism: and M. Say seems to have done, in this instance, what should never be done without strong reasons; altered the meaning of a name which was appropriated to a particular purpose (and for which, therefore, a substitute must be provided), in order to transfer it to an object for which it was easy to find a more characteristic denomination.

What is now commonly understood by the term 'Political Economy' is not the science of speculative politics, but a branch of that science. It does not treat of the whole of man's nature as modified by the social state, nor of the whole conduct of man in society. It is concerned with him solely as a being who desires to possess wealth, and who is capable of judging of the comparative efficacy of means for obtaining that end. It predicts only such of the phenomena of the social state as take place in consequence of the pursuit of wealth. It makes entire abstraction of every other human passion or motive; except those which may be regarded as perpetually antagonizing principles to the desire of wealth, namely, aversion to labour, and desire of the present enjoyment of costly indulgences. These it takes, to a certain extent, into its calculations, because these do not merely, like our other desires, occasionally conflict with the pursuit of wealth, but accompany it always as a drag, or impediment, and are therefore inseparably mixed up in the consideration of it. Political Economy considers mankind as occupied solely in acquiring and consuming wealth, and aims at showing what is the course of action into which mankind, living in a state of society, would be impelled, if that motive, except in the degree in which it is checked by the two perpetual counter-motives above adverted to, were absolute ruler of all their actions. Under the influence of this desire, it shows mankind accumulating wealth, and employing that wealth in the production of other wealth; sanctioning by mutual agreement the institution of property; establishing laws to prevent individuals from encroaching upon the property of

others by force or fraud; adopting various contrivances for increasing the productiveness of their labour; settling the division of the produce by agreement, under the influence of competition (competition itself being governed by certain laws, which laws are therefore the ultimate regulators of the division of the produce); and employing certain expedients (as money, credit, &c.) to facilitate the distribution. All these operations, though many of them are really the result of a plurality of motives, are considered by Political Economy as flowing solely from the desire of wealth. The science then proceeds to investigate the laws which govern these several operations, under the supposition that man is a being who is determined, by the necessity of his nature, to prefer a greater portion of wealth to a smaller, in all cases, without any other exception than that constituted by the two counter-motives already specified. Not that any political economist was ever so absurd as to suppose that mankind are really thus constituted, but because this is the mode in which science must necessarily proceed. When an effect depends upon a concurrence of causes, those causes must be studied one at a time, and their laws separately investigated, if we wish, through the causes, to obtain the power of either predicting or controlling the effect; since the law of the effect is compounded of the laws of all the causes which determine it. The law of the centripetal and that of the centrifugal force must have been known before the motions of the earth and planets could be explained, or many of them predicted. The same is the case with the conduct of man in society. In order to judge how he will act under the variety of desires and aversions which are concurrently operating upon him, we must know how he would act under the exclusive influence of each one in particular. There is, perhaps, no action of a man's life in which he is neither under the immediate nor under the remote influence of any impulse but the mere desire of wealth. There are many parts of human conduct of which wealth is not even the principal object, and to these Political Economy does not pretend that its conclusions are applicable. But there are also certain departments of human affairs, in which the acquisition of wealth is the main and acknowledged end. It is only of these that Political Economy takes notice. The manner in which it necessarily proceeds is that of treating the main and acknowledged end as if it were the sole end; which, of all hypotheses equally simple, is the nearest to the truth. The political economist inquires, what are the actions which would be produced by this desire, if within the departments in question it were unimpeded by any other. In this way a nearer approximation is obtained than would otherwise be practicable to the real order of human

affairs in those departments. This approximation has then to be corrected by making proper allowance for the effects of any impulses of a different description, which can be shown to interfere with the result in any particular case. Only in a few of the most striking cases (such as that important one of the principle of population) are these corrections interpolated into the expositions of Political Economy itself; the strictness of purely scientific arrangement being thereby somewhat departed from, for the sake of practical utility. So far as it is known, or may be presumed, that the conduct of men in the pursuit of wealth is under the collateral influence of any other of the properties of our nature, than the desire of obtaining the greatest quantity of wealth with the least labour and self-denial, the conclusions of Political Economy will so far fail of being applicable to the explanation or prediction of real events, until they are modified by a correct allowance for the degree of influence exercised by the other cause.

Political Economy, then, may be defined as follows; and the definition seems to be complete:—

'The science which traces the laws of such of the phenomena of society as arise from the combined operations of mankind for the production of wealth, in so far as those phenomena are not modified by the pursuit of any other object.'

But while this is a correct definition of Political Economy, as a portion of the field of science, the didactic writer on the subject will naturally combine in his exposition, with the truths of the pure science, as many of the practical modifications as will, in his estimation, conduce to the greatest increase of the usefulness of his work.

The above attempt to frame a stricter definition of the science than what are commonly received as such may be thought to be of little use; or, at best, to be chiefly useful in a general survey and classification of the sciences, rather than as conducing to the more successful pursuit of the particular science in question. We think otherwise, and for this reason: that with the consideration of the definition of a science is inseparably connected that of the *philosophic method* of the science: the nature of the process by which its investigations are to be carried on: its truths to be arrived at.

Now, in whatever science there are systematic differences of opinion—which is as much as to say, in all the moral or mental sciences, and in Political Economy among the rest; in whatever science there exist, among those who have attended to the subject, what are commonly called *differences of principle*, as distinguished from differences of matter-of-fact or detail,—the cause

will be found to be a difference in their conceptions of the *philosophic method* of the science. The parties who differ are guided, either knowingly or unconsciously, by different views concerning the nature of the evidence appropriate to the subject. They differ not solely in what they believe themselves to see, but in the quarter from which they obtained the light by which they think they see it.

The most universal of the forms in which this difference of method is accustomed to present itself is the ancient feud between what is called *theory* and what is called *practice* or *experience*. There are two *kinds*,—if we did not see strong objections to the word we would say two *schools*—of inquirers into truth: one of these sets of people term themselves practical men, and call the others theorists; a title which the latter do not reject, though they by no means recognise it as peculiar to them. The distinction between the two is a very broad one, though it is one of which the language employed is a most incorrect exponent. It has been again and again demonstrated, that those who are accused of despising facts and disregarding experience build and profess to build wholly upon facts and experience; while those who disavow theory cannot make one step without theorizing. But, although both classes of inquirers do nothing but theorize, and both of them consult no other guide than experience, there is this difference between them, and a most important difference it is: that those who are called practical men require *specific* experience, and argue wholly *upwards* from particular facts to a general conclusion; while those who are called theorists aim at embracing a wider field of experience, and, having argued upwards from particular facts to a general principle, including a much wider range than that of the question under discussion, then argue *downwards* from that general principle to a variety of specific conclusions.

Suppose, for example, that the question were, whether absolute kings were likely to employ the powers of government for the welfare or for the oppression of their subjects. The practicals would endeavour to determine this question by a direct induction from the conduct of particular despotic monarchs, as testified to us by history. The theorists would refer the question to be decided by the test not solely of our experience of kings, but of our experience of man. They would contend that an observation of the tendencies which human nature has manifested in the variety of situations in which human beings have been placed, and especially observation of what passes in our own bosoms, warrants us in inferring that a human being in the situation of a despotic king will make a bad use of power; and that this conclusion

would lose nothing of its certainty even if absolute kings had never existed, or if history furnished us with no information of the manner in which they had conducted themselves.

The first of these methods is a method of induction, merely; the last a mixed method of induction and ratiocination. The first may be called the method *à posteriori;* the latter, the method *à priori.* We are aware that this last expression is sometimes used to characterize a supposed mode of philosophizing, which does not profess to be founded upon experience at all. But we are not acquainted with *any* mode of philosophizing which makes such a pretension. By the method *à posteriori* we mean that which requires, as the basis of its conclusions, not *experience* merely, but *specific* experience. By the method *à priori* we mean (what has commonly been meant) reasoning from an assumed hypothesis; which is not a practice confined to mathematics, but is of the essence of all science which admits of general reasoning at all. To verify the hypothesis itself, *à posteriori,* that is, to examine whether the facts of any actual case are in accordance with it, is no part of the business of science at all, but of the *application* of science.

In the definition which we have attempted to frame of the science of Political Economy, we have characterized it as essentially an *abstract* science, and its method as the method *à priori.* Such is undoubtedly its character as it has been understood and taught by all its most distinguished teachers. It reasons, and, as we contend, must necessarily reason from assumptions, not from facts. It is built upon hypotheses, strictly analogous to the hypotheses which, under the name of definitions, are the foundation of the other abstract sciences. Geometry presupposes an arbitrary definition of a line, 'that which has length, but not breadth.' Just in the same manner does Political Economy presuppose an arbitrary definition of man, as a being who invariably does that by which he may obtain the greatest amount of necessaries, conveniences, and luxuries, with the smallest quantity of labour and physical self-denial with which they can be obtained in the existing state of knowledge. It is true that this definition of man is not formally prefixed to any work on Political Economy, as the definition of a line is prefixed to Euclid's Elements; and in proportion as by being so prefixed it would be less in danger of being forgotten, we may see ground for regret that this is not done. It is proper that what is assumed in every particular case should once for all be brought before the mind in its full extent, by being somewhere formally stated as a general maxim. Now, no one who is conversant with systematic treatises on Political Economy will question, that whenever a political economist

has shown that by acting in a particular manner a labourer may obviously obtain higher wages, a capitalist larger profits, or a landlord higher rent, he concludes, as a matter of course, that they will certainly act in that manner. Political Economy, therefore, reasons from *assumed* premises—from premises which *might* be totally without foundation in fact, and which are not pretended to be universally in accordance with it. The conclusions of Political Economy, therefore, like those of geometry, are only true, as the common phrase is, *in the abstract;* that is, they are only true under certain suppositions, in which none but general causes—causes common to the *whole class* of cases under consideration—are taken into the account.

This ought not to be denied by the political economist. If he deny it, then, and then only, he places himself in the wrong. The *à priori* method which is laid to his charge, as if his employment of it proved his whole science to be worthless, is, as we shall presently show, the only method by which truth can possibly be attained in the moral sciences. All that is requisite is, that he be on his guard not to ascribe to conclusions which are grounded upon an hypothesis a different kind of certainty from that which really belongs to them. They would be true without qualification, only in a case which is purely imaginary. In proportion as the actual facts recede from the hypothesis, he must allow a corresponding deviation from the strict letter of his conclusion; otherwise it will be true only of things such as he has arbitrarily supposed, not of such things as really exist. That which is true in the abstract, is always true in the concrete with proper *allowances*. When a certain cause really exists, and if left to itself would infallibly produce a certain effect, that same effect, *modified* by all the other concurrent causes, will correctly correspond to the result really produced.

The conclusions of geometry are not strictly true of such lines, angles, and figures, as human hands can construct. But no one therefore contends that the conclusions of geometry are of no utility, or that it would be better to use Euclid's Elements as waste paper, and content ourselves with 'practice' and 'experience.'

No mathematician ever thought that his definition of a line corresponded to an actual line. As little did any political economist ever imagine that real men had no object of desire but wealth, or none which would not give way to the slightest motive of a pecuniary kind. But they were justified in assuming this, for the purposes of their argument; because they had to do only with those parts of human conduct which have pecuniary advantage for their direct and principal object; and because, as

no two individual cases are exactly alike, no *general* maxims could ever be laid down unless *some* of the circumstances of the particular case were left out of consideration.

But we go further than to affirm that the method *à priori* is a legitimate *mode* of philosophical investigation in the moral sciences: we contend that it is the *only* mode. We affirm that the method *à posteriori*, or that of specific experience, is altogether inefficacious in those sciences, as a means of arriving at any considerable body of valuable truth; though it admits of being usefully applied in aid of the method *à priori*, and even forms an indispensable supplement to it.

There is a property common to almost all the moral sciences, and by which they are distinguished from most of the physical: this is, that it is seldom in our power to make experiments in them. In chemistry and natural philosophy, we can not only observe what happens under all the combinations of circumstances which nature brings together, but we may also try an indefinite number of new combinations. This we can seldom do in ethical, and scarcely ever in political sciences. We cannot try forms of government and systems of national policy on a diminutive scale in our laboratories, shaping our experiments as we think they may most conduce to the advancement of knowledge. We therefore study nature under circumstances of great disadvantage in these sciences; being confined to the limited number of experiments which take place (if we may so speak) of their own accord, without any preparation or management of ours; in circumstances, moreover, of great complexity, and never perfectly known to us; and with the far greater part of the processes concealed from our observation.

The consequence of this unavoidable defect in the materials of the induction is, that we can rarely obtain what Bacon has quaintly, but not unaptly, termed an *experimentum crucis*.

In any science which admits of an unlimited range of arbitrary experiments, an *experimentum crucis* may always be obtained. Being able to vary all the circumstances, we can always take effectual means of ascertaining which of them are and which are not material. Call the effect B, and let the question be whether the cause A in any way contributes to it. We try an experiment in which all the surrounding circumstances are altered, except A alone: if the effect B is nevertheless produced, A is the cause of it. Or, instead of leaving A, and changing the other circumstances, we leave all the other circumstances and change A: if the effect B in that case does *not* take place, then again A is a necessary condition of its existence. Either of these experiments, if accurately performed, is an

experimentum crucis; it converts the presumption we had before of the existence of a connection between A and B into proof, by negativing every other hypothesis which would account for the appearances.

But this can seldom be done in the moral sciences, owing to the immense multitude of the influencing circumstances, and our very scanty means of varying the experiment. Even in operating upon an individual mind, which is the case affording greatest room for experimenting, we cannot often obtain a *crucial* experiment. The effect, for example, of a particular circumstance in education, upon the formation of character, may be tried in a variety of cases, but we can hardly ever be certain that any two of those cases differ in all their circumstances except the solitary one of which we wish to estimate the influence. In how much greater a degree must this difficulty exist in the affairs of states, where even the *number* of accorded experiments is so scanty in comparison with the variety and multitude of the circumstances concerned in each. How, for example, can we obtain a crucial experiment on the effect of a restrictive commercial policy upon national wealth? We must find two nations alike in every other respect, or at least possessed in a degree exactly equal of everything which conduces to national opulence, and adopting exactly the same policy in all their other affairs, but differing in this only, that one of them adopts a system of commercial restrictions, and the other free trade. This would be a decisive experiment, similar to those which we can almost always obtain in experimental physics. Doubtless this would be the most conclusive evidence of all if we could get it. But let any one consider how infinitely numerous and various are the circumstances which either directly or indirectly do or may influence the amount of the national wealth, and then ask himself what are the probabilities that in the longest revolution of ages two nations will be found, which agree, and can be shown to agree, in all those circumstances except one?

Since, therefore, it is vain to hope that truth can be arrived at, either in Political Economy or in any other department of the social science, while we look at the facts in the concrete, clothed in all the complexity with which nature has surrounded them, and endeavour to elicit a general law by a process of induction from a comparison of details; there remains no other method than the *à priori* one, or that of 'abstract speculation.'

Although sufficiently ample grounds are not afforded in the field of politics for a satisfactory induction by a comparison of the effects, the causes may, in all cases, be made the subject of specific experiment. These causes are, laws of human nature,

and external circumstances capable of exciting the human will to action. The desires of man, and the nature of the conduct to which they prompt him, are within the reach of our observation. We can also observe what are the objects which excite those desires. The materials of this knowledge every one can principally collect within himself; with reasonable consideration of the differences, of which experience discloses to him the existence, between himself and other people. Knowing therefore, accurately, the properties of the substances concerned, we may reason with as unerring certainty as in the most demonstrative parts of physics from any assumed set of circumstances. This will be mere trifling if the assumed circumstances bear no sort of resemblance to any real ones; but if the assumption is correct, as far as it goes, and differs from the truth no otherwise than as a part differs from the whole, then the conclusions which are correctly deduced from the assumption, constitute *abstract* truth; and when completed, by adding or substracting the effect of the non-calculated circumstances, they are true in the concrete, and may be applied to practice.

Of this character is the science of Political Economy in the writings of its best teachers. To render it perfect as an abstract science, the combinations of circumstances which it assumes, in order to trace their effects, should embody all the circumstances that are common to all cases whatever, and likewise all the circumstances that are common to any important *class* of cases. The conclusions correctly deduced from these assumptions would be as true in the abstract as those of mathematics, and would be as near an approximation as abstract truth can ever be to truth in the concrete.

When the principles of Political Economy are to be applied to a particular case, then it is necessary to take into account all the individual circumstances of that case; not only examining to which of the sets of circumstances contemplated by the abstract science the circumstances of the case in question correspond, but likewise what other circumstances may exist in that case, which not being common to it with any large and strongly-marked class of cases, have not fallen under the cognizance of the science. These circumstances have been called *disturbing causes*, and here alone it is that an element of uncertainty enters into the process—an uncertainty inherent in the nature of these complex phenomena, and arising from the impossibility of being quite sure that all the circumstances of the particular case are known to us sufficiently in detail, and that our attention is not unduly diverted from any of them.

This constitutes the only uncertainty of Political Economy, and

not of it alone, but of the moral sciences in general. When the disturbing causes are known, the allowance necessary to be made for them detracts in no way from scientific precision, nor constitutes any deviation from the *à priori* method. The disturbing causes are not handed over to be dealt with by mere conjecture. Like *friction* in mechanics, to which they have been often compared, they may at first have been considered merely as a non-assignable deduction to be made by guess from the result given by the general principles of science, but in time many of them are brought within the pale of the abstract science itself, and their effect is found to admit of as accurate an estimation as those more striking effects which they modify. The disturbing causes have their laws, as the causes which are thereby disturbed have theirs; and from the laws of the disturbing causes, the nature and amount of the disturbance may be predicted *à priori*, like the operation of the mere universal laws which they are said to modify or disturb, but with which they might more properly be said to be concurrent. The effect of the *special* causes is then to be added to, or substracted from, the effect of the general ones.

These disturbing causes are sometimes circumstances which operate upon human conduct through the same principle of human nature with which Political Economy is conversant, namely, the desire of wealth, but which are not general enough to be taken into account in the abstract science. Of disturbances of this description every political economist can produce many examples. In other instances the disturbing cause is some other law of human nature. In the latter case it never can fall within the province of Political Economy; it belongs to some other science; and here the mere political economist, he who has studied no science but Political Economy, if he attempt to apply his science to practice, will fail*.

As for the other kind of disturbing causes, namely, those which operate through the same law of human nature out of which

* One of the strongest reasons for drawing the line of separation clearly and broadly between *science* and *art* is the following:—That the principle of classification in *science* most conveniently follows the classification of *causes*, while *arts* must necessarily be classified according to the classification of the *effects*, the production of which is their appropriate end. Now an effect, whether in physics or morals, commonly depends upon a *concurrence* of causes, and it frequently happens that several of these causes belong to different sciences. Thus in the construction of engines upon the principles of the science of *mechanics*, it is necessary to bear in mind the *chemical* properties of the material, such as its liability to oxydize; its electrical and magnetic properties, and so forth. From this it follows that although the necessary foundation of all *art* is *science*, that is, the knowledge of the properties or laws of the objects upon which, and with which, the art does its work; it is not equally true that every art corresponds to one particular science. Each art presupposes, not *one* science, but science in *general*; or, at least, many distinct sciences.

the general principles of the science arise, these might always be brought within the pale of the abstract science if it were worth while; and when we make the necessary allowances for them in practice, if we are doing anything but guess, we are following out the method of the abstract science into minuter details; inserting among its hypotheses a fresh and still more complex combination of circumstances, and so adding *pro hâc vice*, in our own minds, a supplementary chapter or appendix, or at least a supplementary article, to the abstract science.

Having now shown that the method *à priori* in Political Economy, and in all the other branches of moral science, is the only certain or scientific mode of investigation, and that the *à posteriori* method, or that of specific experience, as a means of arriving at truth, is inapplicable to these subjects, we shall yet be able to show that the latter method is notwithstanding of great value in the moral sciences; namely, not as a means of discovering truth, but of verifying it, and reducing to the lowest point that uncertainty before alluded to as arising from the complexity of every particular case, and from the difficulty (not to say impossibility) of our being assured *à priori* that we have taken into account all the material circumstances.

If we could be quite certain that we know all the facts of the particular case, we could derive no additional advantage from specific experience. The causes being given, we know what will be their effect, without an actual trial of every possible combination; since the causes are human feelings, and outward circumstances fitted to excite them: and, as these for the most part are, or at least might be, familiar to us, we can more surely judge of their combined effect from that familiarity than from any evidence which can be elicited from the complicated and entangled circumstances of an actual experiment. If the knowledge what are the particular causes operating in any given instance were revealed to us by infallible authority, then, if our abstract science were perfect, we should become prophets. But the causes are not so revealed: they are to be collected by observation; and observation in circumstances of complexity is apt to be imperfect. Some of the causes may lie *beyond* observation; many are apt to escape it, unless we are on the look-out for them; and it is only the habit of long and accurate observation which can give us so correct a preconception what causes we are likely to find, as shall induce us to look for them in the right quarter. But such is the nature of the human understanding, that the very fact of attending with intensity to one part of a thing, has a tendency to withdraw the attention from the other parts. We are consequently in great danger of adverting to a portion only of the causes which are

actually at work. And if we are in this predicament, the more accurate our deductions, and the more certain our conclusions *in the abstract* (that is, making abstraction of all circumstances except those which form part of hypothesis), the less we are likely to suspect that we are in error: for no one can have looked closely into the sources of fallacious thinking without being deeply conscious that the coherence, and neat concatenation of our philosophical systems, is more apt than we are commonly aware to pass with us as evidence of their truth.

We cannot, therefore, too carefully endeavour to verify our theory, by comparing, in the particular cases to which we have access, the results which it would have led us to predict, with the most trustworthy accounts we can obtain of those which have been actually realized. The discrepancy between our anticipations and the actual fact is often the only circumstance which would have drawn our attention to some important *disturbing cause* which we had overlooked. Nay, it often discloses to us errors in thought, still more serious than the omission of what can with any propriety be termed a disturbing cause. It often reveals to us that the basis itself of our whole argument is insufficient; that the data, from which we had reasoned, comprise only a part, and not the most important part, of the circumstances by which the result is really determined. Such oversights are committed by very good reasoners, and even by a still rarer class, that of good observers. It is a kind of error to which those are peculiarly liable whose views are the largest and most philosophical: for exactly in that ratio are their minds more accustomed to dwell upon those laws, qualities, and tendencies, which are common to large classes of cases, and which belong to all place and all time; while it often happens that circumstances almost peculiar to the particular case or era have a far greater share in governing that one case.

Although, therefore, a philosopher be convinced that no general truths can be attained in the affairs of nations by the *à posteriori* road, it does not the less behove him, according to the measure of his opportunities, to sift and scrutinize the details of every specific experiment. Without this, he may be an excellent professor of abstract science; for a person may be of great use who points out correctly what effects will follow from certain combinations of possible circumstances, in whatever tract of the extensive region of hypothetical cases those combinations may be found. He stands in the same relation to the legislator, as the astronomical geographer to the practical navigator; telling him the latitude and longitude of all sorts of places, but not how to find whereabouts he himself is sailing. If, however, he does no

more than this, he must rest contented to take no share in practical politics; to have no opinion, or to hold it with extreme modesty, on the applications which should be made of his doctrines to existing circumstances.

No one who has to think for mankind, however perfect his scientific acquirements, can dispense with a practical knowledge of the actual modes in which the affairs of the world are carried on, and an extensive personal experience of the actual ideas, feelings, and intellectual and moral tendencies of his own country and of his own age. The true practical statesman is he who combines this experience with a profound knowledge of abstract political philosophy: either acquirement, without the other, leaves him lame and impotent if he is sensible of the deficiency; renders him obstinate and presumptious if, as is more probable, he is entirely unconscious of it. Knowledge of what is called history, so commonly regarded as the sole fountain of political experience, is useful only in the third degree. History, by itself, if we knew it ten times better than we do, could, for the reasons already given, prove little or nothing: but the study of it is a corrective to the narrow and exclusive views which are apt to be engendered by observation on a more limited scale. Those who never look backwards, seldom look far forwards: their notions of human affairs, and of human nature itself, are circumscribed within the conditions of their own country and their own times. But the uses of history, and the spirit in which it ought to be studied, are subjects which have never yet had justice done them, and which involve considerations more multifarious than can be pertinently introduced in this place.

Such, then, are the respective offices and uses of the *à priori* and the *à posteriori* methods—the method of abstract science, and that of specific experiment—as well in Political Economy, as in all the other branches of social philosophy. Truth compels us to express our conviction that whether among those who have written on these subjects, or among those for whose use they wrote, it is difficult to point out one who has allowed to each of these methods its just value, and systematically kept each to its proper objects and functions. One of the greatest misfortunes of modern times,—the separation of theory from practice,—of the studies of the closet from the outward business of the world,—(a separation unknown to the better days of Greece and Rome, where the practical men were brought up in philosophy, and the philosophers received their education and formed their character in the midst of active life,) has given a wrong bias to the ideas and feelings both of the closet-student and of the man of business. Each undervalues that part of the materials of

thought with which he is not familiar. The one despises all comprehensive views, the other neglects details. The one draws his notion of the universe from the few objects which compose the furniture of his country-house; the other having got demonstration on his side, and forgetting that it is only a demonstration *nisi*—a proof at all times liable to be set aside by the addition of a single new fact to the hypothesis—*denies* instead of examining and sifting the allegations which are opposed to him. For this he has considerable excuse in the utter worthlessness of the testimony on which the facts brought forward to invalidate the conclusions of theory usually rest. In these complex matters, men see with their preconceived opinions, not with their eyes: an interested or a passionate man's statistics are little worth; and a year seldom passes without examples of the astounding falsehoods which large bodies of respectable men will back each other in publishing to the world as facts within their personal knowledge. It is not because a thing is *asserted* to be true, but because in its nature it *may* be true, that a sincere and patient inquirer will feel himself called upon to investigate it. He will use the assertions of opponents not as evidence, but indications leading to evidence; suggestions of the most proper course for his own inquiries.

But while the philosopher and the practical man bandy half-truths with one another, we generally seek in vain for a man who, placed on a higher eminence of thought, comprehends as a whole what they see only in separate parts; who can make the anticipations of the philosopher guide the observation of the practical man, and the specific experience of the practical man warn the philosopher where something is to be added to his theory.

The most memorable example in modern times of a man who united the spirit of philosophy with the pursuits of active life, and kept wholly clear from the partialities and prejudices both of the student and of the practical statesman, was Turgot, who will long remain the wonder not only of his age, but of all history, for his astonishing combination of the most opposite, and (judging from common experience) almost incompatible excellences.

Though it is impossible to furnish any test by which a speculative thinker, either in Political Economy or any other branch of social philosophy, may know that he is competent to judge of the application of his principles to the existing condition of his own or any other country, indications may be suggested by the absence of which he may well and surely know that he is *not* competent. His knowledge must at least enable him to explain and account for what *is*, or he is an insufficient judge of what

ought to be. If a political economist, for instance, finds himself puzzled by any recent or present commercial phenomena; if there is any mystery to him in the late or present state of the productive industry of the country, which his knowledge of principle does not enable him to unriddle; he may be sure that something is wanting to render his system of opinions a safe guide in existing circumstances. Either some of the facts which influence the situation of the country and the course of events are not known to him; or, knowing them, he knows not what ought to be their effects. In the latter case his system is imperfect even as an abstract system; it does not enable him to trace correctly all the consequences even of assumed premises. Though he succeed in throwing doubts upon the reality of some of the phenomena which he is required to explain, his task is not yet completed; even then he is called upon to show how the belief, which he deems unfounded, arose; and what is the real nature of the appearances which gave a colour of probability to allegations which examination proves to be untrue.

When the speculative politician has gone through this labour—has gone through it conscientiously, not with the desire of *finding* his system complete, but of making it so—he may deem himself qualified to apply his principles to the guidance of practice: but he must still continue to exercise the same discipline upon every new combination of facts as it arises; he must make a large allowance for the disturbing influence of unforeseen causes, and must carefully watch the result of every experiment, in order that any residuum of facts which his principles did not lead him to expect, and do not enable him to explain, may become the subject of a fresh analysis, and furnish the occasion for a consequent enlargement or correction of his general views.

The method of the practical philosopher consists, therefore, of two processes; the one analytical, the other synthetical. He must *analyze* the existing state of society into its elements, not dropping, and losing any of them by the way. After referring to the experience of individual man to learn the *law* of each of these elements, that is, to learn what are its natural effects, and how much of the effect follows from so much of the cause, when not counteracted by any other cause, there remains an operation of *synthesis;* to put all these effects together, and, from what they are separately, to collect what would be the effect of all the causes acting at once. If these various operations could be correctly performed, the result would be *prophecy;* but, as they can be performed only with a certain *approximation* to correctness, mankind can never predict with absolute certainty, but only with a less or greater degree of probability, according as they are

better or worse apprised what the causes are; have learnt with more or less accuracy from experience the law to which each of those causes, when acting separately, conforms; and have summed up the aggregate effect more or less carefully.

With all the precautions which we have indicated, there will still be some danger of falling into partial views; but we shall at least have taken the best securities against it. All that we can do more, is to endeavour to be impartial critics of our own theories, and to free ourselves, as far as we are able, from that reluctance from which few inquirers are altogether exempt, to admit the reality or relevancy of any facts which they have not previously either taken into, or left a place open for in, their systems.

If indeed every phenomenon was generally the effect of no more than one cause, a knowledge of the law of that cause would, unless there was a logical error in our reasoning, enable us confidently to predict all the circumstances of the phenomenon. We might then, if we had carefully examined our premises and our reasoning, and found no flaw, venture to disbelieve the testimony which might be brought to show that matters had turned out differently from what we should have predicted.

If the causes of erroneous conclusions were always potent on the face of the reasonings which lead to them, the human understanding would be a far more trustworthy instrument than it is. But the narrowest examination of the process itself will help us little towards discovering that we have omitted part of the premises which we ought to have taken into our reasoning. Effects are commonly determined by a *concurrence* of causes. If we have overlooked any one cause, we may reason justly from all the others, and only be the further wrong. Our premises will be true, and our reasoning correct, and yet the result of no value in the particular case. There is, therefore, almost always room for a modest doubt as to our practical conclusions. Against false premises and unsound reasoning, a good mental discipline may effectually secure us; but against the danger of *overlooking* something neither strength of understanding nor intellectual cultivation can be more than a very imperfect protection. A person may be warranted in feeling confident that whatever he has carefully contemplated with his mind's eye he has seen correctly; but no one can be sure that there is not something in existence which he has not seen at all. He can do no more than satisfy himself that he has seen all that is visible to any other persons who have concerned themselves with the subject. For this purpose he must endeavour to place himself at *their* point of view, and strive earnestly to see the object as they see it; nor give up the attempt until he has either added the appearance which is floating before

them to his own stock of realities, or made out clearly that it is an optical deception.

The truths which we have now stated are by no means alien to common apprehension: they are not absolutely hidden, perhaps, from any one, but are commonly seen through a mist. We might have presented the latter part of them in a phraseology in which they would have seemed the most familiar of truisms: we might have cautioned inquirers against too extensive *generalization,* and reminded them that there are *exceptions* to all rules. Such is the current language of those who distrust comprehensive thinking, without having any clear notion why or where it ought to be distrusted. We have avoided the use of these expressions purposely, because we deem them superficial and inaccurate. The error, when there is error, does *not* arise from generalizing too extensively; that is, from including too wide a range of particular cases in a single proposition. Doubtless, a man often asserts of an entire class what is only true of a part of it; but his error generally consists not in making *too wide* an assertion, but in making the wrong *kind* of assertion: he predicated an actual result, when he should only have predicated a *tendency* to that result—a power acting with a certain intensity in that direction. With regard to *exceptions;* in science there is properly no such thing as an exception. What is thought to be an exception to a principle is always some other and distinct principle cutting into the former: some other force which impinges against the first force, and deflects it from its direction. There are not a *law* and an *exception* to that law—the law acting in ninety-nine cases, and the exception in one. There are *two* laws, each possibly acting in the whole hundred cases, and bringing about a common effect by their conjoint operation. If the force which, being the less conspicuous of the two, is called the *disturbing* force, prevails sufficiently over the other force in some one case to constitute that case what is commonly called an *exception,* the same disturbing force probably acts as a modifying cause in many other cases, which no one will call exceptions.

Thus if it were stated to be a law of nature, that all heavy bodies fall to the ground, it would probably be said that the resistance of the atmosphere, which prevents a balloon from falling, constitutes the balloon an *exception* to that pretended law of nature. But the real law is, that all heavy bodies *tend* to fall; and that to this there is no exception, not even the sun and moon; for even they, as every astronomer knows, tend towards the earth, with a force exactly equal to that with which the earth tends towards them. The resistance of the atmosphere might, in the

particular case of the balloon, from a misapprehension of what the law of gravitation is, be said to *prevail* over the law; but its disturbing effect is quite as real in every other case, since though it does not *prevent*, it *retards* the fall of all bodies whatever. The rule, and the so-called exception, do not divide the cases between them; each of them is a comprehensive rule extending to all cases. To call one of these concurrent principles, an exception to the other, is superficial, and contrary to the correct principles of nomenclature and arrangement. An effect of precisely the same kind, and arising from the same cause, ought not to be placed in two different categories, merely as there does, or does not, exist another cause preponderating over it.

It is only in *art*, as distinguished from science, that we can with propriety speak of exceptions. Art, the immediate end of which is practice, has nothing to do with causes, except as the means of bringing about effects. However heterogeneous the causes, it carries the effects of them all into one single reckoning, and according as the sum-total is *plus* or *minus*, according as it falls above or below a certain line, Art says, Do this, or Abstain from doing it. The exception does not always run by insensible degrees into the rule, like what are called exceptions in science. In a question of practice it frequently happens that a certain thing is either fit to be done, or fit to be altogether abstained from, there being no medium. If, in the majority of cases, it is fit to be done, *that* is made the rule. When a case subsequently occurs in which the thing ought not to be done, an entirely new leaf is turned over; the rule is now done with, and dismissed: a new train of ideas is introduced, between which and those involved in the rule there is a broad line of demarcation; as broad and *tranchant* as the difference between Ay and No. Very probably between the last case which comes within the rule and the first of the exception, there is only the difference of a shade: but that shade probably makes the whole interval between acting in one way and in a totally different one. We may, therefore, in talking of art, unobjectionably speak of the *rule* and the *exception*; meaning by the rule, the cases in which there exists a preponderance, however slight, of inducements for acting in a particular way; and by the exception, the cases in which the preponderance is on the contrary side. A.

Art. II.

SHAKSPEARE.

1. *An Inquiry into the Authenticity of the various Pictures and Prints of Shakspeare, &c.* By James Boaden, Esq. London. Triphook. 1824.
2. *The Life of Shakspeare, Inquiries, into the originality of his Dramatic Plots and Characters, and Essays on the ancient Theatres and Theatrical Usages.* By Augustine Skottowe, in 2 vols. London. Longman and Co. 1824.
3. *New Facts regarding the Life of Shakspeare.* In a Letter to Thomas Amyot, Esq., F.R.S., Treasurer of the Society of Antiquaries, from J. Payne Collier, F.S.A. 12mo., pp. 55. Rodd. London, 1835.
4. *New Particulars regarding the Works of Shakspeare.* In a Letter to the Rev. A. Dyce, B.A., Editor of the Works of Peele, Greene, Webster, &c., from J. Payne Collier, F.S.A. Rodd. London, 1836.
5. *The Poems of Shakspeare in the Aldine Poets, with a Memoir.* By the Rev. A. Dyce. Pickering. London, 1834.

THE curiosity universally felt respecting the life of Shakspeare, and the early history of his writings, has derived food to satisfy itself from two sources—the discoveries of research and the creations of the imagination. The fictions are of two kinds, professed and unprofessed—the imaginary tales and scenes of Tieck and Landor, and the equally fictitious, though less beautiful and pleasing, productions of tradition and gossip. Until recently, the biography of Shakspeare was a heap of fictions and conjectures. The traditions shaped into the narrative of Rowe, the ingenious guesses, about dates, of Stevens and Malone, and all the labours of his biographers previous to the discoveries of Mr. Collier, possess a value which may be estimated from the fact that they leave our knowledge of Shakspeare—the pride and idol of our nation—confined to little more than those few particulars which form the biographies usually inscribed on the tombs of ordinary men.

This circumstance is itself characteristic. It proves how far the moral as well as the mental qualities of Shakspeare placed him aloof from the common vices of the poetical character as usually exhibited in his day. Had he possessed them, they would have made themselves known and conspicuous. His character was not made up of the elements which made the character of a poet by profession distasteful to the right-thinking and well-regulated mind of

Locke*. 'If you would not have your son the fiddle in every jovial company, without whom the sparks could not relish their wine, nor know how to spend an afternoon idly; if you would not have him waste his time and estate to divert others, and contemn the dirty wares left him by his ancestors, I do not think you will much care he should be a poet.' Improvidence, licentiousness, and sycophancy, the malice which defames in defiance of evidence, and the meanness which flatters and defames according to the influence of pecuniary stimuli, are not merely the vices which especially in the times preceding the days of Locke had made the word poet synonimous with parasite, but they are noisy and noticeable characteristics which draw attention to the persons who possess them, and cause their names to live in the records of scandal and gossip. It is a grateful fact that we have no such reminiscences of Shakspeare. Had he prefaced his poems with the flattering sonnets of his friends, he would have furnished us with a store of biographic information by the very act of puffing himself. The practice, common enough among the poets of his day, of extorting money annually by eulogy and satire, a mellifluous and honey-tongued sonnet for a handsome sum, and a bitter and unscrupulous madrigal for a niggardly pittance, would, if he had practised it at all, have plentifully supplied us with biographical matter. By placing himself at the head of a poetical party, consisting of the imitators and poetasters, who would naturally seek shelter under his wing, he might have secured himself an admiring biographer; and the reminiscences of his friends, and the sketches of his opponents, in the shape of songs, epigrams, anecdotes, and pamphlets, would have enabled us to live again amidst the scenes in the green-room of the Black-friars, and the 'Globe on the Bankside,' and listen to the bright wit and the sweet poetry which shed delight among the merry guests at the Mermaid.* His private talk, his peculiar habits, his dramatic triumphs, narratives of his early struggles, histories of the growth and processes of his intellect, and indications or revelations of 'the inner man;' all that gives vivacity and distinctness to biography, might, in this case, have made the life of Shakspeare a living picture, delightful and complete; but we question if the want of all this is not more than made up to us by the assurance with which it furnishes us of his superiority to all the petty rivalries and the paltry plaudits of taverns and poetasters. He was not the Sir Oracle of a club; Shakspeare was not an inspired *toadey*. We should have known more of him if any either of his plays and poems had turned the public atten-

* Essay on Education.

tion to himself. The interest felt in the creations, and especially in the heroes, of writers who are destitute of the dramatic faculty, is always, notwithstanding disclaimers and disguises, identical with the curiosity felt about their own characters and career. Neither the plays nor the poems of Shakspeare had any such effect. His contemporaries, who were familiar both with himself and his heroes, did not identify the one with the other—and the interest taken in his life and character, by those in his own times who admired his productions, does not seem to have borne the the slightest proportion to their merits and popularity—a consequence natural and inevitable to great perfection in the dramatic faculty, which turns the attention away from itself to the characters which it displays, as we forget the chemical elements of the Iceland spar in our admiration of the rainbow hues which it exhibits in the sun-beam.

The sonnets of Shakspeare have been explored for that biographical information which his genius and character prevented his plays from supplying. Dr. Farmer supposed very plausibly, because T. T., the printer of them in 1609, inscribed them to W. H., that Shakspeare addressed them to his nephew, Mr. William Harte; but it was unluckily discovered that, according to the Stratford register, this youth was not born until some years after they were printed. Tyrwhitt pointed out to Malone the following line in the twentieth sonnet:—

'A man in *hew* all *Hews* in his controlling,'

on which he concluded that they were addressed to a William Hughes. Chalmers maintained that 'the lovely boy' was the maiden Queen, Elizabeth. Dr. Drake contended that they were addressed to Lord Southampton; the first seventeen to dissuade him from celibacy, to which he would not appear to have been very much inclined, since he married Elizabeth Vernon, in defiance of the resentment and mandate of his sovereign. Mr. Dyce, the most judicious of all the editors of the Sonnets, is of opinion that they were written in various fictitious characters. Ignorant as these guesses prove us to be of the end and aim of these sonnets, the rank, number, and the sex of the persons addressed, and of every incident that would be a clue to their meaning, it is conspicuously absurd to impute the obscurity arising from this circumstance to their style; and the charge brought against Shakspeare, of using language unbecoming the sex of the person addressed, equals in groundlessness and presumption the declaration that there is more conceit in thirty-six of these sonnets than in the same number of his plays. Undeterred, however, by the absurdities into which preceding expositors

have fallen, a recent writer in the New Monthly Magazine has propounded a solution of the puzzle, which consists in inventing biographical incidents for the solution of every difficulty. This writer has shown great boldness in adopting the interpretations from which every one else has shrunk, and no little originality in claiming as his own hypotheses what were mentioned long since only to be repudiated. He supposes that the sonnets of Shakspeare celebrate an amour, in which his mistress was unfaithful to him, while his successful rival was his friend; it is true he admits that the great dramatist was married, and the father of three children, but then he was a man, and his wife was older than himself. On grounds to controvert which would not be to answer arguments or expose fallacies, but to refute metaphors, he makes Shakspeare out to be not only an unfaithful husband, but an egotist, a fop, a cripple, a craven, and a dotard; and tells us he was finical in his dress, vain of his person, the fond friend of the seducer of his mistress, the doating lover of a woman whose 'commonness' was notorious, and so reckless, not only of character, but of the feelings of his wife and grown-up daughters, as to celebrate all this in sonnets at the age of forty. These charges against the dead and great have not a particle—a single sand of evidence to rest on.

According to Malone, the Sonnets were entered on the Stationers' books on the 20th of May, 1609, and printed in quarto in the same year, but they were mentioned eleven years prior to this by Meres in his 'Palladis Tamia, or, Wit's Repository,' which appeared in 1598. It has been stated by a writer, who does not require reasons to make him confident of what he says, that in consequence of this notice of the sonnets they were surreptitiously published by a printer of the name of Jaggard in the following year. That this person used similar liberties with the name and poems of Shakspeare many years after, by publishing verses in his name which he had never written, and by printing others without the permission of the author, is proved by the authority of Heywood, who declares that he knew the poet was displeased with these transactions. It is, however, more probable that when Meres cited the sonnets in proof of his proposition,—the soul of Ovid lives in Shakspeare—witness his printed sonnets among his private friends,—that he directed attention to poems already printed, and accessible to all.

In spite, however, of these conspicuous failures of their expositors, and though the last has been the most conspicuous failure of all, the sonnets are undoubtedly available for the biography of Shakspeare. They are partly autobiographical. 'These sonnets,' says Schlegel, 'paint most unequivocally the situation and

sentiments of the poet, and they enable us to become acquainted with the passions of the man;' an opinion right in the main, but wrong (we conceive) in the degree and extent to which it is carried. Though they do not paint they indicate. They are a series of letters without dates and directions, and arranged promiscuously, which, though they are not to be relied on for the incidents of the life, may yet afford useful hints and traces of the character of him whose superscription they bear. Charles Lamb has used them to show the dislike of Shakspeare to his profession:—

'Oh, for my sake, do you with fortune chide
The guilty goddess of my harmful deeds;
That did not better for my life provide
Than public life, which public manners breeds.
Thence comes it that my name receives a brand;
And almost thence my nature is subdued
To what it works in, like the dyer's hand.'

And again—

'Alas! 'tis true, I have gone here and there,
And made myself a motley to the view;
Gored mine own thoughts, sold cheap what is most dear.'

Although not a new, we think this a just inference from these lines, because it is in harmony with everything we know of the nature of the man, and far too explicit to be taken for an expression of the poetical preference usually given to retirement.

The opinion of Mr. Dyce, and, whether from the extent of his knowledge of the dramatic literature of the Elizabethan age, or the sobriety and acuteness of his judgment, no one is capable of forming a better opinion, is, that the sonnets were written under various assumed characters, and were therefore the first efforts of this dramatic faculty, the earliest attempts of Shakspeare at expressing the feelings of imaginary characters in imaginary situations. We are sorry Mr. Dyce has not yet sifted this conjecture to the utmost: it carries with it a far higher degree of probability than any we have yet seen, and the establishment of it on satisfactory grounds would protect the name of Shakspeare from the suspicions with which unscrupulous writers attempt to sully it. It would do more: if a clue could be got to the feelings the sonnets were intended to portray, the states of the human heart they were written to embody and develop, this circumstance would disclose to us, on a comparison of his sonnets and his plays, the progress, if not the process, of his genius in the formation of its delineations of those wonderful combinations of passions and habits—the characters of men.

Biographers too much overlook the fact that the early history of almost every one is mixed up with the fortunes of the family to which he belongs,—that, for a time, the fortunes and history of the father form the chief incidents of the life of the son. They thus lose the insight into character furnished by the experiences of the child—the first impressions; the early mould in which the future man is shaped. The clueless maze which Mr. Skottowe has made of the history of Shakspeare's family prevented us from being surprised at this omission in him; but that Mr. Dyce, an acute and clear-headed man, should have had in his mind at one time all the facts of the history of John Shakspeare, which he has narrated without extracting a single hint illustrative of the life and genius of the man whose biography he writes, is indeed surprising and unaccountable. The impression made by Mr. Skottowe's account, on first reading it, is highly injurious to Shakspeare, by inducing the supposition that he allowed his poor old father to be little better than a pauper in Stratford, while he was surrounded with all the luxuries of wit and wealth in London. He leads us to think that John Shakspeare ended his days in 1601,—a man who had seen better circumstances,—'with little wealth and few friends.' Our anxiety to remove the liability to such a stain from a name endeared to us by moral as well as mental qualities, led us to a scrutiny of dates,—the best keys of biography and history,—which produced, need we say, very different results.

Prior to his father, the family of Shakspeare is involved in complete obscurity, except that in the sixteenth century several families of tradesmen and husbandmen of the name of Shaxper, Shakspere, and Shakspeare, are known to have been scattered over the woodland part of Warwickshire. A MS. of the Bailiff's Court of 1555 describes John Shakspeare as a glover; and, on the authority of tradition and hearsay, Aubrey says he was a butcher; and Rowe, that he was a woolstapler: he seems to have been all successively. In 1556 he held the leases of two houses, one in Greenhill, and the other in Henley-street, Stratford; and was made a member of the corporation, probably in 1557. For the two years succeeding September, 1561, the father of the poet was one of the chamberlains of the burgh; and he was made an alderman when William was a year old. Three years after, in 1568, was raised to the dignity of high-bailiff. When William was six years old, his father was elected chief alderman for the ensuing year, 1571. At this time he was said to be worth five hundred pounds. In the year in which Shakspeare was born, 1564, his father's name appears on two lists of subscribers to charities. On the first, out of twenty-four

persons, twelve gave more, six the same, and six less; and on another, of fourteen persons, eight gave more, four as much, and one less than John Shakspeare. As, unfortunately, Mr. Skottowe gives only his own statistical statement of this curious fact, and does not reprint the documents, we cannot extract from it the information which it doubtless contains, and must be content with remarking that, when he infers from it that the charities of John Shakspeare rank him in the second class of his townsmen, he draws a conclusion which his premises contradict; since a subscription less than the majority of the subscribers indicates a rank anything but second among his fellow-citizens. But the amount of a subscription is not an indication either of wealth or benevolence; and as John Shakspeare had the gown of an alderman before his imagination his subscriptions may only indicate his policy: we have too little evidence to decide. Out of nineteen members of the corporation of Stratford who signed a paper in this year only seven could write their names, and among the twelve who set their marks on the document was John Shakspeare. According to the burgh registers, he rented, in 1570, fourteen acres called Ingon or Ington-meadow; and four years after he bought two houses in Henley-street, with a garden and orchard annexed to each. Up, therefore, to the tenth year of the age of his son William, the property of John Shakspeare was uninterrupted; and hence the statement of Rowe, that the boy was for some time at the Free Grammar School of his native town, is so far confirmed, by the proof that his father was able at this time to support him and educate him. But from this time the affairs of his father fell into decay. In 1578, he mortgaged the small estate of Mary Arden, his wife, for forty pounds, and he was obliged to find security for the payment of five pounds to a baker of Stratford. His difficulties were so well known, that the corporation remitted half the sum of six shillings and eightpence of an assessment levied from each of the aldermen, and exempted him from a weekly payment of fourpence to the poor. He was a defaulter, next year, to the contribution for buying armour and weapons. Though the third child (William) was the eldest boy of a family of nine, and now in his fifteenth year, his education, of course, would be stopped in these circumstances, whenever he was able to assist his father in his trade as a butcher. Here, therefore, is a niche for the story of Aubrey ———. Having left the ruinous business of woolstapler, John Shakspeare, with a son now able to help, rather than hinder, his prosperity, seems for a time to have been tolerably successful in his new trade; and we have no evidences of extreme difficulties for about seven years. But the meshes of poverty

again close upon this unfortunate family. The bias of young Shakspeare was more akin to making speeches than to the trade of his father: he had got a smattering, during the transient prosperity of his family, of an education superior to his circumstances and class, and therefore there is every likelihood in favour of what Aubrey says was his next employment. 'Though,' as Ben Jonson says, 'he understood little Latine and lesse Greeke, he understood Latine pretty well, for he had been in his younger years a schoolmaster in the country.'—(From Mr. Beeston.) If nearly ten years of his life had been spent in the trade of his father, from his leaving school until he went to London, he would not have been at all prepared for admission into his future profession; and the only mode of life open to such a man, which would have prepared and supported him at the same time, was the occupation of a country schoolmaster, which Aubrey assigns him, in ignorance of the corroborative facts which we have mentioned on the authority of a person who possessed means of information. He undoubtedly had some means of supporting himself independent of his father; since in 1582, when only eighteen years of age, he married Anne Hathaway, who was eight years older than himself, and the daughter of a neighbouring yeoman. His difficulties now thickened. His wife bore him a daughter (who was named Susanna) in 1583; and eighteen months after, in 1585, twins, who were baptized by the names Hamnet and Judith. His father was not able to help him: the rest of his family were still young, and his difficulties had now deepened into distress. The register of the Bailiff's Court of Stratford contains the following entry in 1585-6: 'A distress was issued to seize the goods of the father of William Shakspeare, and returned because there was nothing to seize!' This is the date of his coming to London. He was himself two-and-twenty years of age,—he was a husband and the father of three infants,—and his earnings amounted only to the scanty pittance of a country schoolmaster: his father's house—the home of his helpless brothers, sisters, and mother—was too bare even for the harpies of the law to take anything; he was the only son of his father, old enough to make an effort for the family; and successful players were among his townsmen and acquaintances. Assuredly in such circumstances the wrath of a Justice Shallow was not needed,—no poaching or ballad-making exploit was necessary to direct the enterprising steps of William Shakspeare to London and the stage. This motive accounts well for his separation from his family, and is in perfect harmony with all we know of his kind and manly nature. The date of the distress of a Stratford tradesman was the advent of the master-spirit of our drama; and

to us it enhances the charms of the creations of Shakspeare to know that we owe them,—Hamlet, Othello, Lear, and Macbeth; Nym, Pistol, Dogberry, and Falstaff; Juliet, Ophelia, Desdemona, and Cordelia;—to his noble and devoted struggles to drive poverty from the home of his children and the household of his father.

This is not all. We learn from the register of the burgh of Stratford, that in 1587 John Shakspeare was under an action for debt, and struck off the list of the corporation for non-attendance at the scene of his civic pride for seven years. Would these things have happened if his son,—then, as we know, from other evidence in London,—had been prosperous enough to prevent them? By and by we shall make the lips of the father tell us more about the son *.

We have now brought Shakspeare to London, and our way is again beset by traditionary, and cleared by documentary information. The story of his holding horses at the doors of the theatres is disproved by the absence of any traces of the custom of riding to the theatres, on which it depends; it is inconsistent with his education and acquaintance with players in Stratford, and is completely annihilated by a document discovered by Mr. Collier.

Mr. Pope was the relater of the anecdote as communicated to him by Mr. Rowe. It is thus told by Johnson:—

'In the time of Elizabeth, coaches being yet uncommon, and hired coaches not at all in use, those who were too proud, too tender, or too idle to walk, went on horseback to any distant business or diversion. Many came on horseback to the play; and when Shakspeare fled to London from the terror of a criminal prosecution, his first expedient

* We have shown that as a cause of the removal of Shakspeare from Stratford the story of his bringing upon himself the wrath of Sir Thomas Lucy by the crimes of deer-stealing and ballad-making is unnecessary, and the grounds on which it rests are utterly insufficient to support it against this consideration. Mr. Malone rejected it, although he did not see the facts of the life of John Shakspeare in the light in which we have placed them. The story rests on tradition,—the discovery of a ballad said to have been handed down, orally, containing vulgar and scurrilous puns on the name of Lucy; and allusions to deer-stealing and puns of a similar kind on the three luces in the arms ascribed to Mr. Justice Shallow in the 'Merry Wives of Windsor.' Tradition stated that the ballad was put on the park-gate, and the theft committed from the deer-park of Sir Thomas Lucy. Mr. Malone proved that, at the time, this gentleman had no deer-park. Since it became the interest of many persons to say something about the poet, the neighbourhood of Stratford has abounded with stories; and, if by placing traditionary above documentary evidence, and by preferring the romantic and improbable to an every-day occurrence, proved by satisfactory data, this story is received, it must no longer be as a youthful frolic, justified by the morality of his class, but in the altered character, either of an unnatural freak, by which he mocked and deepened the afflictions of his family, or as an effort to alleviate their distresses by means alike desperate and dishonest. Mr. Landor's 'Trial,' therefore, which we once intended to criticise on the grounds of verisimilitude, is as authentic as the story on which it is founded.

was to wait at the door of the playhouse, and hold the horses of those who had no servants, that they might be ready again after the performance. In this office he became so conspicuous for his care and readiness, that in a short time every man as he alighted called for Will Shakspeare, and scarcely any other waiter was trusted with a horse while Will Shakspeare could be had. This was the first dawn of better fortune. Shakspeare finding more horses put into hand than he could hold, hired boys to wait under his inspection, who, when Will Shakspeare was summoned, were immediately to present themselves—*I am* Will Shakspeare's boy, Sir. In time Shakspeare found higher employment; but as long as the practice of riding to the playhouse continued, the waiters that held the horses retained the appellation of *Shakspeare's Boys.*'

Mr. Rowe, who was Mr. Pope's authority for this story, did not introduce it into his own account of Shakspeare; and there is no allusion to the practice of riding to the theatres, or of holding horses at the doors, to be found in the pamphlets of the time; and if this was Shakspeare's notorious employment only for five or six years before he became the triumphant rival of the gentlemen whose horses he must have held (the University playwriters), the allusions to it would have been numerous. The genealogy of the story in the 'Lives of the Poets,' to which Cibber allowed his name to be prefixed for ten guineas, is this: 'Sir William Davenant told it to Mr. Betterton, who communicated it to Mr. Rowe, by whom, according to Jonson, it was related to Mr. Pope.' Even if it had not been traced to Davenant, we should have rejected it: that it rests on his authority is ground enough to disbelieve it. But the following document, by exhibiting Shakspeare's rank in the list of players in 1589, the time when this story makes him a waiter, completely oversets the story; since two or three years would be little enough time to obtain a reputation such as this document gives him:—

'The MSS. at Bridgewater House enable me,' says Mr. Collier, 'not only to give the name of Shakspeare, but the names of the whole company of sharers, only two or three years after our great dramatist made his first appearance in the metropolis. Shakspeare, in November, 1589, had made such way in his profession as to establish himself a sharer, with fifteen others, eleven of whose names precede his on the list, and only four follow it. They stand thus, and the enumeration is in other respects remarkable:—

James Burbage.
Richard Burbage.
John Laneham.
Thomas Greene.
Robert Wilson.
John Taylor.
Anthony Wadeson.

Thomas Pope.
George Peele.
Augustine Phillips.
Nicholas Towley.
William Shakspeare.
William Kempe.
William Johnson.
Baptist Goodall.
Robert Armyn.

'This information seems to me to give a sufficient contradiction to the idle story of Shakspeare having commenced his career by holding horses at the playhouse-door: had such been the fact, he would hardly have risen to the rank of a sharer in 1589, as it indisputably appears he was, on the authority of the subsequent document, which must have been transmitted to Lord Ellesmere, with others, of which I shall speak hereafter.

'These are to certifie, your Right Honble Lordships, that Her Majesties poore Playeres,

James Burbage,
Richard Burbage,
John Laneham,
Thomas Greene,
Robert Wilson,
John Taylor,
Anth. Wadeson,
Thomas Pope,
George Peele,
Augustine Phillipps,
Nicholas Towley,
William Shakspeare,
William Kempe,
William Johnson,
Baptiste Goodall, and
Robert Armyn,

Being all of them sharers in Blacke Fryers Playhouse, have never given cause of displeasure, in that they have brought into their playes maters of state and religion, vnfitt to bee handled by them, or to be presented before lewde spectators: neither hath anie complaynte in that kinde ever bene preferrde against them or anie of them. Wherefore they trust moste humblie in your Lordships' consideration of their former good behaviour, being at all tymes readie and willing to yeelde obedience to any command whatsoever your Lordships in your wisdome may thinke in such case meete,' &c.

"Nov. 1589."

'A brief reference to the circumstances of the time will show how this certificate became necessary. In consequence of the licence taken by several companies of players in London to introduce upon the stage religion and politics, by dramas having reference to the Martin-Marprelate controversy, Lord Burghley wrote to the Lord Mayor in the begin-

ning of November, 1589, directing him to make inquiry what companies of players had offended; and, on the 12th of November of the same year, the privy council addressed letters to the Archbishop of Canterbury, the Lord Mayor, and the master of the revels, for the appointment of three persons to examine into and to remedy the abuse. Upon this occasion it was that the preceding certificate was sent to the privy council to exonerate the Queen's players at the Blackfriars from the charge.'

The earliest allusion to the rising importance of Shakspeare is to be found, we think, in the following passage from the 'Anatomie of Absurditie,' by T. Nash, published in 1590. The proofs that he was meant are the facts that there were only he and another *, of all the poets of the time, who had not received a classical education, and to whom, therefore, the remarks would apply at all; and we know, from various sources, that Shakspeare was employed in adopting and altering the productions of Nash, Greene, and other unprincipled companions—a circumstance which drew down upon him their hatred and abuse.

'What wyll they not faine for gain? Hence come our babbling ballets and our new-found songs and sonnets which every red-nose fidler hath at his fingers' end, and every ignorant all-knight breath forth over the pot as soon as his brain waxeth hot. * * * * Were it that the infamy of their ignorance did redound only upon themselves, I could be content to apply my speech otherwise than to their Apuleyan ears; but sith they obtain the name of our English poets, and thereby make men think more basely of the wits of the country, I cannot but turn them out of their counterfeit livery, and brand them on the forehead, that all men may know their falsehood. Well may that saying of Campanus be applied to our English poets: 'They make poetry an occupation; lying is their living, and fables are their moveables.' It were to be wished that the acts of the ventrous and the praise of the virtuous were by public edict prohibited by such men's many mouths, to be so odiously extolled as rather breeds detestation than admiration, loathing than liking. What politique counsailour or valient soulder will joy or glorie of this, in that some stitcher, weaver, spendthrift, or fidler, hath shuffled or slubbered up a few ragged rimes, in the memorial of the one's prudence or the other's prowesse. It makes the learned sort to be silent, when, as they see, unlearned sots so insolent.

'These bussards think knowledge a burthen, tapping it before they have half tunde it, venting it before they have filled it, in whom that saying of the orator is verified, *Ante ad dicendum quam ad cognoscendum veniunt.* They come to speak before they come to know. They contemn arts as unprofitable, contenting themselves with a little country grammar knowledge, God wote, thanking God, with that abscedarie priest of Lincolnshire, that he never knew what that Romish Popish Latine meant. Verie requisite were it that such blockheads

* Hazlitt's Literature of Elizabeth.

had some Albadanensis Appollonius, to send them to some other mechanical arte, that they might not thus be the stain of arte. Such kind of poets were they that Plato excluded from his Commonwealth, and Augustus banished *ex civitate Dei*, which the Romans and the Lacedemonians scorned, who would not suffer one of Archilocus' books to remain in their country: and amisse it were not if these which meddle with the art they knowe not were bequethed to Bridwell, there to learne a new occupation; for as the basiliske with his hisse driveth all other serpents from the place of his abode, so these rude rithmours, with their jarring verse, allienate all men's mindes from delighting in numbers, excellence, which they have so defaced, that we may well reclaime with the poet, *Quantum mutatus ad illo.*'

As we have already mentioned, there were only two poets of the time who could be abused as uneducated men, for, except Shakspeare and another, all the poets of the Elizabethan age were classical scholars and university men. Shakspeare was undoubtedly obnoxious to the reproaches of Nash on this point, and the proof is, therefore, complete that he was involved in this abuse. Though the plural is used, only one may be meant. The other points will apply to no one else of the time. The abuse applies to a man who began to be called an English poet; at this time Shakspeare was just rising into notice: it alludes to one whose sonnets were becoming popular, and whose only learning was a little 'country grammar,' two characteristics which will apply to no other, especially when joined to the consideration, that 1590 was precisely the only period of Shakspeare's career in which he could have been treated in the style of this extract,—he was too successful to be passed over without notice, and not yet eminent enough to deter Nash from treating him with affected contempt. The set to which Nash belonged were the keen opponents of Shakspeare: Nash was accused of writing or editing the attack made on the great dramatist, two years after this, in Greene's 'Groat's Worth of Wit,'—a sufficient proof of an unfriendly feeling between them, besides the incidental confirmations, which will occur as we trace the rise of the poet's fame. We shall have occasion to show what we have seen stated elsewhere, that Shakspeare was the friend of Gabriel Harvey, the friend of Edmund Spencer, and the object of the implacable hatred of Thomas Nash. This wild tirade of abuse is, therefore, the first notice of Shakspeare hitherto discovered, being two years earlier than the following extracts from the posthumous advice given by Robert Greene to his friends, the learned playwrights, whom Shakspeare was out-stripping in the race of public favour, to quit a profession in which they were eclipsed by an upstart and the players—his co-adjutors. 'Base-minded men, all three of you, if by my misery ye be not warned,' says Greene

in his 'Groat's Worth of Wit,' in an address 'to those gentlemen, his quondam acquaintances, who spend their wit in making plays,'—those particularly alluded to are Marlow, George Pelle, and either Lodge or Nashe:—'for unto none of you (like me) sought those burs to cleare: those puppets, I mean, that speak from our mouths those antics garnished in our colours. It is not strange that I to whom they all have been beholding; is it not like that you, to whom they all have been beholding—shall (were ye in that case that I am now) be both of them at once forsaken? Yes, trust them not: for there is an upstart crow beautified with our feathers, that with his tyger's head wrapt in a player's hide, supposes he is as well able to bombast out a blank verse as the best of you; and, being an absolute *Johannes Factotum*, is, in his own conceit, the only *Shakescene* in a country. Oh! that I might entreat your rare wits to be employed in more profitable courses; and let these apes imitate your past excellence, and never more acquaint them with your admired inventions. I know the best husband of you all will never prove an usurer, and the kindest of them all will never prove a kind nurse: yet, whilst you may, seek your latter masters; for it is a pity men of such rare wits should be subject to the pleasure of such rude grooms.'

Mr. Collier mentions a piece in his possession, signed R. G., which probably means Robert Greene, and may have suggested to Shakspeare his 'As you Like it'. It is clear that Greene accuses him of dressing himself in his feathers. Abuse is often the prelude of fame, and it shows that Shakspeare was making way. In 1592 he was an 'upstart,' which proves that he was up, and had begun to be accused, of 'conceit;' things which indicate plainly enough his claims 'to bombast out a blank verse with the best' playwrights of his day. He was of importance enough to be included among the 'buckram gentlemen,' the 'peasants' and 'painted monsters,' honoured with the scurrility of a disappointed rival. The allusion by the dissipated Greene to 'an usurer' seems aimed at the prudent habits of Shakspeare. But this attack called forth a still more important testimony to his character. In the same year Henry Chettle, the editor of Greene's posthumous work, in the preface to his 'Kind Hart's Dream,' understanding that Shakspeare was offended at the mention made of him by Greene, made the following apology:—

'The other, whom I did not spare so much as I since wish I had, for that I have moderated the hate of living writers, and might have used my own discretion (especially in such a case, the author being *dead*). That I did not, I am as sorry as if the original fault had been my fault; because myself have seen his demeanour no less civil than he excellent in the qualitie he professes. Besides divers of worship have reported

his uprightness of dealing, which argues his honesty, and his facetious grace in writing that approves his art.'

The notice of Shakspeare in the 'Return from Parnassus,' from internal evidence, must have been produced within two or three years after these attacks (1592). In 1595 his name occurs in a pamphlet, entitled * thus, 'All praiseworthy Lucrecia, sweet Shakspeare.' The mention of him, however, is confined to the margin, though Spenser and Daniel are praised in the text. The words of Greene, Nash, and Chettle, are the expressions of the feelings of his rivals in the arena of London, while the language of the others express and indicate the opinions of the public to his merits. The praise of sweetness, on account of his Lucrece, and the charge of being too much addicted to sing the languishment of love, brought against him in the 'Return,' clearly belong to the same period, and show the estimate formed of him before the publication of his dramas through the press, by parties who possessed few opportunities of judging of them from seeing them acted. The opinion in verse is the judgment of the Oxford author on his poems; the prose, the estimate of his fellow-players, Burbage and Kempe, founded on his rising merit as a play-writer.

'*William Shakspeare.*

'*Jud.* Who loves Adonis' love, or Lucre's rape,
His sweeter voice contains heart-robbing life;
Could but a graver subject him content,
Without love's foolish languishment.'

'*Burbage.* A little teaching will mend these faults, and it may be, besides, they will be able to pen a part.

'*Kempe.* Few of the university pen plays well; they smell too much of that writer Ovid and that writer's 'Metamorphoses,' and talk too much of Proserpina and Jupiter. Why, here's our fellow, Shakspeare, puts them all down—aye, and Ben Jonson too. O, that Ben Jonson is a pestilent fellow: he brought up Horace, giving the poets a pill; but our fellow, Shakspeare, hath given him a purge that made him betray his credit.

'*Bur.* It is a shrewd fellow indeed. I wonder these scholars stay so long; they appointed to be here presently, that we might try them—oh, here they come!'

The date of the publication of the 'Return' is unknown; the coincidence or similarity of the notice it takes of the poetical character of Shakspeare, compared with the publication of 1595; the degree and kind of praise; and the omission of more prominent mention in the one coinciding with the direct censure in the other,

* British Bibliographer, vol. i, pp. 284, 285.

neither of which could have appeared a few years before or after 1595; induce us to fix this as the probable date of the production of the 'Return from Parnassus.' The state, therefore, of his reputation at this time is ascertained; the 'sweetness' and 'heart-robbing life' of his poems was acknowledged, though they did not give him by any means the highest place among his contemporaries. But the opinions and suffrages of the players were with him, and placed 'our fellow, Shakspeare,' before all the university pens as a dramatist: 'he puts them all down,—aye, and Ben Jonson too.'

But the feelings of personal friendship outstrip the tardy praise of critics. Gabriel Harvey, in his third letter, in reply to Nash, has the fair eulogium on one of his friends, a poet who, we believe was Shakspeare, because it is not applicable, so far as we know, to any other:—

'I speak to a poet. * * * * Good sweet Oratour, be a diuine poet indeede; and vse heauenly eloquence indeede; and employ thy golden talent with amounting vsance indeede; and with heroicall cantoes honour right vertue, and braue valour indeede; as noble Sir Philip Sidney and gentle Maister Spencer haue done with immortall fame: and I will bestow more complements of rare amplifications vpon thee than euer any bestowed vppon them; or this tongue euer affoorded; or any Aretinish mountaine of huge exaggerations can bring foorth. Right artificiality (whereat I once aimed to the uttermost power of my slender capacity) is not mad-brained, or ridiculous, or absurd, or blasphemous, or monstrous; but deepe-conceited, but pleasurable, but delicate, but exquisite, but gracious, but admirable; not according to the fantasticall mould of *Aretine* or *Rabelays*, but according to the fine modell of *Orpheus*, *Homer*, *Pindarus*, and excellentest wittes of Greece, and of the lande that flowed with milke and hony. For what festiuall hymnes, so diuinely dainty, as the sweete Psalmes of King David, royally translated by Buchanan; or what sage gnomes, so profoundly pithy, as the wise Prouerbes of King Solomon, notably also translated; but how few Buchanans. Such liuely springes of streaming eloquence, and such right Olympicall hilles of amountinge witte, I cordially recommend to the deer louers of the Muses, and, namely, to the professed sonnes of the same,—*Edmond Spencer*, *Richard Stanihurst*, *Abraham France*, *Thomas Watson*, *Samuell Daniell*, *Thomas Nash*, and the rest; whome I affectionately thancke for their studious endeuours, commendably in enriching and polishing their natiue tongue, neuer so furnished or embellished as of late: for I dare not name the honorabler sonnes and nobler daughters of the sweetest and diuinest Muse that ever sang in English or other language, for feare of suspition of that which I abhorre; and their owne most delectable and delicious exercises (the fine handyworke of excellent Nature, and excellenter arte combined) speake incomparably more than I am able briefly to insinuate. Gentle minds and flourishing wittes were infinitely to blame, if they should not also, for curious imitation, propose vnto themselves such faire types of refined and engraced eloquence. The right nouice of pregnante and aspiring con-

ceit wil not outskippe any precious gemme of invention, or any beautifull floure of elocution that may richly adorne or gallantly bedecke the trimme garland of his budding stile. I speak generally to euery springing wit; but more specially to a few, and at this instante singularly to one, whom I salute with a hundred blessings, and entreate, with as many prayers, to loue them that loue all good wittes, and hate none, but the Diuell and his incarnate impes, notoriously professed.'

This was published in 1594. It appeared in letters, in which Harvey defended himself from the attacks of Nash. The poets proposed as models, Spencer and Sydney, were the congenial spirits of Shakspeare, and the number of poets mentioned, and therefore excluded; the high character of the praise; the death of Marlow, in this year, which seems to exclude him from the praise, even if the cast of his genius did not; and its being addressed to a young man, a writer whose style budding in 1594, the date of the first publication of the sonnets; altogether make it highly probable that this panegyric, by a man who was himself praised by Edmund Spencer, was intended for the modest nature and rising genius of William Shakspeare.

We now return for a little to the history of Shakspeare's father. It is true, that he lodged a complaint in Chancery, in which he described himself as a man of small wealth and few friends in the county of Stafford; but he was able to bring his complaints before an expensive court, a proof in itself of a great improvement in his circumstances, from the pitch of distress at which we left him; and such vague expressions in a petition to a court of justice are not to be too strictly interpreted. They would, besides, be quite true, if he was, as we suppose, dependent on his son in London. It is, however, certain, that in 1596, John Shakspeare took out a coat of arms, and assumed the rank of a gentleman, which he was enabled to do by his son—a beautiful and gratifying token of the prosperity which had crowned the efforts of the latter; and we doubt if the great dramatist ever derived from all the triumphs which followed the exercise of his unrivalled gifts a power or loftier joy than sprung up in his mind from contrasting the distress warrant of 1586 with the armorial bearings of 1596.

The position of Shakspeare is well ascertained from the following document in 'Collier's History of English Dramatic Poetry.'

The Blackfriars Theatre, built in 1576, seems, after the lapse of twenty years, to have required extensive repairs, if, indeed, it were not, at the end of that period, entirely rebuilt. This undertaking, in 1596, seems to have alarmed some of the inhabitants of the liberty; and not a few of them, 'some of honour,' petitioned

the Privy Council, in order that the players might not be allowed to complete it, and that their further performances in that precinct might be prevented. A copy of the document, containing this request, is preserved in the State Paper Office, and to it is appended a much more curious paper—a counter-petition by the Lord Chamberlain's players, entreating that they might be permitted to continue their work upon the theatre, in order to render it more commodious, and that their performance there might not be interrupted. It does not appear to be the original, but a copy, without the signatures, and it contains, at the commencement, an enumeration of the principal actors, who were parties to it. They occur in the following order; and it will be instantly remarked, not only that the name of Shakspeare is found among them, but he comes fifth in the enumeration:—

'Thomas Pope.
Richard Burbage.
John Hemings.
Agustine Phillips.
William Shakspeare.
William Kempe.
William Slye.
Nicholas Towley.'

This remarkable paper has, perhaps, never seen the light from the moment it was presented until it was very recently discovered. It is in these terms:—

'To the Right Honourable the Lords of Her Majestie's Most Honourable Privie Councell.

'The humble Petition of Thomas Pope, Richard Burbage, John Hemings, Agustine Phillips, William Shakespeare, William Kempe, William Slye, Nicholas Towley, and others, servants to the Right Honourable the Lord Chamberlaine to Her Majestie.

'Sheweth, most humbly, that your petitioners are owners and players of the private house or theatre in the precinct and libertie of the Blackfriers, which hath been for many years used and occupied for the playing of tragedies, commedies, histories, enterludes, and playes. That the same, by reason of its having been so long built, hath fallen into great decay, and that besides the reparation thereof, it has been found necessarie to make the same more convenient for the entertainment of auditories coming thereto; that to this end your petitioners have all and eche of them, put down sommes of money, according to their shares in the said theatre, and which they have justly and honestly gained by exercise of their qualitie of stage-players; but that certaine persons, (some of them of honour) inhabitants of the said precinct and libertie of the Blackfriers have, as your petitioners are infourmed, besought your Honourable Lordshipps not to permitt the said private house any longer to remaine open, but hereafter to be shut up and closed, to the manifest and great injurie of your petitioners, who have no other means whereby

to maintain their wives and families, but by the exercise of their qualitie, as they have heretofore done. Furthermore, that in the summer season your petitioners are able to playe at their new-built house on the Bankside, calde the Globe, but that in the winter they are compelled to come to the Blackfriers; and if your Honourable Lordshipps give consent unto that which is prayde against your petitioners, they will not onely, while the winter endures, loose the meanes whereby they support themselves and their families, but be unable to practise themselves in anie playes or enterludes, when calde upon to perform for the recreation and solace of Her Majestie and her Honourable Court, as they have been heretofore acustomed. The humble prayer of your petitioners therefore is, that your Honourable Lordshipps will grant permission to finish the preparations and alterations they have began; and, as your petitioners have hitherto been well-ordered in their behaviour, and just in their dealings, that your Honourable Lordshipps will not inhebit them from acting at their above-named private house in the precinct and libertie of Blackfriers, and your petitioners, as in dutie most bounden, will ever pray for the increasing honour and happinesse of your Honorable Lordshipps.'

We have thus seen that in 1589 the name of Shakspeare is placed twelfth in a list of the sixteen members of the company. In 1596 it was fifth, when only eight were mentioned—a proof that he had gradually risen in wealth and importance during the interval.

By a comparison of these documents, the abuse, critiques, and eulogies, of rivals and reviewers, with the lists of actors, the poetical and pecuniary progress of Shakspeare becomes evident: they went on together, gradually and unobtrusively growing into wealth and fame. The copy of Meres' Palladis Tamia, or Wits' Repository, which we consulted in the British Museum, was the property of Mr. Malone, and had cost upwards of twenty-four pounds—a large sum for a 12mo. volume: he has used it to aid him in ascertaining the order and dates of Shakspeare's dramas. It is surprising that neither Mr. Skottowe nor Mr. Dyce have used it to show the state of Shakspeare's reputation at the time of its publication, in 1598: that the criticisms of so weak a man as Meres are of no value does not prevent what he says from being invaluable, but actually enhances their worth, since, in proportion to the weakness of his intellect is the likelihood that he merely relates the popular opinions of the day.

In his comparative discourse of our English poets, with the Greek, Latin, and Italian poets, Meres mentions the name of Shakspeare repeatedly. The passages verbatim:—

'As the Greeke tongue is made famous and eloquent by *Homer*, *Hesiod*, *Euripedes*, *Aeschilus*, *Sophocles*, *Pindarus*, *Phocylides*, and *Aristophanes*; and the Latine tongue by *Virgill*, *Ovid*, *Horace*, *Silius*,

Italicus, *Lucanus*, *Lucretius*, *Ausonius*, and *Claudianus*; so the English tongue is mightily enriched and gorgeouslie invested in rare ornaments and resplendent abiliments by Sir *Philip Sidney*, *Spencer*, *Daniel*, *Drayton*, *Warner*, *Shakespeare*, *Marlow*, and *Chapman*.

'As the soule of Euphorbus was thought to live in Pythagoras, so the sweete wittie soule of Ovid lives in mellifluous and honey-tongued *Shakespeare*. Witness his Venus and Adonis, his Lucrece, his sugred sonnets among his private friends, &c.

'As Plautus and Seneca are accounted the best for comedy and tragedy among the Latines, so *Shakespeare* among ye English is the most excellent in both kinds for the stage. For comedy, witness *Gĕtlemĕ of Verona*, his *Errors*, his Love Labours Lost, his Love Labours Wonne, his Midsummer's Night Dreame, and his Merchant of Venice; for tragedy, his Richard the 2, Richard the 3, Henry the 4, King John, Titus, Andronicus, and his *Romeo and Juliet*.

'As *Epius Stolo* said that the Muses would speak with *Plautus* tongue, if they would speak Latine, so I say that the Muses would speak with *Shakespeare's* fine filed phrase, if they would speake English.

As *Ovid* saith of his worke,

> " —— opus exegi, quod nec Jovis ira, nec ignis
> Nec poterit ferrum, nex edax abolere vetustas."

And as Horace saith of his—" Exegi monumentŭ ære perrennius;—et fuga temporum;" so I say severally of Sir Philip Sidney's, Spencer's, Daniel's, Drayton's, Shakespeare's, and Warner's workes—

> " Non Jovis ira, imbres, Mars, ferrum, flamma, senectus,
> Hoc opus unda, lues, turbo, venena ruent."

" Et quanquam ad plucherrimam hoc opus evertendum tres illi Dij conspirabŭt, Cromus, yolcanus, et pater ipse gentis;

> " Non tamen annorum series, non flamma, nec ensis,
> Æternum potuit hoc abolere Decus."

'As *Pindarus*, Anacreon, and Call:—among the Greekes, and Horace and Catullus among the Latines, are the lyrick poets, so in this faculty the best amŏg our poets are Spencer, who excelleth in all kinds, Daniel, Drayton, Shakespeare, Brettŏ.

'As these tragicke poets flourished in Greece, *Aeschilus*, *Euripedes*, *Sophocles*, *Alexander Aetollus*, *Achæus Erithriæus Astydamus Atheniĕsis*, *Apollodorus*, *Tarsensis*, *Nichomacus Phrygius*, *Thespis Atticus*, and *Timon Apolloniates*; and these among the Latines, *Accius*, *M. Attilus*, *Pomponius*, *Secundus*, and *Seneca*; so these are our best for tragedie—the Lorde *Buckhurst*, Doctor *Leg* of Cambridge, Doctor *Edes* of Oxforde, Master *Edward Ferris*, the *Author of the Mirror for Magistrates*, *Marlow*, *Peele*, *Watson*, *Kid*, *Shakespeare*, *Drayton*, *Chapman*, *Decker*, and *Beniamin Johnson*.

'The best poets for comedy among the Greeks are these—*Menander*, *Aristophanes*, *Eupolis Atheniensis*, *Alexis Terius*, *Nicostratus*, *Amipsias Atheniensis*, *Anaxădrides Rhodius*, *Aristonymus*, *Archippus Atheniĕsis*, and *Callias Atheniensis*; and among the Latines—*Plautus*, *Terance*, *Nœnius*, *Sext. Turpilius*, *Licinius Imbrex*, and *Virgilius*

Romanus; so the best for comedy amongst us be *Edwarde*, Earl of Oxforde, Dr. *Gager* of Oxforde, Maister *Rowley*, once a rare scholar of learned Pembroke Hall, in Cambridge, Maister *Edwardes*, one of her Majestie's Chappell, eloquent and wittie *John Lillie*, *Lodge*, *Gascoyne*, *Greene*, *Shakespeare*, *Thomas Nash*, *Thomas Heywood*, *Anthony Mundye*, our best plotter, *Chapman*, *Porter*, *Wilson*, *Hathway*, and *Henry Chettle*.

'As these are famous among the Greekes for elegies, *Melanthus*, *Mymnerus*, *Colophonius*, *Olympius Mysius*, *Parthenius Nicæus*, *Philetus Cons*, *Theogenes Megarensis*, and *Pigres Halicarnassæus*; and these among the Latines—*Mecænas*, *Ouid*, *Tibullus*, *Propertius*, *T. Vulgius*, *Cassius Severus*, and *Clodius Labinus*; so these are the most passionate among us to bewaile and bemoane the perplexities of loue, Henrie Howard Earl of Surrey, Sir *Thomas Wyat* the elder, Sir *Francis Brian*, Sir Philip Sidney, Sir *Walter Rowley*, Sir *Edwarde Dyer*, *Spencer*, *Daniel*, *Drayton*, *Shakespeare*, *Whetstone*, Gascoyne, *Samuel Page*, sometime Fellow of Baliol College, Oxford, *Churchyard*, *Bretton*.'

There is every appearance that these criticisms may be taken as the popular opinions of the day. They prove that, in 1598, Shakspeare was ranked, by his contemporaries, among the most esteemed poets in different branches of the art, and placed alone as unrivalled in the combined excellences of a tragic and comic writer for the stage. The 'Flowers of Parnassus,' a collection of choice passages from all the poets of the Elizabethan age, was published in 1600, and in it the name and lines of Shakspeare occur, with a frequency which indicates that his fame was established.

There are some doubts as to the concern of Shakspeare in the transaction we are now to mention—doubts relating not so much to the fact as to the degree in which he is implicated. Sir Gilly Merrick, who was concerned along with Lord Southampton in the hair-brained insurrection of the Earl of Essex, caused to be performed at the Globe Theatre, on the afternoon previous, the play of the deposing of Richard II. This appeared in the trial. It was an old play; and before they would perform it, since it would not draw an audience, the actors bargained to receive forty shillings from Merrick, in addition to the receipts of the house. From neglecting to examine the editions of this drama, Mr. Collier and Mr. Amyot have spent much conjecture and some discussion upon the point, whether the play acted on this occasion was Shakspeare's or not; and, as generally happens, when conjecture takes the place of research, they have only involved the subject in greater perplexity. Forman, the pimp, quack, and fortune-teller, whose notes of the performance of Shakspeare's plays, as he saw them during the lifetime of their author, Mr.

Collier has printed from the Ashmolian MSS., gives such an account of the play of Richard II., which he saw at the Globe in 1611, as causes Mr. Collier to believe that it was not the drama of Shakspeare; although he is startled at the circumstance that Shakspeare's play, which was printed four times in his lifetime, superseded the boards of a theatre of which he was a proprietor. The solution of the difficulty, which a very little research, without any conjecture, enables us to give, adds a new and curious fact to our knowledge of Shakspeare. The first edition of Richard II. appeared in 1597, and was published in 1598; the title of both is 'The tradgedy of King Richard II., as it hath been publicly acted by the Right Honourable the Lord Chamberlaine his servants;' but the title of the subsequent editions of 1606 and 1607 is 'The tradgedie of Richard II., with new additions of Parliament Scene and the Deposing of King Richard, as it hath been lately acted by the King's Maiesties servants at the Globe.' This is enough to identify Shakspeare's as the one performed on the afternoon before the Earl of Essex's insurrection, the deposing scene of which was made, by the Attorney-General Coke, proof of the intention of the conspirators to dethrone Queen Elizabeth. The alteration introduced by Shakspeare into his play was one of the grounds on which the Earl of Essex was beheaded. The implication of the dramatist in the affair is clear, and whether he was a tool in the hands of others, or a willing instrument of the ends of his party, evidence is wanting to determine.

It has been said, on the authority of hearsay, or Sir William Davenant, that Shakspeare received a present of 1000*l.* from Lord Southampton. This story is quite incredible. The largeness of the sum, the utter absence of any but traditionary evidence in its favour, would be quite sufficient to make it doubtful; and it is completely discredited by the gradual and natural progress of the wealth of the great poet, as displayed in his theatrical career. The time usually fixed for this is between 1594 and 1600; it could not have been earlier, since the poet had not then much emerged into notice, and it could not have been later, because Lord Southampton was not in circumstances to do it. Among the Harleian MSS. there is an amusing account of the shifts to which Southampton and Essex were put, from want of money, to satisfy Mr. Anthony Bacon, the brother of Francis, and prevent him from betraying them to the Queen.

In 1603 Shakspeare's name was second in the new patent granted to the players by King James on his accession. For an interval of five years, we have not been able to find any documents illustrating the career of the poet: he was now established in reputation and fortune, and the publication of his dramas were

gradually elevating him to his high place in the temple of fame. Of his wealth and importance in 1608 the following extract from the 'New Facts,' by Mr. Collier, furnish us with information exceedingly exact and interesting. The corporation of London claimed the jurisdiction of the precinct of Blackfriars, and attempted repeatedly to eject the players from their premises:—

'Defeated in the attempt to expel "the King's Servants" (for this was the title the actors at the Blackfriars and Globe Theatres acquired by the Privy Seal of 1630), by force of law, the corporation seems to have endeavoured to come to terms with them, with a view of buying them out; and among the papers of Lord Ellesmere is a minute and curious account, showing the precise interest of all the principal persons connected with the company in 1698, and among the rest Shakspeare himself. It is evident that it was drawn up in order to ascertain what sum it would be necessary for the corporation to pay to the players for removal; and it must have been laid before the Lord Chancellor, with other documents connected with the inquiry. Hence we learn that Shakspeare's property in the Blackfriars Theatre, including the wardrobe and properties, which were exclusively his, was estimated at more than 1400*l.*, which would be equal to between 6000*l.* and 7000*l.* of our present money. Burbage was even richer, as the owner of what is called "the fee" of the playhouse, and perhaps he or his father had bought the ground on which it stood as well as the building. However, it will be better first to insert a literal copy of the account, and afterwards to offer some remarks upon it. The paper is entitled,—

"For avoiding of the Playhouse in the precinct of the Blacke Friers.

"Imp. Richard Burbidge oweth the fee, and is alsoe a sharer therein. His interest he rateth at the grosse summe of 1000^{li}. for the fee, and for his foure shares the sum of 933^{li}. 6^{s}. 8^{d}.	1933^{li}	6^{s}	8^{d}
Item. Laz. Fletcher oweth three shares, which he rateth at 700^{li}., that is, at 7 yeares purchase for each share, or 33^{li}. 6^{s}. 8^{d}. one year with another	700		
Item. W. Shakespeare asketh for the wardrobe and properties of the same playhouse 500^{li}., and for his 4 shares the same as his fellowes Burbage and Fletcher, viz. 933^{li}. 6^{s}. 8^{d}.	1433	6	8
Item. Heminges and Condell, eche 2 shares . . .	933	6	8
Item. Joseph Taylor, 1 share and an half . . .	350		
Item. Lowing also 1 share and an half	350		
Item. Four more players, with one half share to each of them	466	13	4
Sum^{a} totalis . . .	6166	13	4

"Moreover, the hired men of the companie demaunde some recompense for their great losse, and the widowes and orphanes who are paide by the sharers at diuers rates and proportions, so as in the whole it will coste the Lo. Mayor and the citizens at the least 7000^{li}."

'This, you will know at once, is a very singular as well as a very valuable document, considering how scanty has hitherto been all our information regarding the pecuniary circumstances of our great poet. Till now all has depended upon conjecture, both as to the value of theatrical property generally in the time of Shakspeare, and as to the particular sum he may be supposed to have realised as an author of plays and as an actor of them. Malone "suspected that the whole clear receipt of a theatre was divided into forty shares" (Shakspeare, by Boswell, iii. 170), and proceeds to guess at the mode in which the money was distributed. Here we have positive proof that, at the Blackfriars, at least, the profits were divided into twenty shares: of these Burbage had four shares; Fletcher, three shares; Shakspeare, four shares; Hemmings, two shares; Condell, two shares; Taylor and Lowen, three shares; four other actors, two shares. Burbage and Shakspeare, therefore, in the number of their shares were upon equal terms: the former, as the owner of "the fee," was probably paid the rent of the theatre, which I shall hereafter show, from a document of a subsequent date, was then 50*l*. per annum; and the latter, as the owner of the wardrobe and properties, no doubt obtained as large a sum for the use of them. Though they are only estimated at half the value of "the fee," yet wear and tear are to be taken into account. We are to presume that the materials for this statement were derived from the actors, and that they made out their loss as great as it could well be shown to be, with a view to gaining full compensation; but if each share produced on an average, or (to use the terms of the document) "one year with another," 33*l*. 6*s*. 8*d*., the twenty shares would net an annual sum of 666*l*. 13*s*. 4*d*., or somewhat less than 3400*l*. of our present money. Shakspeare's annual income from the receipts at the Blackfriars Theatre, with the amount paid him for the use of the wardrobe and properties, would therefore be 133*l*. 6*s*. 8*d*. It is possible, however, that there might be a deduction for his proportion of the rent to Burbage, and of the salaries to the "hired men," who were always paid by the sharers. To this income would be to be added the sums he received for either new or altered plays. At about this date it appears that from 12*l*. to 25*l*. were usually given for new dramatic productions. Much, of course, would depend upon the popularity of the author. We have a right to conclude that the Globe was at least as profitable as the Blackfriars; it was a public theatre of large dimensions, and the performance took place at a season when probably playhouses were more frequented: if not, why should they have been built so as to contain a more numerous audience? At the lowest computation, therefore, I should be inclined to put Shakspeare's yearly income at 300*l*., or not far short of 1500*l*. of our present money. We are to recollect that in 1608 he had produced most of his greatest works, the plausible conjecture being that he wrote only five or six plays between that year and his final retirement from London. In what way, and for what amount, he previously disposed of his interest in the Blackfriars and Globe theatres, it is useless to attempt to speculate.'

The copy, without date or direction, of the letter of introduction of Richard Burbage and William Shakspeare, probably to

Lord Ellesmere, although, we confess, suspicions of its authenticity have suggested themselves to us, seems to relate to the same circumstances as the above. It adds nothing to our knowledge of Shakspeare; the construction of the sentences does not seem to us to be so Elizabethan as the spelling and the words, 'till of late an actor of good account in the companie, now a sharer in the same,' contain a blunder in making the 'sharer' subsequent to 'actor,' into which a person acquainted with the theatrical usages of a later rather than of that age would be likely to have fallen.

That Shakspeare did not retire altogther from London (if he ever did so entirely) so early as has been said is evident from the fact that he did not part with his house in Southwark until the year 1611-12. It has been supposed that he left his wife and children in Stratford during the whole period of his abode in the metropolis, visiting them only once a year. His being the proprietor and occupier of a house in the Borough throws considerable doubt on this point: it is not like him; and the annual visits to Stratford more probably belonged to the period which intervened between his retirement from the stage and his death*. The length of this interval is uncertain; the last mention of his having performed is in 1603, when he played *Sejanus* in the Ben Jonson's play.

* A story, entirely unworthy of credit, has been originated out of this practice. Oldys, as quoted by Malone, part i. p. 464, thus narrates it:—'If tradition may be trusted, Shakspeare often baited at the Crown inn or tavern in Oxford, in his journey to and from London. The landlady was a lady of great wit; and her husband, Mr. John Davenant, afterwards mayor of that city, a grave, melancholy man, who, as well as his wife, used much to delight in Shakspeare's pleasant company. Their son, young Will Davenant, afterwards Sir William, was then a little schoolboy in the town, of about seven or eight years old, and so fond also of Shakspeare, that whenever he heard of his arrival he would fly from school to see him. One day an old townsman observing the boy running homeward out of breath, asked him whither he was posting in that heat and hurry? He answered, to see his *god-father* Shakspeare. "There's a good boy," said the other, "but have a care that you don't take God's name in vain." This story Mr. Pope told me at the Earl of Oxford's table, upon occasion of some discourse which arose about Shakspeare's monument, then newly-erected in Westminster Abbey; and he quoted Mr. Betterton, the player, for his authority. I answered, that I thought such a story might have enriched the variety of those choice fruits of observations he has presented us in his preface to the edition he had published of our poet's works. He replied, "There might be in the garden of mankind such plants as would seem to pride themselves more in a regular production of their own native fruits than in having the repute of bearing a kind by grafting; and this was the reason he omitted it."' When Davenant was four-and-twenty years of age, in 1630, the jests of John Taylor, the Water Poet, were published in his works; and this story, then stray and unattached to any one, was published as one of his jokes. Aubrey, who furnished Anthony Wood with the story, says Davenant, used to mention it in his old age in taverns. The character of the man, the way in which he seems rather to have insinuated than said it, as a compliment to his own vanity, at the expense of his father and mother, and the antiquity of the joke, seem completely to discredit the anecdote.

The next authentic document in the biography of the poet is his will. This also has been made the foundation of an imputation on his character as a husband.

The biographers of Shakspeare have had an amusing conflict of conjectures on his conjugal character. Oldys, on some authority which does not appear, says his wife was beautiful; and the nature of the mind which she captivated supports the statement; but, he adds, her husband was jealous: a surmise which Malone confirms by a reference to the well-known story of the Oxford vintner's wife, by the fact that in his will she is only bequeathed his second best bed, and that in an interlineation, and by the circumstance that jealousy is made the hinge of four of his plays. Steevens says the old piece of furniture was perhaps

> 'The very bed that on his bridal night
> Received him to the arms of Belvidere;'

that she was already provided for; and as to the four plays, only one is wholly built on the passion; it is merely incidental in 'Cymbeline,' while in the 'Winter's Tale' and the 'Merry Wives of Windsor' it is held up to discredit. But the proof which decidedly rebuts this suspicion is the fact, that when he makes any insertions into his will, expressive merely of his affection for individuals apart from bequeathing his property in the way in which it was most prudent to leave it, the name of his wife is the first that occurs to him; and when we are told it is an interlineation, it ought to be added that the bequests to his friends Heminge and Condell are also interlineations, who follow, and do not precede his mention of her. Being upwards of sixty years of age, and little likely to outlive a husband in good health, who was eight years younger, to have made her independent of her daughter, and especially their favourite daughter, might have been felt as an imputation on them both.

We know little of Shakspeare's personal appearance; the popular heads of him, with the lofty brow and meditative head, possess no direct evidences of authenticity. The finest picture is the one which Steevens calls the—

> 'Davenantic—Bettertono—Barryan—Keckian—Nicolsian—Chandosan'—

canvass, and is now generally engraved and preferred. The best thing that can be said of it is, that it probably was the original from which Sir Godfrey Kneller made a copy, which he presented to Dryden,—

> 'Shakspeare, thy gift I place before my sight;
> With awe I ask his blessing ere I write;
> With reverence look on his majestic face,
> Proud to be less, but of his godlike race.'

The Stratford monument was probably erected by his son-in-law, Dr. Hall, a few years after his death, and the head of the poet which it exhibits would therefore be formed under the directions of his family, and exposed to the criticisms of his friends and acquaintances. The evidence in favour of its being a likeness is direct therefore, but inferior to the testimony which supports the most authentic and ill-favoured of all the portraits of him—Droeshout's engraving on the title-page of the folio edition of 1623. The plainest and least known of all the portraits of Shakspeare is the only one proved to be like by the direct testimony of any one who had ever seen him. Opposite Droeshout's engraving, in the folio edition, was placed the following testimony by Ben Jonson:—

'*To the Reader.*

'This figure that thou here seest put,
It was for gentle Shakspeare cut;
Wherein the graver had a strife
With Nature, to out-doo the life:
O, could he but have drawne his wit
As well in brasse as he hath hit
His face, the print would then surpasse
All that was ever cast in brasse.
But since he cannot, Reader, looke
Not on his picture, but his booke.'

This testimony was not delivered on oath; but the engraving was made under the superintendence of the personal friends of the poet, and subjected to the remarks of many who were familiar with his appearance. The Stratford bust was coloured, the eyes light hazel, and the hair and beard auburn; and he was dressed in a doublet of scarlet cloth, over which was a black loose gown without sleeves. There is a considerable difference between the bust and the print. His brow is high in both; but the head of the bust is rounder, and the brow lower, broader, and better arched than in the print; his hair is curled in the one and smooth in the other; and the bust has a look of animation and cheerfulness, while the print gives him an expression so benevolent, staid, and grave, that Mr. Boaden thinks he must have been painted in the character of Old Adam, in 'As you like it.' Both differ considerably from the fancy portraits commonly seen, since they agree in representing him as a man of ordinary and unassuming appearance, with nothing beautiful or godlike about him.

'The New Particulars,' by Mr. Collier, contain nothing so valuable as the extracts we have made from his 'New Facts,' and we have already disposed of the only question of any interest to which they give rise—that about Richard II. Mr. Collier,

because he found some verses signed W. Sk., or W. Sh., among the Bridgewater MSS., written in a fair hand, concludes they are the production of Shakspeare, since it is not likely that he held it—

'A baseness to write fair,' and they are written fairly.

It would add little to our estimation of the poet to believe him the author of trashy trifles, of which the only one possessed of a particle of merit is the following:—

'Fye! let it never make you sadd,
Whether your chance be good or badd;
If your Love give but half his heart,
The devill take the other part.'

We cannot think lines like this couplet the versification of a practised writer:—

'What may be saide of youe and yours?
Youe are his joye, yours he procures.'

While we urge no other objections against the authenticity of these stanzas than the fact that Shakspeare devoted himself to the theatre only, and their utter absence of merit and of any evidence of such authorship, we shall leave the reader to receive or reject the lines which the late English professor at Heidelberg has communicated to him from a common-place book which originally belonged to an Englishman, and is now preserved in the Hamburgh City Library. They are subscribed W. S., and dated 1606, and have been looked upon by Anglo-Germans as the production of Shakspeare:—

'My thoughts are wing'd with hopes, my hopes with love;
Mount, Love, unto the moone, in clearest night,
And say, as she doth in the heavens move,
In earth so wanes and waxeth my delight.
And whisper this, but softly, in her eares,
How oft doubt hangs the head, and trust sheds teares!

'And you, my thoughts, that seem mistrust to carie,
If for mistrust my mistress you do blame;
Saié, though you alter yet you do not varie
As she doth change, and yet remaine the same.
Distrust doth enter hearts, but not infect,
And love is sweetest season'd with suspect.

'If she for this with cloudes do maske her eyes,
And make the heavens dark with her desdaine;
With windie sighes dispearse them in the skyes,
Or with thy teares derobe them into rayne.
Thoughts, hopes, and love return to me no more,
Till Cynthia shine as she hath done before.'

New Particulars, p. 66.

M. R.

Art. III.

MEDICAL REFORM.

Report from the Select Committee on Medical Education, with the Minutes of Evidence and Appendix. Part I. *Royal College of Physicians; Part* II. *Royal College of Surgeons; Part* III. *Society of Apothecaries.* London. Ordered by the House of Commons to be printed, 13th August, 1834.

EVERY individual of the community has a deep interest in the knowledge and integrity of the medical practitioner; every one sooner or later falls into the hands of physician, surgeon, or apothecary. To every one, either for himself when conscious that he has become the subject of disease, or for some other whose health and life are dear to him, the knowledge or the ignorance, the sagacity or the obtuseness, of the medical mind, is constantly a question of intense concern. When the mind is enfeebled by bodily disease, when the body is exhausted by mental anxiety, or is the seat of some acute malady, perhaps rapidly tending to a fatal termination, in moments when wealth is felt to be worthless, when rank and power can do nothing, when friendship, and even affection fail—the science of medicine is a stay and a solace, often capable of arresting the hand of death, and always of alleviating suffering and sorrow; but, to accomplish its beneficent purposes, it must be administered by persons of instructed minds, acquainted with the resources of their art, whose integrity and honour are beyond suspicion.

There can be no question that it is the part of the Legislature, in as far as it is in its power, to provide that every medical practitioner shall go through the discipline (whatever it may be) which may appear best calculated to form the mental and moral qualities necessary to enable him to take the charge of the momentous interests intrusted to his care. That discipline must consist essentially of a regulated course of education. The duty of the Legislature to interfere in regulating the course of medical education arises out of the following circumstances:—

First—There is a minimum of knowledge, without the possession of which no one can undertake the practice of medicine without inflicting dreadful evil on the community.

Secondly—There is a range of subjects necessary to be included in the curriculum of medical study, the omission of any one of which will prevent that minimum of knowledge from being acquired.

Thirdly—There is a minimum space of time, without the devotion of which to the study of the subjects included in the medical curriculum, that minimum of knowledge cannot be acquired.

Fourthly—While it is the interest of every individual in the community that every medical practitioner should be in possession of this minimum of knowledge, no unprofessional person is capable of forming a judgment of his own as to whether, in any case, this knowledge has been acquired; because it requires medical knowledge to judge of medical attainment. The public being thus incapable of detecting ignorance and imposture, stands in need of the protection of the Legislature: protection by the prohibition, on the part of the Legislature, of the assumption by any man of the name of a medical practitioner who has not possessed the requisite opportunities of acquiring knowledge and skill.

Fifthly—The Legislature *can* regulate, with the utmost ease and completeness, everything relating to medical education, the regulation of which is desirable, without the invasion of any right, or the infliction of any evil, on any individual or on any class. For all these reasons, the protection of the public from ill-educated and ignorant medical practitioners is a legitimate object of good government.

The only effectual mode in which the Legislature can interfere, in the regulation of medical education, is by investing competent persons with the requisite authority for the control of the schools of medicine and the government of the medical body.

The Legislature has recognised and exercised the right to interfere in the regulation of the schools of medicine, and in the government of the medical body. From time to time it has invested chartered and corporate bodies with the power which it has deemed requisite for the accomplishment of these objects. The Royal College of Physicians, for several centuries past, and the Royal College of Surgeons, and the Apothecaries' Company in modern times, have been invested with privileges and powers which have had for their express object the exclusion from the practice of medicine and surgery of ignorant and unskilful men, and for the advancement of medical and surgical science. The inadequacy of these bodies for the accomplishment of the purposes for which they were instituted, and the absolute necessity either of reforming or of reconstructing them, has been so strongly and generally felt, that a Committee of the House of Commons has been appointed to investigate the state of medical education, and the manner in which the governing bodies have exercised the authority intrusted to them.

The result of this inquiry is the report, or rather the minutes of evidence, now printed by order of the House of Commons, the subject-matter of which contains a full exposure both of the present state of medical education in this country, and of the mode in which the different governing bodies have exercised their power.

The unprofessional reader will probably be enabled to form a clearer conception of the actual condition of medical education, and of the conduct of the bodies intrusted with power for the advancement of medical science, if, before entering into any ccount of these matters, a glance be taken of the subjects which is absolutely necessary to include in the curriculum of medical lucation, if the object be to render medical practice beneficial or even safe to the community.

Medical men have to act partly on the human body, and partly on the human mind. It is therefore necessary to the practice of this profession that they should acquire a knowledge of all that is to be known of the structure and functions of the one, and of the constitution and conduct of the other. To obtain a real practical knowledge of the structure and functions of the body requires a larger range of information than is obvious at first view. The human body is a complex machine, in the construction of which physical, chemical, and vital principles, are so combined and blended, that it is utterly impossible to obtain even so much as a glimpse of the real nature of one set of functions (the vital for example), without a previous knowledge of the other set, the chemical; nor can the chemical processes be understood without a precise and accurate acquaintance with the mechanical. The medical pupil can form no adequate conception, for example, of the circulation of the blood, considered as a vital function, unless he come to the study with a mind prepared by an acquaintance with the physical science of hydrostatics, by which he is taught the physical constitution of fluids in general; the freedom of motion of their particles among each other, in consequence of which they are acted on by the smallest disturbing force; the communication, by any disturbing cause, of the disturbing force equally throughout the mass; the comparatively small degree of elasticity (if any) possessed by fluid matter in general; the laws of the pressure of fluids; the equilibrium of pressures; and, finally, the action of fluids in vessels of small diameter on nearly contiguous surfaces. In like manner he is utterly incapable of understanding the chemical and vital part of the function of respiration, unless he have a previous knowledge of the physical sciences of mechanics, hydrostatics, and pneumatics, without the assistance of all of which sciences he cannot comprehend the principles on which motion is communicated to the air and blood, so that these two fluids are brought into mutual contact, nor the changes induced in each, in which changes the essential part of the respiratory function consists. No pains can enable him to understand, in the slightest degree, the structure and functions of the eye and the phenomena of

vision, unless he have a previous acquaintance with all that relates to the laws of the refraction and dispersion of the rays of light, on their entering into and passing through medea of various kinds and densities, at variable degrees of incidence and inclination, and through parallel or inclined surfaces; while to the successful treatment of the diseases to which the exquisitely sensitive and delicate organ of vision is subject, the diffraction of the rays of light, commonly the premonitor of some change in the natural and healthy condition of the eye, is an invaluable guide. So, in the application of his science to the conservation of the health, whether of private families or of public assemblies, it is for other reasons indispensable that the medical practitioner should possess an intimate knowledge of one of the physical sciences already adverted to (pneumatics), which teaches the weight and pressure of the atmosphere, its changes in volume, and consequently in density, under the influence of heat, by which changes heated air ascends, while a current of cold air necessarily rushes in to supply its place; whence the utility of chimnies; whence also the efficacy of ventilators placed in the upper part of sitting-rooms and dormitories; by virtue of the ascending power of heated air, vitiated and noxious air being rapidly carried off through these openings, and currents of fresh air as rapidly entering to fill its place. Intimately connected with this same science are all the phenomena of meteorology—that is, of rain, dew, evaporation, wind, &c. &c.; and the influence of these most important agents on the general health, and on the constitution of particular individuals as modified by various diseases, latent or developed, quiescent or active.

Nothing more need be said to show that physical science is the basis of a sound and comprehensive knowledge of almost every part of medical science, considered in relation either to its theory or its practice. A single consideration is sufficient to illustrate the paramount importance of an acquaintance with the philosophy of mind. Medicine itself may be considered as an inductive science, in contradistinction to surgery, which is in great part a matter of the senses. In general, the diseases which it is the province of the latter to treat are palpable to the eye or the touch: but by far the greater number of maladies to which the human body is incident, and which come under the treatment of the physician, have their seat in organs placed in the interior of the body, far from the reach of sense; the detection of the very existence of such diseases depends on the observation of signs, and the perception of the exact nature of those diseases, on a comparison of these signs with morbid changes of structure visible in the organs after death; that is, on

mental processes, to which accurate observation and logical deduction are indispensable; mental processes which do not spontaneously attain a state of perfection, but for the full development and the safe exercise of which much mental training is requisite. It may be added, as placing in a strong light the necessity of mental philosophy to the medical practitioner, that, as the mind acts upon the body, so the body re-acts upon the mind; and this mutual action modifies the states both of physical and mental disease in a manner which, of course, must be understood, before the management of such morbid conditions can be undertaken with the slightest prospect of success, while they cannot possibly be understood without an acquaintance with the physical and the psychological conditions on which sound thought and feeling depend.

So obvious, indeed, is the necessity of an accurate and extensive acquaintance with physical to the understanding of medical science, that, among all the witnesses examined by the Committee, there is, without the exception of a single individual, a perfect consent as to the absolute necessity of making the study of physics a preliminary part of medical education.

'Persons intending to practise medicine or surgery should receive a complete general education, as well as what is more strictly technical; for the living human individual being made up of parts and functions which are *mechanical*, or *chemical*, or *vital*, or *mental*—and the causes of disease, as well as all remedies belonging to the same four classes, which constitute the whole of human science; it is essential that the medical student should obtain considerable acquaintance with all of them; and therefore, as preliminary studies, should apply to, first, physics, or natural philosophy; secondly, chemistry; thirdly, physiology, or the philosophy of life, as deduced from examination of the animal and vegetable kingdoms; and, fourthly, psychology, or the philosophy of mind. These four departments, I think, are essential as preliminary studies. The time for the acquisition of these four departments, if well taught, and in the degree in which it would be necessary for a medical man to acquire them, would not be very great. A portion of the time now wasted on the ill-ordered study of the Greek and Latin classics would suffice for this purpose. A man so prepared would begin his medical studies with very great advantage, and might then, in quite as little or in less time than is now occupied by a very incomplete course of medical study, become the perfectly-educated medical man that I contemplate. To a certain extent, a knowledge of the learned languages should also be required. It was a saying of Milton, that in one year, by a better mode of study, the young men of this country might learn more of Greek and Latin than they did in seven years by the mode of study that prevailed in his day. I believe this, and that the system has not at all improved since Milton's day, at least, in the public schools and universities. Hence, holding that much

less time would be required than is now wasted upon study, in order to give to all persons of any application a sufficient knowledge of the learned languages, I would insist upon that knowledge being obtained.'—*Dr. Neil Arnott*, 2,453-2,459.

'The preliminary education should consist of a good classical education, a knowledge of natural philosophy, mathematics, natural history, chemistry, logic, and the philosophy of the mind. If education were cheap, there would be no difficulty in securing such preliminary education to the whole mass of medical practitioners.'—*Dr. James Clark*, 3,695.

'Much greater attention should be paid to the preliminary part of education—to the acquisition of general science.'—*Dr. Birkbeck*, 3,546.

'A knowledge of both languages, a knowledge of metaphysics, a knowledge of mathematics, are absolutely necessary as a preliminary education to physic.'—*Sir Henry Halford*, 349.

'It is essential to the character of an accomplished physician that he should have received, in addition to his medical attainments, the best and highest education within the reach of an English gentleman: an accurate and extensive acquaintance with classical literature and philosophy is of the greatest importance to the cultivation of medical science, and a great advantage in the exercise of the medical profession.'—*Dr. Macmichael*, 466.

'The College should require a degree both in arts and physic.'—*Dr. Elliotson*, 1,840.

There is the like universal consent as to the nature and range of the subjects which it is indispensable to include in the medical curriculum.

'Medical study should comprise a perfect knowledge of the structure of the body, anatomy; of the functions of the body, physiology; of the altered functions of the body, pathology; of the treatment of disease by all the means which the different departments of nature offer, therapeutics: this includes materia medica, pharmacy, surgery, &c., and medical jurisprudence. It is also very important that the student should be where, besides all this teaching, he has a good library, museum, botanical and zoological collections, and hospital.'—*Dr. Neil Arnott*, 2,156.

'Medical education should include anatomy, the practice of medicine, physiology, pathology, internal and external, including morbid anatomy, chemistry, pharmacy, materia medica, midwifery, medical jurisprudence, botany, and clinical medicine and surgery.'—*Dr. J. Sims*, 2,234.

'A physician should attend three courses of anatomical lectures, dissect for at least six months, go through the practice of physic and the materia medica, a distinct course of physiology, six months of surgical practice, and dressing for the same period, a course of medical jurisprudence, and a course of midwifery.'—*Dr. E. T. Seymour*.

The curriculum proposed, though not enforced, by the College of Physicians,

'Includes two courses, of at least six months' duration, of lectures on anatomy and physiology; two courses of lectures, of at least six months' duration, on the practice of physic; two courses of lectures on

materia medica; one course of lectures on botany; one course of lectures on midwifery; one course of lectures on forensic medicine; one course of lectures on surgery. Three years at least of attendance on the medical practice of some great hospital, containing, on an average, one hundred in-patients, and having a regular establishment of physicians and surgeons.'—*Sir Henry Halford.*

Whatever be the difference of opinion as to the beneficial or injurious operation on medical science of the existing distinctions between medical practitioners, and on the practical convenience of those distinctions, all the witnesses agree, in the most remarkable manner, in giving it as their opinion that the education of the physician and surgeon should be, in every essential point, precisely the same.

'With the exception of whatever bears upon the manual skill of the surgeon, all the principles of the various branches of medical science ought to be known in common by both the physician and surgeon.'—*Dr. Seymour*, 1,000.

'The physician may be called upon, at moments of emergency, to perform an operation in surgery; five minutes' delay might cause the loss of life. Although, after going through a certain period of study, the surgeon may apply himself more exclusively to acquiring manual dexterity in surgery, and the physician to studying more particularly medicine up to a certain point, the studies should run *pari passu*, and that point should be the moment of their examination, so that at that period they should be qualified to pass into the rank of surgeons or into the rank of physicians.'—*Dr. Billing*, 1,895, *et seq.*

'The greater part of the treatment of the average of surgical patients turns rather upon internal treatment than manual dexterity. In proportion as internal treatment is improved by the attention of surgeons to the study of medicine, the necessity of performing operations, or of acquiring manual dexterity, becomes less and less. Very much fewer operations are performed at the London hospitals now than some years ago. Medical practitioners are ostensibly divided into three branches, the physician, the surgeon, and the general practitioner; but the division does not in reality exist. The physician practises medicine almost exclusively; but nine-tenths of the practice of the surgeon is the practice of medicine, and nineteen-twentieths of the general practitioner's practice is medical. There is no distinction in point of practice, with the sole exception of the physician being understood to apply himself to diseases only, and the sooner that is done away with the better.'—*Dr. J. Sims*, 2,121.

'The surgeon ought to be a physician, and the physician a surgeon; but it is still more necessary for the physician to be a surgeon than for a surgeon to be a physician. In the outset of the profession, when ideas are first formed, it is of vast importance to come into contact with disease,—to see it—to feel it. A surgeon has this great advantage over a physician. The subject of his inquiry being external, he sees it, he handles it, he submits it to his senses. The physician, on the contrary,

the subject of his inquiry being internal, must become acquainted with it by signs.'—*Dr. Farre*, 3,430, *et seq.*

'In a perfect state of the profession any such distinction should not exist as now does; every medical man should be a completely-educated medical man. A completely-educated physician should understand surgery; a completely-educated surgeon should understand the practice of medicine; the education, in fact, should be the same, that individuals might afterwards chose the department in which they would like to practise. As a matter of course it would happen that the practice of different men so educated would divide itself into different departments; some for their own advantage, some from their own inclination, would exclusively follow medicine or surgery: it should be left in that way to itself, for there is not so great a distinction between a general physician and a general surgeon as between some surgeons confining themselves to particular departments of their separate branches. I would make no distinction between the education of a physician and of a surgeon. I think that every medical man, on completing his education and getting his diploma, should be competent, as all surgeons of the army, navy, and East India service are required to be, to treat any case of disease, medical or surgical, which may occur.'—*Dr. Arnott*, 2,443, *et seq.*

'The triple separation of the profession is injurious in this respect, that the surgeons are not required to furnish any proof of medical knowledge, and far less of any preliminary education; their examination and the privilege of practice conferred on them is strictly surgical; while, at the same time, nine-tenths of the practice is purely medical. The physician and surgeon should both be educated alike, as on the continent, and then let any one take up the branch of surgery or the branch of pure medical practice, according as it may suit either his studies or his peculiar ideas or wishes.'—*Dr. Copeland*, 3,282.

The unanimity of opinion and feeling on these important points, of the most distinguished and enlightened members of the medical profession, thus deliberately expressed and solemnly recorded, is a matter on which the public has cause for gratulation. These men, from their education and experience, the most competent judges, with a view to instruct and guide the Legislature, have thus in effect stated it as their deliberate and decided opinion that for the same reason that the preliminary and medical education, indispensable as a qualification for the beneficial and safe practice of the medical profession, is necessary for any one individual, it is necessary for the whole body; because, since the necessity of this education, at all, rests upon its being indispensable to the prevention and cure of disease, and since the prevention and cure of disease are the common objects to be accomplished by all medical men, it follows, of course, that whatever is indispensable to the accomplishment of these common objects is indispensable to the whole body.

The existing distinctions in the medical profession are, then,

merely modes of distribution, more or less convenient, of medical practice. They are usually considered as constituting different orders and defining different ranks and grades. In as far as they actually do this (and their practical operation is really to do so, to a very great extent) they constitute a fundamental vice in the present condition of the medical profession in England.

The object of the entire range of medical science, it has been shown, is single; the qualification for the practice of it the same; and the education necessary to give that qualification identical; there is therefore no rational foundation for any diversity of rank.

If any difference be made in the education (and on such a difference alone is it possible to found any pretence for constituting a diversity of rank) it supposes that in one course of study some branches of science are omitted which are included in another course. But the branches of science supposed to be omitted from one course of study are either necessary to qualify the medical man for the practical duties of his profession or they are not necessary; if not necessary, they ought to be included in no curriculum of professional education; if necessary, they ought to be excluded from none.

It is remarkable that, among all the witnesses examined by the Committee of the House of Commons, there is not a man who has ventured to say that there is one single branch of science necessary to be studied by the most accomplished physician which is not necessary to be studied by the humblest apothecary. Disease is not aristocratic and plebeian; not to be cured in the gorgeous apartments of the noble and the rich by a refined, elaborate, and recondite skill, inapplicable to the chambers of the ignoble and the poor. The operative surgeon requires a more accurate knowledge of the situation of the trunks of arteries and nerves than the physician; and the accoucheur, in some of the difficult cases requiring the assistance of his art, is in need of a manual dexterity not necessary in the ordinary practice of medicine; but the surgeon can dispense with the knowledge of not a single particle of science required by the physician, nor a physician with a particle required by the surgeon or the accoucheur. The science necessary to each is the same; and it is the different application of that science, the necessity of a greater or less acquaintance with the minute details of particular departments of it, which constitute the sole difference between the special cultivators of particular branches of the profession. The qualities required in those particular branches are not to be obtained by varying the course of the education, but by special applications of a common stock of knowledge, the result of all having passed through one and the same course of study.

It needs no great degree of penetration to see what must be the inevitable consequence of constituting a diversity of rank in the department of medicine. The only foundation on which such a diversity can rest, being, as has been shown, a difference in education, the highest rank will of course be restricted to those individuals who have enjoyed the advantage of the fullest and most complete education. But the fuller and more complete the education the greater will be the estimation in which the individuals known to have possessed it will be held; consequently the more they will be in request, and the better they will be paid. Higher rank will demand and will obtain higher pay; and the higher rank being restricted to those who have had the most perfect education, the best qualified to practise their profession will be those who look for high pay. But it is the few only that can afford high pay; the many cannot afford it. Of necessity, then, there must arise a second class of practitioners whose education having been less complete, and whose rank being inferior, will work for less pay. But what does this working for less pay imply? Less competence to prevent and to cure disease; in the precise ratio of the diminution of the pay the increase of the danger—that disease will be misunderstood and mismanaged. For the rich there will be one class of practitioners, qualified; for the poor another class of practitioners, not qualified: hence the ultimate result of this institution of a diversity of rank will be, that the full advantage of the healing art will not be extended to the many, but will be restricted to the few.

Nor will the evil stop here. Even the rich will not always pay highly for medical attendance when they can get it at a low rate. For what may appear slight diseases they will in general employ the practitioner in the lower grade. During the first days of sickness, which are commonly unattended with alarming symptoms, they will seldom call in the practitioner paid at the highest rate. The rate of pay when the disease assumes a formidable aspect is not considered; the highest skill obtainable is then earnestly sought for at whatever cost. But skill may now be unavailing: the disease may have made such progress as to be beyond human control. Diseases which ultimately prove severe sometimes set in with mild symptoms; mild diseases, neglected in the first hours of the attack, or improperly treated, become severe, and the severe inevitably mortal. In the present state of knowledge, neither the patient nor his friends is often able to distinguish, in the outset, a mild from a severe attack of disease; it will therefore sometimes happen, even among the rich, that life will be lost for want of skill, at the time when skill might have been of service; but that which will sometimes happen among

the rich will be a constant occurrence among the poor. It is clear, then, that the interests of the community absolutely require that every person who undertakes the management of disease should be made to pass through the very best course of medical education that can be devised.

To all this, however, it has been objected that one uniform course of education, and one uniform qualification for practice, would have the effect of degrading the profession in general, by reducing the whole body to the same level:—

'The effect of reducing the three branches of the profession, medicine, surgery, and pharmacy, to one faculty, would be the downfall of all three; it would reduce those which are professions now to a mere trade, and would be very fatal to the character of the whole medical profession, and very injurious to the public—it would reduce the profession to a low level; for if a low standard qualified persons to practise, there would not be much encouragement to learn more than was required by that standard.'—*Dr. Pelham Warren*, 1,404.

The answer is, that the proposal is not to reduce the standard of education to a low level, but to elevate it to a high one:—

'It is my opinion (says this witness) that the tendency of raising the standard of qualification of a certain number of those who follow the profession is to raise the character of the profession generally.'—1,438.

à fortiori,—the raising the qualification of every individual member of the profession to the same high standard must tend to raise 'the character of the profession generally.'

But then, it is urged, there would not be a sufficient supply of medical men to satisfy the wants of the community:—

'Supposing one standard of qualification to be required for all classes of practitioners, the effect must be this: there could not be a sufficient supply of medical men for the public; because, if there was but one standard of qualification, and it was a high one, few persons would be able to pass that standard.'—*Dr. Pelham Warren*, 1,405.

Supposing all who enter upon the study of medicine were obliged to go to Oxford and Cambridge to obtain their preliminary education, and then, in the language of the president of the College of Physicians, to 'go and find physic wherever it is to be found afterwards,' the process might, indeed, be so laborious and expensive as to afford good ground for doubt whether a sufficient supply of well-educated men could be obtained in this mode. But, supposing the simple plan were adopted of allowing the medical student to obtain his education, the preliminary and the medical part of it, wherever he could, in the places the most convenient and the least expensive to him, there can be no question that abundance of students would be found. For some years past, by the regulations of the Apothecaries' Company, the standard of

education for the general practitioner has been successively rising higher and higher, year by year; yet the number of students has not diminished. Young men have flocked to the schools with a better preliminary education, and knowing that a wider range of subjects and a deeper knowledge of each are required at present, than were necessary formerly, they have become more diligent students. In Scotland all the students of medicine, whatever department of practice they ultimately follow, go through pretty nearly the same uniform course of study; yet, judging from the annual importation of Scotch physicians into England, there does not seem to have been any remarkable lack of medical students in North Britain. Without doubt, were the standard of education raised high, and the course of education at the same time rendered expensive, the number that could pass that standard would be few, and the effect would be to generate and to force into practice a class of imperfectly-educated men, the dreadful evils of which would fall as usual chiefly on the defenceless poor. But a high standard of education, and cheap education, are not in their own nature incompatible, although the combination of the two ideas be utterly impossible in the mind of an Oxford and Cambridge man.

Of the witnesses examined before the Committee of the House of Commons, those distinguished at once for their scientific attainments and for their attention to the subject of education, not only give it as their opinion that the education of every class of medical practitioners should be the same, and that there should be but one qualification, but they labour to communicate to the Committee their own deep conviction that this is indispensable alike to the usefulness of the profession and the safety of the public. Some of those enlightened men state, moreover, that the conclusion to which they have arrived, after mature consideration of this subject, is that there should be but one honorary diploma for the whole body; and though others speak of the possible convenience, in practice, of having two grades, yet they admit that this would be most undesirable, unless the education of both grades were in all essential points identical. But it has been shown that if the education of the whole body were in every essential point identical, there could be no ground for its division into two honorary grades. Whatever might be the convenience of dividing the *practice* of the profession into different sections, as the education necessary to the accomplishment of the respective objects of those sections must be the same, the honorary testimonial of qualification for each, and the rank attaching to each, should be the same.

As an example of the clear and decided evidence given to this effect, in the Parliamentary Report, we cite the following:—

'I think one uniform qualification should be required for the whole profession; for now that the principles according to which education should be managed are becoming much better understood than formerly, it would occasion no hardship to require that all students should attain the same high standard of fitness. I believe that were all persons originally well-educated, and were there then offered, as motives to continued exertion through life, such distinctions or honours as the being members of council, heads and members of different sections of a general college, president of the college, and so forth, these would be sufficient to stimulate to and then reward the increasing attainments and the higher merits of individuals of the profession. I think the desire to attain professional success, the esteem of their professional brethren, and the honours above alluded to, would be sufficient motives to continue improving themselves after they have entered upon the practice of medicine; and the first course of study would be so complete, that the distinctions which would arise afterwards would depend chiefly upon the happier genius or natural qualities of the individual. At the present moment, there are physicians and surgeons very much distinguished among their similarly-educated brethren by their skill and attainments; so there would be then: but I do not think it would be expedient to have any fixed degree or honour beyond those that I now speak of, as members of council, professors, &c., among which should be included superintendents of hospitals, &c. All these would be honours belonging to the profession, and rendered as much as possible the rewards of merit. I believe it might be of advantage in a college or faculty of well-educated medical men, by whatever denomination known, that there should be sections paying attention to particular departments of the medical art; for instance, one for the purpose of improving manual surgery; those chiefly engaged in which might form a committee, or section; and, in the same manner, with respect to other departments; but the education and diploma of all should be the same. If all were very well-educated, they would not care for such distinctions (as could be conferred by honorary diplomas). As matters go at present, the honorary diploma virtually exists in the opinion which the profession generally form of certain individuals, consulting them when cases arise with which they are supposed to be more particularly familiar. The perfect education would not be an expensive education; so much time and money are now wasted, which might be saved if the education were conducted upon a superior plan. And I believe that if unworthy persons were excluded from the profession, so that it were one honourable body, as we now view the members of the clerical profession, the military profession, and so forth, the honour of belonging to it would be considered a part of the remuneration for service; men would be pleased to belong to the profession, although the pecuniary rewards were not very high, when the circumstance of belonging to it gave them rank in society. I do think that if all that is possible were done in the way of removing stamp duties, high fees for diplomas and hospital practice, &c., this improved system of education might be made so cheap as not to deter even those who purpose settling as practitioners in the country districts from receiving it. In Scotland, the practitioners are all physicians or equally-educated surgeons; and I may

remark that the present state of things in Scotland bears upon the question, whether a sufficiency of well-educated medical men could be found for the English provinces. Instead of there being a deficiency in Scotland, from what I hear, there is a superabundance, all over the country, of men who have received the most complete education which the schools of the country afford.'—*Dr. N. Arnott*, 2,458, *et seq.*

'I would have but one standard of qualification for the whole body, and I would endeavour to raise all to that; because I am quite sure, however high that standard is, the body of physicians will come up to it. I believe this is shown in regard to the Apothecaries' Company. There was a time when the young men could not have passed the examinations they do now; but the Company has raised the standard higher and higher, and the young men have come up to it.'—*Dr. Elliotson*, 1,834, &c.

'I think it would be for the benefit of the community if one uniform and pretty high standard were erected for all medical men.'—*Dr. J. Johnson*, 3,663.

'Should have no fear that the supply of the general practitioners would become too restricted for the wants of the community, were a uniform and a reasonable standard of medical qualification exacted by all the different bodies having power to grant degrees and diplomas. Where the standard of education has been raised, it has generally been found that no diminution of students has taken place, but rather an increase. A student will generally prefer to study where the standard is high, provided he have good abilities and is diligent.'—*Dr. T. Sims*, 2,142, *et seq.*

These considerations and statements sufficiently show what the medical profession should be. The most intelligent and highly-educated of the witnesses examined before the Committee labour for expression to convey their sense of humiliation at the condition in which it actually is, and in which it is intentionally and advisedly kept by the chief governing body. The Royal College of Physicians, established by a charter granted in the reign of Henry VIII., and subsequently confirmed by an Act of Parliament in the same reign, was instituted 'for the advancement of medical science, and for the protection of the public against the temerity of wicked men and the practice of the ignorant.' Six physicians named in the charter, together with all men of the same faculty then resident in London, were constituted one body, commonality, or perpetual college. The Act of Parliament constitutes a Board of Examiners, whose sanction was necessary to give to physicians and surgeons practising within the precinct of London a legal right to practise; but all who received that sanction were admitted, if they pleased, into the body of the College—'were eligible to become corporators, provided they chose to be incorporated.' Instead of exercising their power for the accomplishment of the objects contemplated by the charter, the mem-

bers of this College have from a very early period directed their efforts solely to the promotion of their own personal aggrandizement, or the corporate advantage of the body. They began by making certain bye-laws by which physicians practising in London are divided into two orders, one denominated fellows, the other constituting by far the majority, termed licentiates. According to one of these bye-laws, no physician can claim admission as a fellow unless he has graduated or been admitted *ad eundem* at the universities of Oxford and Cambridge; physicians who have graduated at other British or foreign universities are not admissible to examination for the fellowship. The fellows have engrossed all the corporate power, offices, privileges, and emoluments attached to the College; the licentiates in no degree participate in these benefits, but are excluded from all the offices and any share in the management of the corporation; and so far is this principle of exclusion carried, that the licentiates are not even admitted to the library or museum of the College. At one time the College went so far as positively to limit the number of fellows, and fixed the maximum at twenty*. The bye-law, limiting the number of fellows, was in force up to the middle of the last century. All these proceedings were illegal, conceived in the spirit of monopoly, and having gross and base monopoly for their sole end. The proceedings of the College were at length declared by Lord Chief Justice Mansfield to be illegal. It became imperative on the College to alter their bye-laws; they did so, and in the following mode: they passed two dispensing bye-laws; one, that the president might propose a certain number of licentiates, within a certain interval, who should be admitted to the fellowship without examination; the other, that any fellow might propose a licentiate of ten years' standing at any time to be admitted after examination. The operation of the last statute is guarded in the following manner: before the licentiate can get into the fellowship, under this bye-law, he must pass through *nine* ballots. In the first place, when he applies to obtain his licence he passes through three ballots, one in each examination before the censors; next, he passes through one ballot before the body at large assembled in the *comitia majora*, and if he came up to the fellowship under the seven years' bye-law, provided there were any chance of it, he would have to pass through five more before the *comitia majora*, which would make in all nine (2,055):—

* The consequence was, that nineteen-twentieths of the whole medical practice of the country, that is, the general practice of the healing art, was thrown into the hands of persons not physicians, and in their hands it has been retained up to the present moment.

'I should think, says one of the fellows, this is enough to frighten most men—to stand the chance of being examined by a whole college; not by a few individuals, but by an assembly. A licentiate would have to submit to examination from every fellow in the room before the whole body, and he would stand the chance of being examined by men who were much his juniors; perhaps who had been his pupils; it is too terrific, I think.'—*Dr. Elliotson*, 1,704.

Accordingly, from the first passing of this statute down to the present time, a period of seventy years, not a single licentiate has been admitted under it:—'There have been many trials,' says Mr. Law, counsel for one of the licentiates, 'but no one has ever got through that wicket, or ever will.' In fact, the bye-law is deceptive, and was framed for the express purpose of deluding. Pretending to open the door to admission, it was intentionally and cunningly devised to keep up, and even more effectually than before to secure, exclusion; and it has answered its end. Then, although, under the bye-law by which a licentiate may be admitted without examination, on the recommendation of the president, there appears to have been nineteen admissions in the period of seventy years, yet admission by this mode is open to every conceivable vice. It gives to the president irresponsible power, which he cannot, if he would, exercise justly and beneficially, because he has, and can have, no means of ascertaining the comparative merits of the licentiates; it opens wide the door to favouritism, and on the body of the licentiates it operates differently indeed, according to the different natures of men, but badly on all; in some inducing subserviency, in the hope of being called up to the higher rank; in others estrangement, through the fear of being suspected of courting favour *.

* Since the above was written, the College, by a single act, has adopted into the fellowship fifteen licentiates—namely, ten resident in London, and five non-resident in the metropolis. For some years past, the president could not find a single licentiate worthy of admission: 'I did not,' says he, 'recommend a licentiate for admission last year (1834). I will state fairly before the Committee, that if I had seen a person of extraordinary eminence, who was entitled to that distinction, I would have done it last year; but I did not see *one* of pre-eminent distinction' (99—102). Yet, the body of licentiates remaining precisely the same, the president has this year (1836) found no less than *fifteen* of pre-eminent distinction; that is, as many, excepting four, as have obtained 'extraordinary eminence,' and have therefore been found worthy of admission during the last SIXTY-THREE years! This appearance, in the short space of two years, of fifteen persons of 'pre-eminent distinction,' all the individuals, meantime, being the very self-same persons, is truly marvellous; and the wonder is not diminished when the names, which have thus suddenly acquired 'extraordinary eminence' are compared with those which have remained undistinguished, and which, therefore, have not been deemed worthy of admission. Three out of this fifteen would appear to consider themselves already sufficiently distinguished, for, to their honour be it recorded, three of the physicians thus invidiously, and for base objects, selected from the body of their brethren, have declined both the 'extraordinary eminence' and the 'pre-eminent distinction' offered them by the College.

The College of Physicians has not accomplished a single object for which it was instituted. It has done nothing for the advancement of medical education. It has made no effort to promote it. It has appointed no curriculum of study. It has, indeed, proposed one, since the gross neglect of its duties has become the subject of public discussion; but with the effort of proposal its labour terminates, for there lies the curriculum on its records, unenforced, a dead letter. Yet the College is not inactive; it is not disregardful of education; it provides for its elect; it sends them to Oxford and Cambridge, where there is indeed no medical education, but 'preliminary education and morals.'

'The members of Oxford and Cambridge are people who have undergone a moral and intellectual trial in the universities: they are domiciled at Oxford and Cambridge, but not at Edinburgh or Aberdeen, or any other university from which they may come.'—*Sir Henry Halford*, 54-113.

'The discipline of the English universities is such as to be, in every sense, a security of the moral character of the candidate: by giving him right feelings, and enlarging his mind, it is the best security you can possibly have. The circumstance of having completed the residence required by the English universities, and been subject to the discipline observed there, as attested by the degree, is the most obvious and the highest testimonal of character and general education that can be procured. I can conceive of no one better.'—*Dr. Macmichael*, 518-844.

Yet in the very same breath this witness admits, and this admission is confirmed by the testimony of the president of the College, that the College have no means of knowing the character or conduct of the Oxford and Cambridge student; that no inquiry whatever is ever made into the matter; that it would be a work of supererogation, nay, even a piece of impertinence, 'to ask a single question about it.'

'They are obliged to produce no testimonials from the professors of the courses of lectures they have attended, or of their general deportment. We have no means of knowing the facts; it would be very impertinent in the officer of the college to ask a candidate how he had kept his terms if he had the document; it would be impertinent to ask how they passed their studies; it would be very unusual; it is not required by the charter, nor practised by the College.'—*Dr. Macmichael*, 606, *et seq*.

The College, which takes this remarkable care of the preliminary education and the pure morals of the embryo-fellows, provides for their attainment of medical knowledge, according to the president's own account, by leaving them 'to go and find physic wherever it is to be found afterwards.'

Of the medical education of the licentiates the College formerly took the like paternal care, by requiring that the candidate for the

medical licence should, previously to examination, present his diploma of doctor in medicine, granted by some university of established reputation—a document which attested that the candidate must have gone through at least a regular course of medical education. But retaining all its odious restrictions, as to the admission of its own select fellows, within these few months, as if to show that its care of education keeps pace with the progress of science, the College has repealed that part of the statute which requires that the candidate for a licence shall possess a degree in medicine; so that, without imposing any curriculum, without asking even where the candidate has studied, and much less without being guilty of the impertinence of asking 'how he has passed his studies,' the College throws open its door to every comer with perfect disinterestedness and with the most careful guardianship of the privilege and dignity of the licentiate. This is a piece of reform originating spontaneously with the College, and it is at once an indication and an expression of its own notion of voluntary reform.

The College of Physicians has done nothing for science. With few and rare exceptions the labourers in the field of medical science, the discoverers and advancers of medical knowledge, are not fellows. During several centuries, that is, from its first incorporation up to the present time, the College has published six volumes of Transactions, about two-thirds of which only have been contributed by fellows. In considerably less than thirty years the transactions of the Medico-Chirurgical Society of London, the chief contributors to which are licentiates—transactions which are said by one of the witnesses, a competent judge (3,223), to be 'the most valuable, perhaps, of any collection of papers that have been published in Europe since the commencement of this century,'—have amounted to eighteen volumes. Even the little work which the College takes under its own special charge, the Pharmacopœia, does not keep, and never has kept, pace with the progress of knowledge. At the present moment there are not to be found in it even the very names of many of the most powerful medicines which have long been introduced into general practices, and which are found by universal experience to be in nature the most efficient, and in form the most convenient, of all the remedies at the command of the physician.

The fellows of the College of Physicians have usurped almost every professional station of importance in London; all the stations which afford the best opportunities for the acquisition of that species of knowledge by which alone the science of medicine can be really advanced. To the hospitals at present existing in London there are, taking altogether, about thirty physicians. Of these

from four to six (not less than four, nor more than six) are licentiates; the remaining twenty-four or twenty-five are fellows. Over and over again, by all classes of witnesses, it is stated in the Minutes of Evidence taken by the Committee of the House of Commons, that the metropolitan hospitals are virtually shut against the licentiates. In these most important stations incompetent persons are placed by the influence of the College. Many cases are detailed in which physicians, licentiates (candidates for these offices) of long standing, of large experience, and of great celebrity, have been defeated, through the influence of the fellows of the College, by young men just arrived in London from Oxford and Cambridge; and in some cases vacancies in the great hospitals have been actually kept open for months and months together to allow of sufficient time for these 'young people, whose morals have been guarded with so much care,' to finish their College studies, and to enable them to obtain the diploma requisite to allow of their election to an hospital. To such an extent has this been carried, that latterly respectable physicians (licentiates) have for the most part been deterred from appearing in the canvass; 'for they seem in the public eye to have been fairly weighed in the balance against the very youngest members of their own profession, and they return defeated, and with their characters lowered' (4,282).

Scientific and industrious physicians being thus excluded from the public institutions, the invaluable opportunities afforded for the advancement of medical science are lost. The chief sources from which extended and varied knowledge can be obtained (necessary alike to the correction of old errors and the discovery of new truths) are occupied by men 'who have graduated at universities where medicine is not taught; who consequently are insufficiently imbued with a desire of medical research, and who, owing to the monopoly in their favour, are not induced to obtain reputations by attempting any improvements in the science' (3,196). Accordingly, the contrast between the knowledge afforded by the hospitals in London, and that accumulated and recorded by the great hospitals in the other capitals of Europe, is truly humiliating.

From the hospitals of Vienna reports of the more important cases have been given to the world through Van Swietten, Stoll, De Haen, Hildebrand, and others; in the hospitals of Wilna, Pavia, &c., by the Franks, father and son, and by the younger Hildebrand; at the hospital at Halle, by Reil; and at Copenhagen by Bang. The transactions of the physicians of Berlin, published in about thirty volumes, the transactions of the Royal Medical Society of Copenhagen, and the immortal works of

Bonet and Morgagni, all chiefly results of hospital practice, form most valuable works of reference to the practitioner and medical instructor. The Parisian hospitals have afforded the inestimable facts published by Pinel, Broussais, Andral, Laennec, Lallemand, Tacheron, Creveilhier, Louis, and a number of others (3,270). Meantime the hospitals of London, in number, magnitude, and resources, the noblest institutions in the world, have contributed, with slight and very recent exceptions, nothing to the common stock of knowledge. No history is taken of the cases admitted; no report is made of the medicines prescribed, of the progress of the disease, or of the result; no record whatever is kept of the most instructive cases that daily take place. With the amplest means of accumulating invaluable stores of knowledge, and more especially of laying a foundation for the science of medical statistics, a science capable of being applied to practical purposes of daily occurrence and of unspeakable importance, there is not even the most imperfect register of events. Were a second Hippocrates to enter London with a mind capable of generalizing the results of modern experience, and of expressing them in aphorisms for practical use, in the books of the London hospitals, where there ought to be accumulated all the materials for his purpose, he would find not a single register of which he could avail himself in the slightest degree. And this comes of fellows who 'get their preliminary science and morals at Oxford and Cambridge, and go to seek physic wherever it is to be found afterwards.'

Even as schools of medicine to the pupils of the day, the London hospitals are most deficient. All the witnesses agree in stating, that from the great population of London, and the vast extent and variety of disease occurring in its hospitals, these magnificent institutions afford facilities for forming the best medical schools in the world; yet as they are actually managed, the general statement by the witnesses is, 'medical knowledge can hardly be acquired in them on the part of pupils' (3,248).

Idle and inefficient on its own part, the College of Physicians has opposed, with the bitterest hostility, the formation and advancement of every other institution which has successively arisen, having for its object either the promotion of medical science or the improvement of medical education. It opposed the formation of the Medico-Chirurgical Society; it expressly and formally forbad any fellow from taking a part in its institution; and all its efforts having failed to prevent the existence, and to check the prosperity of the new society, the College then exerted whatever influence it had with the Government to prevent the rising institution from obtaining a charter. It opposed with the same

violence the passing of the Act by which the Apothecaries' Company is vested with the power of granting a licence to practise medicine after examination: a power which indeed originally belonged to the College, but which it had wholly neglected to exert for the accomplishment of the objects for which it was given, a power which the College is at this very moment endeavouring to re-obtain by indirect means, and without the avowal of its object; and in perfect accordance with the spirit which it has indicated on every other occasion, has been its hostility to the London University.

The College of Physicians takes large sums of money from the fellows and licentiates practising in London, under the pretence of protecting them in their professional practice; a protection which it does not, and never has, and never can, afford.

The College of Physicians, the only body in the country consulted by Government whenever occasions have arisen in relation to which medical knowledge has been required, have had many opportunities of performing signal service at once to the people and to the profession. Of these occasions the College has rarely if ever availed itself. Instances might be mentioned in which it has given bad advice; in which it has given no advice when wisdom and energy might have prevented much evil and achieved much good, and on occasions when individuals have been labouring zealously, but under many disadvantages, for the accomplishment of objects universally acknowledged to be of the last importance to the public usefulness of the profession; nay, to be at the very foundation of sound medical education; for example, in the efforts that were necessary to carry the Anatomy Bill, the College moved no finger in co-operation.

Out of the total number of physicians practising in London, according to the catalogue of 1835, the number of fellows is 115, and the number of licentiates is 268. The fellows alone claim to be *the* College. But this assumption by the few of the powers, privileges, and emoluments of the many, is a gross usurpation; it has been declared to be illegal; it originated in base motives; it has been directed to base ends; its influence on the progress of science has been most baneful; on the public interests its operation has been, and is, highly pernicious; it is inconsistent with the spirit of the age, and it will be disgraceful to the present Government if, now that a fair opportunity has arisen of reforming this corrupt and mischievous body, it do not either reconstruct it or substitute some new and efficient governing body in its room.

We have dwelt the longer on the constitution and conduct of the College of Physicians, because that is the oldest of the go-

verning bodies and the highest in rank; and because it has imparted its own spirit to the management of the other two. The College of Surgeons, the next of the corporate bodies in antiquity and rank, has followed with no tardy steps the example of its prototype. This body derives its authority from a royal charter. It consists of a council comprising twenty-one members, a board of examiners consisting of ten members elected by and members of the council, a president and two vice-presidents annually elected from the council, and an indefinite number of members. According to the list of 1834, the latest published, the members of the College of Surgeons amount to 9,270. Of this number 1,206 are resident in London and within three miles thereof; 5,406 in the cities, towns, and villages of England; and the remaining number in Ireland, Scotland, Wales, the East and West Indies, and the colonies.

The College of Surgeons is in possession of the finest museum in Europe, purchased by Government of the executors of John Hunter; given in trust to the College for the purpose of advancing anatomical and surgical knowledge, and placed under the guardianship of a board of trustees consisting of many of the great officers of state, who are members, *ex-officio*, and of other distinguished persons, who are elected. The College also possesses a highly valuable library, to which the members are admitted daily, and to which other persons may be admitted on application to the Board of Curators.

The affairs of the College of Surgeons are under the sole control of the council,* whose powers are most extensive. The constitution of the council is as follows:—The number of its members is restricted, as has been stated, to twenty-one, all of whom must be members of the College; but, according to a bye-law of the council, no member of the College who practises as an apothecary, or as a midwife; no member, in fact, who does not confine his practice ostensibly to surgery, that is, who is not what is technically called a pure surgeon, is eligible as a member of the council. Out of the 9,270 members of the College there are about 100 residing in London, and about the same number dispersed over the country, who, under this bye-law, are eligible as members of council. The effect of this bye-law, then, is at once to disqualify from any participation in the government of the body, 9,070 of the members of the college, out of 9,270. The remaining 200, who are eligible, are next reduced to one-half by the rule (invariably regulating the practice) which requires, that every member of council shall be a pure surgeon resident in London. The result is, that out of 9,270 members of the College of Surgeons there are only 100 who are eligible as mem-

bers of the governing body. This 100 is still further reduced, indefinitely, by the following curious process. When a vacancy occurs in the council, and the *election*, as it is termed, of a new councillor takes place, six names are selected from a list containing the names of all the members of the council that are eligible. If it so chance that the junior member on this list be the one elected, the remaining five become for ever afterwards ineligible. The account given of this operation by the president of the College of Surgeons is as follows:—

'On the occurrence of a vacancy a meeting of the council is convened. A certain charge is read to the council, to remind them of the important duties they have to perform; and the elderly gentlemen used to address the council upon the subject of the high moral character and the great attainments which the candidates ought to possess; but we have lately considered that rather matter of supererogation, and have not been so formal about it as heretofore. The chronological list is then read, beginning with the name of the gentleman last elected. Many names are usually called over, until at last we come to the name of a gentleman who seems to be a proper person, *i. e.*, who is prominent in surgery, who lives in London, and practises neither pharmacy nor midwifery, and is not known as a special branch practitioner. Any member of the council then says, I propose Mr. So-and-so. We do not now require that the proposition should even be seconded; and we go on reading the list till we have six names before us. That being done, the president announces that the business of the day is over, and he fixes another day for the election. And then we begin once more the chronological list, *in order to prevent a mistake*, (as if every member of the council did not come into the room predetermined for whom to vote,) that no man may have had his name passed over accidentally, and to give gentlemen an opportunity to correct their opinions: that is, they may add other names to the list, if they please, even at the last moment, provided it stands on the chronological list, before the first one named on the former occasion. As soon as any member proposes a name, and the proposition is seconded, we go to ballot; but if any gentleman opposes, then he gets up and says, that he opposes upon such and such grounds. We then proceed to the ballot, and the ballotting-box is taken up to the president, who opens it before the two vice-presidents, and declares that Mr. So-and-so is, or is not, elected; and nobody knows anything of the contents of the box but the president and the two vice-presidents. If the ballot is unfavourable, we proceed to read the chronological list again, until another person is proposed and seconded; and so on, as before, until one is elected.'

The examination of this witness then proceeds as follows:—

'The six stand in the order of their seniority?—Yes.

'You have stated that, when a vacancy occurs, you commence at the name of the gentleman last elected; so that you never resume again the consideration of the names of the members once passed over, who were senior to the gentleman last elected?—No.

'Then of the six, suppose that, not the senior, but the junior was elected?—Then the consideration of the admission into the council of all the first five, or any other names that may have been suggested and set aside, can never be resumed again by the College; and which, I think, is so great a hardship, that I am ready to propose an alteration and a suggestion upon that subject.

'Is this proceeding regulated by bye-law?—No; it is regulated by custom.

'Would not proceedings of this important nature be better regulated by bye-law?—I do not think it makes any difference.

'Does not that mode of proceeding tend very much to limit the number of members out of whom a new councillor can be chosen?—I do not think it does, *practically*: because we have at this moment, I believe, eight or ten gentlemen qualified to be elected.'

So, the President of the College of Surgeons thinks that the bye-laws and customs which regulate the election of the members of council have not *practically* tended 'very much to limit the number of members out of whom a new member can be chosen,' because out of a body of members amounting to 9,270 there are at this moment (28th of April, 1834,) eight or ten gentlemen qualified to be elected. And this mode of election, according to this witness, 'is not *self-elective*, but *self-perpetuating*;' a distinction which expresses the result strikingly and with perfect exactness. Election there is none; self-perpetuation, the object really aimed at, is effectually secured.

Among the functions of the council, that of examining students in surgery, after they have gone through the prescribed curriculum, with a view of determining whether they are fit to enter on the practical duties of their profession, is one of the most important. This office is intrusted to a court of examiners, which consists of ten members selected from the council, according to seniority. From this custom of selecting the oldest members (as the members of the council are chosen for life), it must necessarily happen that the persons on whom the examination of candidates for the surgical diploma devolves are, for the most part, of advanced age. It is stated in evidence, that some of the examiners have actually been upwards of eighty, and even ninety, years of age. It is difficult to make a *viva voce* examination efficient under any circumstances: that of the council of the College of Surgeons is acknowledged to be totally inadequate to secure the object of examination. It would be wonderful, indeed, were it otherwise, when men thus advanced in years are intrusted with the office of ascertaining the proficiency of young men who have just completed their studies in the hospitals and dissecting-rooms—men who have forgotten the details of anatomy, who have not kept pace with the progress

of physiology, and who are in arrear even in regard to the improvements introduced into practical surgery. Some facts have come out in evidence sufficiently illustrative of the consequences of imposing this task on these 'ancient gentlemen:' for example, the details are given of the case of a young man of exemplary diligence and high talent, who suffered the stigma of rejection in consequence of the examiners' ignorance of the principles of modern surgery. That student was rejected for giving an answer in accordance with the received doctrine of modern surgery. 'He stated the circumstance to me,' says the witness (R. D. Grainger, Esq.), 'and I recommended him to go to the president of the council, at that time Mr. Abernethy, which he did the next morning. Mr. Abernethy told him that his answer was perfectly right; but that, since he (the student) had acquiesced in the judgment of the court by not appealing, there was no remedy.'—(6,671.)

Into the hands of the council of the College of Surgeons have fallen all the metropolitan hospitals, just as the practice of medicine, in those same hospitals, has been engrossed by the fellows of the College of Physicians. Consequently, the great field for the improvement of surgical science, and for the instruction of the surgical student, has been occupied by the members of the council, to the exclusion of the great body of the members of the College. That the power thus usurped should be impartially, liberally, and beneficially used, was not to be expected. That it has not been so used is manifest from the fact, universally admitted, that the council as a body has done absolutely nothing for science, and nothing for education: they have published no Transactions: with their enormous funds they have founded no prizes and instituted no scholarships: there is not in fact a single example of their having done anything whatever to reward merit or stimulate industry; while there are on record several flagrant examples of their having done, what in them lay, to discourage and depress both. Of this one instance may suffice as a specimen: some years ago, anatomy and surgery were so badly taught at the great hospital schools that a private school was attempted by a young man of extraordinary talent and energy, the late Edward Grainger, the founder of the Webb-street School. His exertions were successful. Pupils crowded to his lectures, and, other persons following his example, a number of private schools were established, in many of which medical and surgical science were incomparably better taught than in the hospital schools. After these private schools had been established several years, and when the teachers were labouring in their vocation with unabated diligence and success, the council of the College made

a desperate effort to put these innovators down. In 1824 the court of examiners passed a bye-law to the effect, that, 'in future, certificates of attendance at lectures on anatomy, physiology, the theory and practice of surgery, and of the performance of dissections, be not received by the court, except from the appointed professors of anatomy and surgery in the universities of Dublin, Edinburgh, Glasgow, and Aberdeen; *or from persons teaching in a school connected with, and accredited by the medical establishment of one of the recognised hospitals; or from persons being physicians or surgeons to any of such hospitals.*' They likewise issued the following regulation:—

'That certificates of attendance on the chirurgical practice of an hospital will not be received by this court, unless such hospital be in one of the above recognised schools, and shall contain, on an average, 100 patients. This court will, however, receive, as testimonials of education, certificates of attendance on provincial hospitals, containing respectively 100 patients, provided a student shall have previously attended two courses of lectures on anatomy and physiology, performed two courses of dissections, and attended two courses of demonstrations, in any of the above recognised schools. But the term of attendance on such provincial hospital shall be for twice the period required at hospitals in any of the above recognised schools of anatomy.

'That the following hospitals in the recognised schools of anatomy shall be accredited by this court, viz., St. Bartholomew's, St. Thomas's, the Westminster, Guy's, St. George's, the London, and the Middlesex, in London; the Richmond, Stevens', and the Meath, in Dublin; the Royal Infirmary in Edinburgh; the Royal Infirmary in Glasgow; and the Royal Infirmary in Aberdeen.'

Now, the Manchester Infirmary has 180 beds, the Fever Hospital attached to it 100 beds, and the Lunatic Hospital 80—in all 360 beds; while the number of accidents is 3,000 annually. The Westminster Hospital, at that time, did not contain 100 beds: it is stated in evidence, that it contained only 75 beds. Yet the Westminster Hospital was recognised, and the Manchester was not: but then at that time four of the surgeons belonging to the Westminster Hospital were members of the council of the College of Surgeons! It is only necessary to add, in conclusion, that all these proceedings on the part of the council relative to the suppression of the private schools were illegal, were declared to be so by 'the standing (legal) council' of the College, and the College were obliged subsequently to abrogate their bye-law, and to rescind their regulation.

There is one instance of the neglect on the part of the College of Surgeons of a most important trust confided to them, so flagrant and deplorable, that every degree of publicity ought to be given to it, and it will fix a lasting stain on every name included at that time in the council of the College.

The Museum of the late John Hunter was purchased by Government in the year 1800, who gave for it, in all, the sum of 27,500*l*. This Museum was given by the Government to the College of Surgeons in trust for the public. To their care were also confided all Mr. Hunter's papers and manuscripts referring to the collection. Without any one interposing to prevent it, these manuscripts were allowed to be separated from the collection, and were taken away in a cart to Sir Everard Home's house, who was considered the only person who could make a catalogue of the collection, and who expressed his intention so to do. Year after year, however, was permitted to pass away without the preparation of the catalogue, and without any supervision of the manuscripts from which alone an account of the Museum could be derived, and without the slightest care being taken to ascertain that those valuable documents were in safe custody, when one day in July, 1823, that is, twenty-three years after the collection had been in the possession of the College of Surgeons, Sir Everard Home informed Mr. Clift, the conservator of the Museum, that he (Sir Everard Home) had just been employed IN BURNING ALL THE PAPERS.

'Sir Everard Home began by telling me that an accident had very nearly occurred at his house: that it had been nearly on fire: that the engines came, and the firemen insisted upon taking possession of his house. They saw the flames coming out of the chimney. He did not wish to admit them, but they insisted upon being admitted. I asked how it had happened, and then he told me, *that it was in burning those manuscripts* of Mr. Hunter.

'Where did this conversation pass?—On our road to Kew.

'That was the first intimation you ever had of the destruction of any of the manuscripts?—Yes.

'What were your feelings at the time of receiving that information?—I can hardly describe them. I said to him, "I hope, Sir Everard, you have not destroyed those ten volumes relating to the gallery?"—He said, "Yes." "And Mr. Hunter's lectures?"—"Yes." And then I mentioned perhaps twenty others, that I had a very perfect recollection of.

'Will you go on and describe the state of your feelings, and what passed?—I can hardly describe them, because I felt that all those hopes that I had entertained were entirely frustrated and destroyed. I considered that my life had been spent in the service of that collection, and I hope to have lived to see those papers beneficially employed. When I had made inquiry respecting the principal of them, and he told me they were all gone, I said to him "Well, Sir Everard, there is only one thing more to do." He said, "What is that?"—I said, "To burn the collection."

'In the course of this conversation did you ask Sir Everard what had led him to take this step?—I knew that that week Sir Everard had

received back from the printer the last proof of his second volume of "Lectures on Comparative Anatomy;" and that he had used those papers very largely in the composition of that work.

'Can you state, from the knowledge you obtained of the manuscripts while you had access to them, that Sir Everard Home had largely used their contents in the composition of the volumes which he issued under his own name?—Yes.

'State, according to the best of your recollection, what the papers were that were destroyed?—I cannot pretend to give an account of half of them from recollection. At the time, I had, and have now, memoranda of, I believe, all the manuscripts that I did recollect at the time, giving the titles of all the papers destroyed that I knew once existed.

'Will you refer to any memoranda you have on the subject, and state, as nearly as you can, what the papers were that were destroyed? —Among them were nine folio volumes of dissections of animals, viz., vol. 1, Ruminants; vol. 2. Animals, Sine Caeo; vol. 3, Monkey and its Gradations; vol. 4, Lion and its Gradations; vol. 5, Scalpris Dentata; vol. 6, Anatomy of Birds; vol. 7, of the Tricoilia; vol. 8, Anatomy of Fishes; vol. 9, Anatomy of Insects. There was one volume on the Natural History of Vegetables. There was also a great number of Fasciculi, among which were the following:—Introduction to Natural History; Numerous Physiological Observations; Comparative Physiology; Comparison between Man and the Monkey; On Muscular Motion, being subjects of Croonian Lectures; Effects of Ex-extracting one Ovarium upon the number of Young produced; Experiments on Ewes, with a view to determine Impregnation and Uterine Gestation; on Monsters; on the Skeleton; Dissection of the Tapir; Dissection of the Armadillo with nine Bands; Animals from New Holland; Piked Whale; Bottled-nosed Whale; Finback Whale, and Porpoise; Worms in Animals of the Whale Tribe; Bell Barnacle; on the Eel; Anatomy of the Holothuria; Anatomy of the Siren of North America; Account of a Unicorn Fish, from Hispaniola; the Earthworm; Progress and Peculiarities of the Chick; Description of Rymsdyk's Drawings of the Incubation of the Egg; General Observations on Insects, the Bee-tribe, Humble-bee, Wasp, Hornet, and on Beetles; Anatomy of the Silk-worm; Anatomy of the Moth; Red-piped Coral; on Fossil Bones, two parts; Observations on Surgery; Observations on Scrofula and Cancer; Lectures on the Principles of Surgery; Cases with *post mortem* examinations; Cases where no *post mortem* examinations were obtained; two Solanders of Cases, written out separately and fairly.'

A range of subjects like this, imperfect as the enumeration is admitted to be, investigated with the originality and the wonderful industry of this extraordinary man, would probably have given a new aspect to the sciences of anatomy and physiology in this country; and there is not wanting evidence that the results, as recorded by Mr. Hunter himself, really had anticipated dis-

coveries which have given deserved and enduring fame to men of other countries. At all events, the College of Surgeons, as conservators of the works and reputation of Mr. Hunter, and as trustees for the British public, held records, of which they made no use for upwards of twenty years, and which they ultimately allowed to be destroyed.

Sir Everard Home gave out that he had burned all the manuscripts in question, amounting, as has been stated, to ten volumes in folio, in consequence of a promise made by him to Mr. Hunter to that effect, although Mr. Hunter's own opinion of the value of those books may be inferred from the fact that he himself selected three of the volumes, and placed them on the table beside him when his portrait was painted by Sir Joshua Reynolds, and the evidence is irresistible that Sir Everard Home could have received no such instructions from Mr. Hunter.

'I had a conversation,' continues Mr. Clift, 'with Sir Everard afterwards, in which I stated that it could not be true that Mr. Hunter, when dying, gave any such directions, because I was the last person in his family who saw him alive, and I knew that Sir Everard was not present at his death.

'State as nearly as you can what the conversation was?—It was entirely on the subject of those papers. He told me, that I must have known that those papers were not fit to be submitted to the public eye, because they were in such a state. He said the spelling was not very correct. I said that I did not consider my eye the public eye; that he knew very well that if this catalogue ever was to be made, the labour must have come to my share; that he would have been very welcome to all the credit, so that the thing had been but done.

'Did Sir Everard Home say anything to you about the time and place where the directions were given to him by Mr. Hunter to destroy the manuscripts?—Yes; he said at the time of Mr. Hunter's death, when he was dying, and I said, "that is impossible."

'What was his remark upon that?—He made no answer.'

The conduct of the council of the College towards Sir Everard Home on the discovery of this affair is in perfect keeping with their conduct towards Mr. Hunter. They passed no censure on this violator of a double trust: the trust confided to him by Mr. Hunter himself, who had made him his executor, and that confided to him by the College: they took no steps to expel him from the council, of which he remained a member until near the day of his death; and they allowed him to die a trustee of the Museum, in which they placed his bust, where it still remains. An opinion may be formed of the mode in which this transaction was viewed by the council from the recent observations upon it by the president.

'I believe Sir Everard Home (*if we must make a culprit of*

him after he is dead) destroyed little which was valuable. *I believe he made use of it, and did not wish the record to remain behind after he had made such use of it.* I do not think there was much of very essential matter destroyed; at least, if there was, we have no positive knowledge of it, and it is now too late to rectify it!'

Such is the comment on this 'deplorable' transaction of the present president of the College of Surgeons. The body who undertook to be the conservators of the labours of the life of John Hunter, and who brought their charge to such an issue, enjoy the privilege of having a president worthy of themselves.

Little need be said of the third governing body of the faculty of medicine, the youngest in point of age, and the lowest in rank, the Society of Apothecaries.

The Society of Apothecaries is a trading company, precisely similar to the other trading and corporate bodies of the city of London: 'they keep a shop, and deal in drugs and medicines.' In consequence of the neglect of their duty on the part of the College of Physicians, innumerable persons were allowed 'to practise as surgeons, apothecaries, and midwives—to dispense medicines and to compound prescriptions who had received no education whatever to qualify them for the exercise of such functions: 'persons,' as is stated in the preamble to the Apothecaries' Act, 'wholly ignorant and utterly incompetent, whereby the healths and lives of the community are greatly endangered.' It became necessary that provision should be made for remedying these evils; and, oddly enough, the task of doing so was committed to a City company trading in drugs and medicines. In order to remedy the evils in question, the Act gave to this body very extensive powers. The Act, in passing through its several stages in Parliament, was the subject of much discussion; and, like every thing else that held out the slightest promise of benefit to the community through the medical profession, was strenuously opposed by the College of Physicians. But though the Apothecaries' Company made some efforts to carry the measure, yet, when actually obtained, its provisions came upon them with so much surprise, that they appear to have been positively confounded at the powers with which they found themselves invested.

'It required some little trouble to convince them of the course they ought to pursue. In fact, it seemed to come upon them by surprise; for although they had solicited the Bill, yet they had not prepared their minds for the extensive privileges which that Act gave them, nor for the great benefits that might accrue to the public by carrying the Act into effect' (2,691).

'Many of them had not sufficiently prepared themselves to administer a statute which was so important and gave them such extensive privileges. They had obtained the Act, but, as it appeared to me, did not understand the spirit of it. That was the basis of our discussions, and I thought the master wrong in his opinions, and I still believe that he was so' (370).

'The composition of the Court of Assistants is the great defect; and until that be remedied, or the administration of the Act be placed under other auspices, it is impossible that the intentions of the Legislature and the profession can ever be as beneficially executed as they ought to be. A member is sixty years of age before he comes to the rotation of being admitted to the Court of Assistants; and from the increase of the society, within the last twenty years, the calculation now is, that every member will arrive to seventy before he is on this court—a period of life when most have forsaken all professional views, and are guided by those which are the natural concomitants of age; for sixteen of the twenty-four present rulers do not practise the profession: some of them, for thirty or forty years, have retired, and one or two never practised at all. How is a court so constituted to have a proper qualification for the interests of science? The extension of their trade has been, for a long series of years, the principal care of the society, and in cultivating it they have suffered many valuable privileges, which were granted by their charter and embrace professional objects, to become obsolete, and institutions, depending upon them for the encouragement of science, to fall into decay. An executive so composed is little calculated to inspire confidence.

'I still think that the constitution of the Court of Assistants is defective, as, with the exception of the present master and of Mr. Brande (who, by virtue of their offices as apothecaries of the King's household, were brought into the court out of rotation), they must be sixty years of age before they come into the court; and I believe no member of the court is under sixty-five, except those two gentlemen. Therefore I do not conceive, in a court so constituted, there are means efficient to have the guidance of the profession. But they have now delegated so much of their authority to the Court of Examiners, who are fully competent to that duty, that I conceive the objections which I formerly urged are not so forcible as they were when the Act passed.

'Immediately on the passing of the Act of 1815, I wrote a private letter to him (the chairman). I was induced to do so, in consequence of the first two or three proceedings of the Court of Examiners after the passing of the Act. I addressed that letter, being perfectly convinced (as I before stated) that they were not sufficiently alive to the importance of the Act they had to administer; and from the knowledge I had of him as an intelligent man, and from my personal acquaintance with him, I thought that my private opinion upon the subject would have its weight; because, although he never attended the committee of the Associated General Practitioners, he was a subscriber to the association, and was a hearty well-wisher, as he expressed himself, to the cause that we were embarked in.'

Such was the care of the Legislature, to place in competent, trustworthy, and tried hands, the administration of an Act having for its object the government of the whole body of the general practitioners of the country, from 12,000 to 14,000 in number. All the regulations for the education of these persons, all the examinations into their competency—that is, into the professional competency of persons—into whose hands by far the great majority of the community fall in the first days of sickness, are still under the sole control of the Court of Examiners of the Apothecaries' Company. There is no public authority before which the regulations of this Court are to be laid for supervision and information, responsible for their practical utility, and consequently for their stability. Hitherto, indeed, the Court of Examiners have acted with discretion, and perhaps with as much energy as the difficulties they have had to contend with would allow. They have very much extended the course of study for the general practitioner, and they have rendered the examination, before granting the licence to practise, progressively more and more strict and searching: so that the intelligence, the skill, and the professional character of the general body of apothecaries is greatly improved, and is steadily improving every year. Nevertheless, the Court of Examiners are blameable in still insisting on so long a term of apprenticeship (five years), and in allowing the time for attendance on lectures and hospital and dispensary practice to be so short (two years). The Company have likewise completely failed in their attempt to prevent unqualified persons from carrying on the practice of the apothecary. According to the master's own account, after incurring great obloquy and prodigious expense, the result of the prosecutions instituted by the Company is, that the number of unqualified persons who are actually practising is very great. When asked, 'Has your society ever taken measures to inform itself of the names, description, and number of all the unqualified practitioners, or of persons presumed to be such, who practise in England and Wales; and out of the whole number so ascertained has it ever attempted to select, as fit objects for prosecution, those individuals who most nearly accorded with the description of "persons wholly ignorant and utterly incompetent to perform the functions of an apothecary?" ' the Master admits that they are culpable, in not having taken the pains to make those inquiries; and all the witnesses concur in stating that the court have selected for prosecution not those persons who, according to their judgment, are the worst educated of the unqualified practitioners, but those against whom informations have been laid by rival practitioners on the spot, whose representations must necessarily have been partial, and who have generally been actuated by motives of private interest.

In a word, no one will for a moment suppose that the government of the medical profession can be safely lodged in the hands of the Court of Examiners of the Apothecaries' Company.

It has been impossible, for want of space, to do more than exhibit a few specimens of the mode and spirit in which the bodies intrusted with power for the government of the faculty of medicine have executed their trust; but these will probably be deemed sufficient to show that the demand for the reform of those bodies, now so loudly and universally made by the members of the profession, is not without reason.

Into the consideration of remedies that part of the Report of the House of Commons which has yet been published enters only incidentally. Several witnesses express their conviction that an efficient governing body might be formed out of the elements of the institutions already in existence. It is possible that a portion of the materials of the old building might be used in the construction of the new; but in general they are so rotten that there is danger that they would injure the structure. At all events it is not reformation, but reconstitution, that has become necessary. Neither of the existing institutions could possibly be so modified as to form a body into whose hands the government of the profession could be safely committed; and to continue three independent governing bodies would be to perpetuate some of the worst vices of the present system. There should be only one body comprehending the whole profession, in which should be vested the power of controlling everything which requires regulation. This body might be formed on some such plan as the following:—

The whole medical profession to be considered as one faculty, represented by a senate seated in London.

The senate to consist of three sections, namely, of physicians, surgeons, and general practitioners; for it would be necessary, in the first instance, to retain those distinctions, although they would gradually become obsolete. The aggregate number to consist—suppose of 60—that is, 20 in each section. Of this body the following may be proposed as the constitution:—

The organ or functionary of the body to be denominated the registrar. The choice of the registrar to be, in the first instance, in the Secretary of State, from among one of three candidates returned to him by the existing Colleges. After the first appointment the registrar to be chosen by the senate.

The registrar, when appointed, to require, by public advertisement, all the members of the three Colleges to transmit to him by a certain day their names, residences, and diplomas, in order that they may be enrolled by him as members of the faculty.

Those neglecting to return their names within the specified time to be enrolled at any subsequent period on establishing their right.

The names enrolled to be published annually.

When the individual members composing the aggregate body have been thus ascertained, the registrar to address a requisition to each to nominate three persons, in his own hand-writing, addressed to the registrar, whom he thinks fittest to form the respective sections of the senate.

On the receipt of these returns the registrar to declare the 20 physicians, the 20 surgeons, and the 20 apothecaries, who have received the greatest number of suffrages. The individuals so declared to constitute the senate. The first act of the senate thus elected to verify the correctness of the registrar's decisions by examination of his documents.

At the end of every three years a re-election of the whole body to take place; the re-election to be conducted exactly in the same mode.

Canvassing for office to render any person so canvassing ineligible.

Fifteen of the senate to be a quorum, five of each section. Each set to attend in rotation in person, or by his substitute, the substitute, of course, being one of the senate. Failure of personal attendance three times in succession, without adequate cause assigned, to be equivalent to vacation of office, and the office to be filled up accordingly.

Besides the list declared by the registrar to constitute the senate, the registrar to prepare a second list, of not less than 30 members, as co-adjutors, to be chosen from those who had the next greatest number of suffrages, in order to supply vacancies occurring, whether by death or by refusal, to serve in the interval between the triennial elections.

A senate thus constituted would be a pure and efficient body: it would contain the *élite* of the profession; and there would be this guarantee of the integrity and energy of their conduct (the only one that can be trusted to), that the elected would be always under the eye of the electors, with a full and constant consciousness of their being so.

It may be difficult, by any direct interference, to deprive the College of Physicians and the College of Surgeons of the authority which they have abused, since the source of that authority is a royal charter. But no direct interference is necessary; their influence may be superseded. The establishment of a liberal and comprehensive plan of government for the profession, including the whole of the kingdom, would at once reduce

their power to a name, and their authority to a nullity. Whatever is substituted for the power and authority superseded should include the whole profession, and extend over the whole kingdom. It is absurd that the medical education, and the general government of the medical body, should be different in England, Scotland, Wales, and Ireland. When a person is in possession of an honorary diploma, obtained after having gone through a prescribed curriculum and a regular examination, it is absurd to subject him to other examinations before a local tribunal when he quits one part of the kingdom to practise his profession in another. The physical diseases in Ireland are analogous to those of England, and there is no extraordinary difference between the diseases of Wales and of Scotland. A degree of knowledge and skill which is necessary for one place cannot be safely dispensed with in another. The education for all, and the examinations for all, should be identical; and being so, there should be free liberty to every man to practise where he pleases, what he pleases. What plan the Select Committee will recommend for the adoption of the Legislature does not yet appear. All that has hitherto been published consists of minutes of evidence taken before the Committee, containing an immense mass of information, by which the real state of the several sections of the medical profession is laid clearly and fully open. But the Committee has not as yet disposed this mass into order, deduced their conclusions, and digested their plan. The chairman of the Committee (Mr. Warburton) has done signal service to the community in eliciting and recording the evidence now before the legislature and the public; but he has a still higher and more difficult task to accomplish. Those who have observed his course through this laborious inquiry with the greatest attention, and who know him the most intimately, doubt the least of his competence to work out the legislative measure required in its full comprehensiveness, and with the requisite unsparingness of whatever has existed only for evil, however the dust of time may have concealed its deformity from ordinary eyes. He has taken upon himself a great responsibility. If he execute his task as it might be done, and as is expected of him, a benefit, the amount of which it is impossible to estimate, will be conferred upon science, and, through science, upon humanity.

D. S.

Art. IV.

HOTTENTOTS AND CAFFRES.

1. *Papers relative to the Cape of Good Hope. Parts I. and II. Ordered by the House of Commons to be printed, 18th March and 1st June, 1835.*
2. *African Sketches.* By Thomas Pringle. London. Moxon, 1834, pp. 528.

IT is proverbial how little England knows of her colonies; and of none does she know less than of her colony at the Cape of Good Hope. Indeed we question whether one person in a thousand knows that we possess any such colony. The Cape is only known as a place somewhere or other, which is the half-way house for the India ships; but whether it is a town or a country, or a mere nautical watering-house, whether it belongs to India or to England, or to nobody at all, would puzzle most of our countrymen to declare. Of late our newspapers have informed us, for want of more important matter, that there are English inhabitants and English troops there, and that there are also African savages; that the settlers, troops, and savages did not agree; that the savages, being horrid monsters, had the presumption to fight with British troops, and what is still more monstrous, to defeat them; but that at last the savages were beaten, as they deserved, and gave up a quantity of their cattle and territory,—nay, were so thoroughly beaten as to enter into a long treaty with us, not one word of which, in all probability, did they understand.

The country of the Cape of Good Hope includes the extreme southern portion of Africa, and the country inland and along the eastern and western coast for several hundred miles. Along the coast and banks of the rivers the land is extremely fertile, but frequent and long periods of dry weather render the interior very unproductive during a great part of the year, and rarely serviceable to the farmer except for pasture. Further inland the country becomes more and more barren, with an occasional spot rendered fruitful by a spring or river, till the borders of the great African desert are attained. The climate, however, is very fine, and the English settlers have found it remarkably healthy.

The Cape country was possessed in nearly equal proportions by two African nations, whom we have chosen to call Hottentots and Caffres, the Hottentots possessing the western half, and the Caffres that to the east. The Hottentot portion has been wrested from the natives, and now forms the British colony; but the Caffres, who are a warlike nation, have succeeded in retaining most of their territories, and show considerable reluctance to give them up. They obstinately cling to their native chiefs, their flocks and herds, and their native valleys; renouncing, as far as in

them lies, the mild dominion of the British Colonial Government, and preferring their own wild independence and small precarious property to thraldom under Dutch boors and British settlers, with the concurrent advantages of the lash, the bayonet, and the exhortations of the missionary.

The Portuguese discovered the Cape of Good Hope in 1493, but made no permanent settlement there. More than a century afterwards the Dutch acquired a small settlement at Cape Town. For some years they do not appear to have attempted or desired to extend their possessions, but pursued a peaceful line of policy towards the natives, with whom they endeavoured to trade. As the Dutch grew more numerous they gradually abandoned their pacific policy, and in 1659* sent several expeditions against the natives, having released the slaves from their chains to assist in the attack. The home authorities in 1661 sent out directions that the natives should be more mercifully treated by the colonists; and in 1662 the Dutch commandant also gave orders that the natives should not be molested, or called 'black stinking hounds.' From 1673 to 1676 sanguinary skirmishes took place with the natives, who lost many of their cattle; and it appears by a resolution of the Dutch Council, that 'the booty which might be obtained was to be divided between the governor and council *pro rata*.'—(Parl. Papers, Part I. p. 13.) The power and territory of the Dutch now rapidly increased, a great influx of sturdy Dutch boors took place, and at the beginning of the 18th century the Commando system came into full operation. A Commando was (and still is) a body of armed boors, who go out to plunder the natives of their cattle, on pretence of having been, or fearing to be, themselves plundered. The first detailed account we find of this horrid system is contained in an abstract of a resolution of the Dutch Council in 1702, in these words:—

'The free trade in cattle was entirely misapplied. The farmers, instead of trading, proceeded in parties of 80 or 90 beyond the boundaries, and, being armed, forced the natives (and even murdered them in some instances) to give up their cattle, and afterwards divided the plunder. A party of 45 had recently returned with 2,000 oxen, which they had forcibly taken from the Honisons and Gonoequas, who consequently retaliated, occasioning many innocent persons to suffer on both sides.'

The home authorities ordered that the free trade should be again allowed; but

'That, as so many of the inhabitants had been guilty of ill-treatment of the Hottentots, no punishment could be inflicted without material injury to the colony, and that it should be therefore now passed over;

* Papers, Part I. pp. 9—23.

but that it should not again take place, under pain of immediate punishment.'—Parl. Papers, Part I. pp. 16, 17.

From this period to the capture of the Cape by the English in 1797, the settlers succeeded by degrees in exterminating the natives, or converting them into slaves or wandering robbers, by means of the commandos. Against the cruelties of the settlers the government was constantly issuing proclamations; which, however, it was too weak, or too little in earnest, to enforce.

When the Dutch had possessed themselves of the Hottentot or western half of the Cape country, they approached the more warlike Caffre tribes, with whom they had many unsuccessful contests. In 1793 the frontier officer 'was furnished with 150 tinder-boxes, and 150 pounds of copper wire, as presents to the Caffres to induce them to make peace.'

The English rule, from its commencement to the present time, appears to have been very like that of the Dutch. Our governors have been soldiers, generally titled soldiers, chosen on account of their interest at home. Now and then a fit man does appear, but the unfit greatly preponderate; occasionally (as in the instance of Lord C. Somerset) exhibiting a rare combination of all the qualities which ought not to be possessed.

The government of any country, but especially of a colony, ought to be situated in the centre of affairs, like a spider in the middle of his web. The difficulties that have long existed at the Cape have been on the eastern and north-eastern frontier: the government is situated at Cape Town, a remote corner in the extreme west, many hundred miles from the seat of active operations.

The inhabitants of the Cape country are Hottentots, Bushmen, Caffres, Dutch Boors, English Settlers, Soldiers, Missionaries, Secretaries, and a Governor, with various mixtures and crosses of these; and when none of the above parties understand each other, which sometimes happens, affairs do not go on very smoothly.

Our nursery notions of the Hottentots shadow them forth as the essence of everything that is (morally as well as physically) black; but when first discovered by the Europeans, they appear to have been a harmless race of shepherds, in a higher state of civilization than the North American Indians. When the Dutch entered the colony, they found the Hottentots comparatively numerous, and living on the produce of their flocks and herds; a mantle made of sheep-skins formed their clothing; their huts were composed of a few boughs and mats; and a small bow and poisoned arrows, with a light spear or javelin, formed their arms. They were of a mild and indolent disposition, and by no means deficient in courage, though their bows and arrows proved no

match for the rifles of the boors. By degrees they lost their lands, their flocks and herds, and eventually their liberty; for, though the Dutch colonial laws did not permit them to be sold as slaves, they were deprived of the free disposal of their labour, and reduced to a worse condition than slavery itself.

An officer who served in the interior, in the midst of the Dutch African colonists, thus describes the Hottentots at the period when the English came into possession of the colony:—

'At that time (1798—1802) the Hottentots were a miserable, abject race of people, generally living in the service of the boors, who had so many of them that they were thought of little value as servants, and were treated more like brute beasts than human beings. Indeed, the colonists in those days scarcely considered them human. They were mostly naked: seldom was one of them to be seen with any other clothing than the sheep-skin caross, together with a piece of jackal's skin for the men, and a wretched sort of leathern apron for the women, attached to a girdle of raw hide, which encircled their loins. Their food was commonly the flesh of old ewes, or any animal the boor expected to die from age. If he was short of that, he shot a few quaggas or other game for them. Their wages were generally a few strings of glass beads in the year; or, when the boor returned from a journey to Cape Town, a tinder-box and knife were considered a reward for faithful services. Perhaps a very obedient man, and more than commonly industrious, got a heifer or a couple of ewes in a year. And if, by accident, any one of these poor wretches happened to possess a few cattle, there was often some means fallen upon by the boor to get rid of him, and thus his cattle became his master's. When a Hottentot offended a boor or booress he was immediately tied up to the waggon-wheel and flogged in the most barbarous manner. Or, if the master took a serious dislike to any of these unhappy creatures, it was no uncommon practice to send out the Hottentot on some pretended message, and then to follow and shoot him on the road; and, when thus put out of the way, his relations durst not make any inquiry about him, else they also were severely punished. Such was the condition in which we found the natives at that period.'—*Sketches*, p. 380.

By way of checking the enormities of the Dutch African colonists, which continued to be perpetrated under the English government, and of which examples are to be found throughout the parliamentary papers and the most recent works on Africa, circuit courts were instituted to investigate complaints and try offences; but, being composed at first of interested parties, the courts were far from producing the advantages expected.

It was not till 1828 that the Hottentots were placed on the same footing with the other inhabitants of the colony, to the great dissatisfaction of the boors, their masters. The manner in which they behaved on the occasion is highly creditable to them; and a great improvement has already taken place in their physical and

moral condition. A colony consisting entirely of Hottentots was placed, a few years since, on the most exposed part of the eastern frontier; and the accounts given of their progress, under very great disadvantages, are so interesting, and even affecting, that we regret we cannot find room to extract them.

The bushmen, or bosjesmen, to whom constant allusion is made by all writers on Southern Africa, appear to consist principally of the remains of the independent Hottentot tribes, who now possess no flocks or herds, but subsist partly by the chase, partly on the wild roots of the wilderness, and, in seasons of scarcity, on reptiles, locusts, the larvæ of ants, or by plundering their hereditary foes and oppressors, the Dutch frontier boors. These Hottentots are occasionally joined by others who have escaped from the service of the boors, by run-away slaves, and by deserters from the Cape corps. On the occasion of the plunder of his family's settlement by a band of these marauders, Mr. Pringle makes the following liberal and excellent remarks:—

'These freebooters might have been able, perhaps, to make out a good case against the colony, had they been heard in their own defence. The country we occupied had belonged, very probably, to their ancestors. Some of them had been in their childhood carried by the boors into servitude when their kindred were slaughtered, and had themselves been considered as slaves, and often treated like brutes. The regular slaves who had absconded from bondage, and the deserters who had fled from a military service into which they had been drafted by a compulsory enlistment, had all suffered wrongs against which the heart and soul of man naturally revolt, and which, in fiery natures, tend to awaken the thirst of vengeance. But however guilty the Colony may have been in pursuing a system of injustice and oppression which had, directly or indirectly, driven most of these unhappy outlaws to their present mode of life, it was obvious that their predatory career could not be allowed to continue. Neither could the boors, some of whom boasted that only a few years ago they used to lie in wait for the bushmen and shoot them like baboons, be permitted to resume their old habits of murderous private retaliation.'—p. 364.

'Having descended from the pastoral to the hunter state, the bushmen have, with the increased perils and privations of that mode of life, necessarily acquired a more ferocious and resolute character. From a mild, confiding, and unenterprising race of shepherds, they have been gradually transformed into wandering hordes of fierce, suspicious, and vindictive savages. By their fellow-men they have been treated as wild beasts, until they have become in some measure assimilated to wild beasts in habits and disposition.'—p. 36[illegible].

The Caffre tribes inhabit the eastern countries of the Cape, which have not as yet come into our possession, with the exception of portions of the frontier districts, whence we have forcibly

expelled the inhabitants. The Caffres are described as a finer and bolder race than the Hottentots. Mr. Pringle's frontier residence gave him considerable opportunities of becoming acquainted with this race, and he gives a great variety of interesting; and many very painful, details respecting them and their intercourse with the frontier boors :—

'The Caffres are a tall, athletic, and handsome race of men, with features often approaching to the European or Asiatic model; and, excepting their woolly hair, exhibiting few of the peculiarities of the Negro race. Their colour is a clear dark brown; their address is frank, cheerful, and manly; their government is patriarchal; and the privileges of rank are carefully maintained by the chieftains. Their principal wealth and means of subsistence consist in their numerous herds of cattle. The females also cultivate pretty extensively maize, millet, water-melons, and a few other esculents; but they are decidedly a nation of herdsmen,—war, hunting, barter, and agriculture, being only occasional occupations.'—p. 413.

In 1778 the Dutch governor, having found a considerable number of colonists occupying tracts beyond the Hottentot frontier, instead of recalling them, brought them within the boundary by the simple method of extending it beyond them; thus adding by a stroke of his pen about 30,000 square miles to the colonial territory. The rights of the natives do not appear to have received a thought: the boors were left to deal with them as they had dealt with their brethren already extinct. But with the more formidable Caffres the form of an agreement was observed. Engagements were made with a few of them, but the chiefs most interested were neglected; constant encroachments were made on both sides, and wholesale robbery and murder have been carried on between the parties for many years, ending usually to the advantage of the settlers. The boors often formed pretences of losing cattle, purposely to make inroads into the Caffre settlements, and carry off their cattle, often laying waste the country, and massacring the natives. Of course the Caffres resisted and retaliated. This system of robbery and murder has been allowed to continue under English governors even to the present day; and British officers and British soldiers have been frequently called in to assist the marauders.

After giving an account of the atrocious treatment and savage murders of the natives by one of the Dutch boors, who was placed in petty authority on the frontier, Mr. Pringle proceeds :—

'Nevertheless, I would not willingly give the impression that Cornelius Vandernest is a mere savage ruffian. On the contrary, he is really one of the most respectable of these frontier boors; and, apart from his hereditary prejudices in regard to the natives, is generally, and I believe

justly, considered as a decent, good-natured, and well-disposed person. The fact is that even the very best of these men have been trained from their childhood to regard bushmen and Caffres with nearly the same feelings as they regard beasts of prey, only with far more rancorous animosity; so that they can scarcely be brought to view even the treacherous slaughter of them as a crime. But while this circumstance may be allowed to palliate the guilt of such untutored men, it casts a darker shade over the conduct of those in authority, who, knowing well the habits and prejudices of these semi-barbarous back-settlers, yet intrust them with a perilous discretion towards the natives, which, from the very nature of things, cannot fail to be often grossly abused.'—p. 456.

The European portion of the Cape community is principally Dutch, or of Dutch descent, and is chiefly employed in rearing cattle, for which the country is well suited. The farm of a Dutch-African grazier-boor frequently consists of from 5,000 to 10,000 acres. The scantiness of the population in a large tract of country, the demoralizing effects of slave-holding, and of hostile relations with the natives, have greatly kept back the civilization of this class of persons. The increasing difficulty of procuring education for their children is also complained of by the best of the boors. In the Report of the Commission of Circuit, 28th February, 1812, (Papers, Part I. p. 111,) it is stated that,—

'Moderately speaking, there are upwards of 3,400 children belonging to the district of Graff Reynet, of which, at the most, no more than 100 have an opportunity of any instruction, while the parents of at least 2,000 of those children are very well able to afford the necessary expense of their education, and even can be called rich inhabitants. The want of instruction will certainly be found in the same proportion in the other districts. . . . The parents, in the mean time, were not indifferent; on the contrary, most of them expressed their wishes, with tears in their eyes, that this might be provided for in one manner or the other, feeling themselves that their children, growing up without education, without instruction, without even a knowledge of the first principles of religion and morality, would at last be like nothing else than savages.'

Of late years a considerable number of English emigrants have proceeded to the Cape, and a large sum of money has been voted by Parliament in aid of these colonists*;—with what success may be conjectured from Mr. Pringle's description of the camp of the settlers, who were waiting for conveyances to their locations.

'Ladies and gentlemen, elegantly dressed, were seated in some of the tents, with books in their hands; others were rambling among the shrubbery, and over the little eminences, looking down upon the bustling beach and bay. One or two handsome carriages were standing in the open air, exhibiting some tokens of aristocratic rank or pretension in the proprietors. It was obvious that several of these families had been

accustomed to enjoy the luxurious accommodations of refined society in England. How far they had acted wisely in embarking their property and the happiness of their families in an enterprise like the present, and in leading their respective bands of adventurers to colonize the wilds of Southern Africa, were questions yet to be determined.

'A little way beyond I entered the settlers' camp. It consisted of several hundred tents, pitched in regular rows or streets, and occupied by the middling or lower classes of emigrants. These consisted of various descriptions of people; and the air, aspect, and array of their persons and temporary residences were equally various. There were respectable tradesmen and jolly farmers, with every appearance of substance and snug English comfort about them. There were watermen, fishermen, and sailors from the Thames and English seaports, with the reckless and weatherbeaten look usual in persons of their perilous and precarious professions. There were numerous groups of pale-visaged artisans and operative manufacturers from London and other large towns, of whom, doubtless, a certain proportion were persons of highly reputable character and steady habits; but a far larger portion were squalid in their aspect, slovenly in their attire and domestic arrangements, and discontented and uncourteous in their demeanour. Lastly there were parties of pauper agricultural labourers, sent out by the aid of their respective parishes, healthier perhaps than the class just mentioned, but not apparently happier in mind, nor less generally demoralized by the untoward influence of their former social condition. On the whole, they formed a motley and unprepossessing collection of people. Guessing vaguely from my observations on this occasion, and on subsequent rambles through their locations, I should say that probably about a third part were persons of real respectability of character, and possessed of some worldly substance; but that the remaining two-thirds were for the most part composed of individuals of a very unpromising description, persons who had hung loose upon society, low in morals or desperate in circumstances. Enterprise many of these doubtlessly possessed in an eminent degree, but too many appeared to be idle, insolent, and drunken, and mutinously disposed towards their masters and superiors. And, with such qualities, it was not possible to augur very favourably of their future conduct and destiny, or of the welfare of those who had collected them in England, and whose success in occupying the country depended entirely on their steady industry.'—*Sketches*, p. 129—131.

The father of Mr. Pringle was an aged Roxburghshire farmer, who, with his five sons and their families, and with several relations and friends, finding their property diminishing, determined to settle in a foreign land while yet they had the means. The direction of the expedition was intrusted to Mr. Pringle; and his work contains an account of the emigration and settlement of the party in Southern Africa.

It can seldom have happened that emigrants have gone out with so many chances of success as this body of settlers. They

did not emigrate singly and unconnectedly; but proceeded in a considerable body, and were bound together by the closest ties. They were not the refuse of the poorhouse or gaol, nor were they broken-down artisans, or ignorant and half-brutalized hinds; they were a body of enterprising and industrious farmers, possessing both capital and skill, and acting in zealous co-operation. They were not placed in the wilderness upon their own resources; but were located in an unrivalled climate, and continued long to receive direct support from the Government in food, assistance, and protection. Yet these men, after making the most active exertions and enduring the greatest privations for several years, were at last on the point of abandoning their attempt in despair.

The fate of the ordinary run of settlers must, therefore, at times have been dreadful in the extreme. In 1823-4, for example, most of the settlers in the frontier district of Albany were almost reduced to starvation, from which they were rescued by liberal subscriptions in Cape Town, in India, and in England.

'A large proportion of the emigrants were moreover but little prepared by previous habits, physical or moral, for the occupation of a new country; and the seeds of disunion had been profusely sown, even on the passage out, in most of the ill-assorted parties in which large numbers had been associated, and which were in many cases composed of the most heterogeneous materials. These circumstances alone could scarcely have failed to produce a great deal of dissatisfaction and disappointment. But when to these were added the almost total destruction, for five or six successive years, of their wheat crops by blight; the calamitous visitation of a terrible deluge of rain in October 1823, which swept away nearly half their huts and gardens; and, more galling than all, the cruel neglect and insolent tyranny of the colonial government and its local functionaries, ever since the departure of Sir Rufane Donkin in 1821; it is not surprising that a large portion of the settlers—those especially who had sunk all their resources in the enterprise—should have been driven almost to despair, or that their appeals to the home government were loud and importunate.'—*Sketches*, p. 345.

This testimony affords a painful proof how much our government and people have still to learn on the subject of colonization, and how great must be the sacrifice of property, of happiness, and of life, before wise principles of colonization are universally adopted. As it is usually practised, a more barbarous and expensive mode of getting rid of the surplus population could not easily be discovered. To hang these unfortunate wretches at home would be merciful in comparison with sending them to a foreign land to die by torture, possibly after having inflicted tortures on others. The parliamentary grants are so many premiums for human de-

struction, and not the less certain in their effect because neither givers nor receivers had any such end in contemplation. Of the survivors it is certain that many must, under our present policy, degenerate into barbarism, and that their children must become savages of a more noxious sort than the aboriginal savages, for they will have, in addition, many of the vices of civilization. The quiet and industrious Dutch peasant becomes under this system a ferocious ruffian. He robs the natives of their land and cattle, murders them if they resist, and kidnaps their women and children for slaves; and when the Government would check him he resists its authority, occasionally to the extent of open rebellion*. Not only does he become a ruffian himself, and the parent of a similar progeny, but he depreciates more and more the morality of the tribes with whom he comes into contact, converting them partly by his violence and rapacity, and partly by the introduction of arms and spirituous liquors, into savage, intemperate, and starving plunderers. These misdeeds, which are exhibited in almost every page of the Parliamentary Papers, are the misdeeds of Dutch boors; but are English peasants so differently constituted, that their conduct will be different, under the same circumstances and under equal temptations?

On the occasions when the veil is drawn aside which conceals the details of our colonial governments, a mass of evil is disclosed so repugnant to our feelings, and so incompatible with our state of society at home, that it is commonly attributed to deliberate wickedness on the part of the colonial rulers. It may more justly be attributed to ignorance and incapacity: to the employment, in the principal situations, of military officers, who enter their posts utterly ignorant of the affairs of the colony, and of the duties and obligations of a civil governor and government; who are liable to be imposed upon by interested or ignorant persons; and who retire after a few years' rule, just when they are beginning to acquire some knowledge of the colony, if indeed they do not commence their new profession too old and too wise to learn anything. A successor arrives, and a new line of policy is adopted, destined to be altered ere long, probably by himself, and certainly by his successor. The officers in immediate subordination to these are selected in the mother country, on various grounds, of which peculiar fitness for their appointment does not form the

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* In 1799 'the frontier districts were in a complete state of anarchy. The boors had taken up arms, and were engaged in alternate hostilities against the government as well as against a large body of Hottentots, who, in consequence of the insurrections of the boors, had risen, and, joined by some of the Caffre tribes, drove the colonists before them, killed many who fell into their hands, and plundered and burnt everywhere the places of the colonists.'—Papers, Part I. p. 29.

principal part; and being banished men, they take no pride or pleasure in their task, from which they are desirous of returning home with the least possible delay. These circumstances alone (and there are many others) would be amply sufficient to account for a great part of the colonial misgovernment, not only of Great Britain, but of every other European nation.

It would be a folly to say that great talents for civil administration are not occasionally to be found among military men; but does military rank (with or without professional talent) necessarily imply capability for that most arduous of employments, the civil government of a colony? The ordinary military officer (like a man of standing in any other profession) cannot avoid carrying the habits and feelings of his profession into ordinary life. Anything short of immediate and implicit obedience to commands, however severe or unreasonable, is mutiny, and must be suppressed and punished with the utmost severity. The officer who is fond of his vocation occasionally likes a little professional work. In a colony he need never be long without this gratification, the most expensive that a ruler can enjoy.

Lord Charles Somerset was a ruler of the soldier caste, having the objectionable propensities of the profession greatly aggravated by strong aristocratic feelings and prejudices; nor was he very scrupulous in word or deed when his interests or prejudices were concerned. With regard to his government of the Cape colony, there is, we believe, but one opinion. Indeed the ministry which appointed him, and long continued to support him, were obliged at last to give up the defence of his conduct. The Reports of the Commissioners who were sent out to investigate the condition of the colony, and the details furnished by many other respectable parties, show that his government produced misery and destruction to thousands. We must, however, admit that he was placed in an arduous post, and surrounded by difficulties with which none but a man of superior talents could have successfully contended.

We must go far back if we would trace the real causes of the Caffre war which has just ended. Those causes originated with the occupation of the frontier by the boors, over whom the Dutch government had but little control; and were continued by the vacillating, and, at times, cruel policy adopted by the English governors. Sometimes the natives were treated with mildness by the government; at other times they were driven out of the colony, though many of them had been long settled there, or engaged as servants to the settlers; and occasionally they were expelled from a frontier district to make way for the colonists. A long and able historical summary of our relations with the Caffres may be found in the Report of the Commissioners of Inquiry, dated 25th May, 1825.

The Rev. W. Shaw, sometime a missionary among the Caffres, describes the British policy in these terms:

'Not only has our government pursued no efficient measures for the improvement of the Caffre tribes, but the plan adopted for the regulation of the affairs of the frontier has been extremely injudicious. Instead of a regular system, well defined, properly adapted to the local circumstances of the country, and steadily acted upon, there has been nothing like a system at all. Sometimes the mode of treatment has been harsh and severe, at other times mild and conciliatory. Occasionally the Caffres were almost frightened into the belief that we intended their destruction, and at other times they were suffered to carry on their depredations with such impunity as to tempt them into the opinion that we were afraid of them; threatenings were occasionally denounced which were never intended to be executed, and promises have been made which were never fulfilled. The effects of this contradictory mode of proceeding upon an untutored but warlike race, strong from their number, may be easily imagined.'—*Papers*, Part II. p. 139.

With reference to one of the expulsions of the Caffres from the English territory which we have above alluded to, Mr. Moodie (an old settler, we believe) writes thus to the Commissioners of Inquiry.

'It is something difficult to account for the cruel measure of driving out so many of these unfortunate people who had lived for many years with the inhabitants, who had forgot their savage habits and even their language, who had acquired habits which made them dependent upon the Colony.' . . . . 'The great and laudable object our governors appear to have had in view, was the prevention of the customary scenes of massacre and extermination; but their distance from the frontier keeping them in necessary ignorance of the minutiæ of daily occurrences between a rude peasantry and their simple visitors, unable to examine into the merits of every act of aggression or retaliation, they confounded together the whole race, and swept the colony of all—good and bad.' . . . . 'But this people have come into actual contact with us; they have tasted some of the advantages as well as the evils of our vicinity to them. Numbers of them have lived in the colony and proved the most useful and faithful servants. Many still wish to serve in the colony; they have acquired wants in which it should be our object to confirm them; they are a people living under the control of their chiefs; they have fixed habitations and cultivate the ground; they seem in short to be on the very verge of civilization; and instead of doing anything to assist them we drive them rudely back, even from the point to which they had attained without us; we reduce them to the nomade state, to that precise condition in which they are the most dangerous to us, when they can present no mark for hostility, and while excluded from traffic, as they have nothing to gain from our friendship so they have nothing to fear from our enmity, but what they can always retrieve to our ruin.'—*Papers*, Part I. p. 175-6

Conciliatory treatment of these people appears to have been successful whenever it has been pursued. Mr. H. Maynier, a very old colonial officer on the Caffre frontier,—

'had frequent opportunity to observe the effect of conciliatory measures, with both Caffre and Bosjesmen tribes, and also with those colonial Hottentots who were engaged in hostilities with the boors, amounting at that time to about 700 well-armed men, and have invariably found them to succeed, and to have been in most instances preferable to the attempt to use force, and in some the only means to preserve the colony from ruin at that period. . . . . The colonists were generally averse to pacific measures. With regard to the Caffres, the colonists had been in the habit of making large booty of Caffre cattle; and from the Bosjesmen they carried away, by means of the commandos, numbers of children whom they used to keep as servants. Most of the disputes with the Caffres and Bosjesmen might have been settled, if the boors had not always been so eager to form those commandos, from which they expected to reap some advantages.'—*Papers*, Part I. p. 29.

The immediate cause of the late Caffre irruption was that the natives were forcibly expelled from a tract of country which the British claimed, but on which the Caffres had long been allowed to reside and graze their cattle.

'In the November of last year' (1833), says Sir B. D'Urban in a despatch to Mr. Spring Rice of 10th November, 1834, 'the acting governor, under the impression that this indulgence had been abused (which probably it might have been to a certain extent), ordered their immediate expulsion from the whole of that line, and they were expelled accordingly. This unfortunately happened when a period of severe drought was approaching, so that these tribes (I am afraid but too certainly) suffered much loss in their herds in consequence.'—*Papers*, Part II. p. 103.

After this open act of aggression the Caffres drove off the cattle of the settlers, and attacked the frontier settlers and armed posts with success for some time, during which many atrocities were committed on both sides. As soon as possible, troops were brought against them from all parts of the colony, and they were eventually defeated. During the hostilities, the natives were of course characterized by every foul name our language will supply; what foul names they applied to us (probably with as much justice) we are not informed. After their defeat they were deprived of an immense number of cattle, although it was notorious that without cattle they could not subsist, except as plunderers. It might have been proper to punish the Caffres for being plunderers; but it was scarcely the most judicious measure to select that particular punishment which was most certain to reproduce the crime. A very long treaty was also entered into with the

frontier chiefs, who engaged thereby to bear true allegiance to the King of England, and to obey the English laws, by which laws they also stipulated to abide in their conduct towards the other tribes. English officers of various kinds were to be permitted to reside among them, and each chief was to be a magistrate in his own settlements. In token of fealty to the King of England each chief agreed to deliver up a fat ox every month to the British government.

It appears very ludicrous that we should seriously enter into a long and formal diplomatic treaty, binding tribes, whom we have been characterizing as ferocious savages, to know, understand, and obey the English laws, and requiring their chiefs to become justices of the peace. If we do succeed amicably with the Caffres, it must be by very different means. Much will depend upon our checking the squatters and frontier boors, and preventing them from holding lands near the frontier except in situations where they can be well watched, and can act in a body under proper officers against the native marauders. Much will depend upon our condensing our settler-population, many of whom are in possession of farms, or rather tracts of country, of such extravagant size as not only to be most prejudicial to the progress of wealth in the colony, but to render government and peaceable relations with the natives impossible. Much also will depend upon the agents whom the government employs in the frontier districts. A formal treaty is a mere farce without able, conciliatory, and vigilant agents. Such men are certainly not easily to be found, especially when they are not sought for. It is therefore with much gratification we learn that Captain Stockenstrom, a native of the country, and (judging from the Parliamentary Papers) the fittest person extant, has been selected for the management of the Caffre frontier. If he is properly supported, much improvement may be expected in this portion of Southern Africa.

Great expectations are entertained by many benevolent persons in this country, that Africa is destined to be civilized by the efforts of the missionaries. Many missionaries have been and still are in Southern Africa, it is true, and some of them are distinguished by more than usual ability; but we cannot discover that they have hitherto produced any remarkable or permanent effect. Capt. Stockenstrom, a first-rate authority on all that is connected with Southern Africa, has stated the result of his experience on this subject in his letter to the Commissioners of Inquiry, dated 9th August, 1826.

'I can appeal to the government, my fellow-servants, the boors, the savages themselves, as to how I have felt and acted with respect to the

latter, and defy the minutest scrutiny; but I am far from running blindfold into the opposite extreme, and thinking that collecting them into schools, and preaching to them while they are half starved, through interpreters who do not understand us themselves, will do them the least good. I am a strong advocate for missionary institutions among the bushmen. I strongly urged Dr. Philip and the Rev. Mr. Whitworth to settle missionaries close on our borders; but then I consider these worthy men in the outset more as protectors than as teachers, at least to the present grown-up race of bushmen.'—*Papers*, Part I. p. 118.

The Caffres are evidently a fine race, and much superior to the ordinary African negro. They are herdsmen; they have made some progress in agriculture; and they are brave and humane. The testimony of those who know them best, and who have travelled and lived among them, is highly in their favour. Would it not be a worthy object of exertion to attempt to raise this nation to some degree of civilization, and through their means to act by degrees upon the other African tribes? Would it not be cheaper to treat them as friends, and perfect them in agriculture, for which much of their country is well suited, than to exterminate them after a bloody war of perhaps half a century, in which the treasure expended would be the least part of our loss? The missionaries and traders who have lived among them have invariably been treated kindly, and have always found them open to improvement; for they are very different from the wild Indians of North America, whom it has hitherto been found impossible to tame. We may choose to call them an inferior race; but theirs is a race which can exist in Africa; our race cannot, except in the extreme north and south; so far *they* are the superior race, and by their means we might most readily extend, and strengthen, and improve our possessions in Southern Africa. If our policy be not soon altered, we shall not be able to alter it, and the war of extermination must be completed. G.

ART. V.

THE TIMBER MONOPOLY.

OF the burthens which press upon the industry of this country, a portion only is indicated by the general aggregate of the revenue. By far the larger and more mischievous class of burthens consists of those which lie hidden from the public eye in the shape of discriminating or protecting duties, or, in other words, commercial restrictions.

In some cases these duties are sufficiently high to exclude from

consumption the article on which they are imposed; when, of course, they add nothing to the revenue. The duty, though imposed, is not levied; yet the community is taxed to an equal, or nearly equal, amount, in the enhanced price and inferior quality of the article, to encourage which the duty is imposed, and to the use of which the nation is thereby confined. In other cases the exclusion is less complete; the partial use of the highly-taxed article is permitted, but, of course, at an enhanced cost.

The amount which the people thus pay without a murmur, because they see it not, almost exceeds calculation. The monopoly of food alone has been estimated as costing the nation between 15 and 20 millions. We are restricted to the use of the sugar of our East and West India possessions, at the cost of about eight millions more. Every class of producers expects protection against the whole community, that is, everybody is to be protected against everybody. The homely honest man's maxim, 'Live and let live,' is lost sight of, and 'Rob and let rob' has in practice usurped its place. Against this system of mutual aggression unceasing hostilities ought to be kept up. In the House of Commons no opportunity should be neglected of forcing divisions, both on the broad principle and on particular cases, especially upon the most flagrant cases. Out of the House, those who claim to be public instructors should be constantly watchful to point out to the community, and especially to those who enjoy the elective franchise, the especial bearing of all such questions upon the comfort and well-being of the community.

One of the most flagrant of the existing violations of the principle of free trade was last year brought to trial before a Committee of the House of Commons, and condemned by a verdict drawn from the clearest possible evidence: we mean the legislative monopoly granted to the colonial timber trade.

In the seventh volume of the 'Westminster Review,' published in 1827, there appeared an article, written by Mr. Roebuck, which placed the whole subject of that trade, in its then state, fully before the public. It was the first systematic and thorough exposition of the question which had appeared, and it proved conclusively that the trade was one of almost unmitigated evil. The circumstances of the trade have somewhat changed since the period at which that article was written; and, as legislation will certainly be attempted, and it is to be hoped will take place, thereupon, a reconsideration of the subject cannot be deemed ill timed.

The broad features of the timber trade may be stated very briefly.

Timber is at present obtained from two different sources: from the North of Europe, and especially from the countries washed

by the Baltic; and from the British dominions in North America. The timber of the Baltic, being produced by low-priced labour, and not having to be transported a very great distance, can be delivered in the British ports at a moderate price. The timber of Canada, being a product of high-priced labour, and having to be brought from a much greater distance, both by inland navigation and by sea, than that of the Baltic, cannot be delivered in this country except at a very much higher price. In addition to this disadvantage of a greater cost of production, the timber of North America is inferior in quality* to that of the Baltic, so that, could it be brought here at the same price, the latter would still be preferred.

Now, the wholesome principle of free trade says, 'Let us avail ourselves fully of these natural advantages; let us purchase our timber where we can get it best and cheapest.' 'No,' says the law, obeying the voice of monopoly and restriction, 'a tax shall be imposed on the good and cheap commodity, sufficiently high to overbalance the difference of cost and quality. All natural advantages shall be destroyed; the gift of Providence shall be marred by the selfish hand of man; it shall be so ordered that the British consumer shall be forced to purchase from the colonial producer.'

The way in which the law compels us to purchase the bad timber of the colonies is by a very complicated scale of duties, the main features of which are as follow:—

Description.		Colonial.	Foreign.
Square timber . . .	per load	10s.	55s.
Deals	per hundred	£2.	£19.
Battens	,,	£1.	£10.
Staves	,,	8s.	£4. 4s.
Oak plank	per load	15s.	£4.
Wainscot logs . . .	,,	12s.	55s.
Masts	each	1s. 6d. to 4s.	8s. to 22s.

Thus foreign European timber pays 5½ times as much duty as colonial timber, foreign deals 9½ times as much as colonial deals, whilst in favour of colonial staves there is more than a ten-fold duty.

Enormous as this difference is, it is not sufficient to drive the timber of the North of Europe out of the market. The English builder is willing to purchase it, notwithstanding its enhanced

* The difference of quality is indicated by the difference of price. The red pine of the Baltic brings 25 per cent. more than that of Canada. The most favourable view of the case, so far as respects Canada, is, that the natural quality of Canadian red pine is equal to that of the Baltic, the difference being in superiority of manufacture.

price, because he can obtain none of equal quality from our colonial possessions.

Leaving general statements, let us now look a little more closely at details, in order to ascertain, as nearly as possible, how much the nation pays annually for the privilege of using bad colonial timber. Here we shall find the following table of the importation of 1834, of great service. It shows the effect of the present scale of duties, in determining the proportion of our supply obtained from each source:—

Description.		Foreign.	Colonial.	Both.	Mean Duty.
Pine timber	Loads	110,024	379,404	489,428	20*s.*
Oak	„	9,000	17,500	26,500	25*s.*
Unenumerated . . .	„	..	..	41,800	
Deals	Hundreds	33,105	34,000	67,105	£9. 10*s.*
Battens	„	11,798	1,561	13,359	£9 10*s.*
Staves	„	11,782	75,073	86,855	9*s.*
Masts, under 12 ins. .	Number	9,354	4,722	14,076	
„ large	Loads	575	3,894	4,469	
Oak plank	„	2,734	4	2,738	
Wainscot logs . . .	„	3,031	0	3,031	
Lathwood	Fathoms	4,713	5,086	9,799	

(*Tables of Revenue, &c.*, Part IV., page 17.)

As the present scale of duties is insufficient to drive the timber of the Baltic out of the market—as it only just enables the colonies to compete with the European producer—it must be obvious that any material approach to an equalization of duties will transfer the trade from the colonies to the North of Europe, except in the case of some few descriptions of timber which cannot be procured from the latter source. If the duties were fixed at the mean rates now levied, as shown in the last column of the foregoing table, at least the same amount of revenue would go into the Exchequer as under the present scale, but it would be nearly all levied on Baltic timber. We say *at least* the same amount of revenue, though in reality the amount would be greater. Consumption would be materially increased by cheapness, and the increase of revenue would follow the same ratio.

On the timber of the colonies the consumer suffers a loss in two ways; by its higher cost, and by its inferior quality. With regard to its higher cost, we have only to deduct the present duties from the prices of colonial and Baltic timber respectively, and the difference between the net prices will show us how much more we are now compelled to pay for colonial than for Baltic timber. With regard to the difference of quality, the relative prices also afford us a tolerably accurate measure. Take, for instance, red pine timber. Under the present state of the duties red pine from

both sources holds a place in the market, Canadian at £4. 10s. per load, Baltic at £5. 10s. per load*. If the quality of Baltic timber were not better than that of Canadian timber, no one would think of giving £1 per load more for it. The fact that it is generally £1 higher is proof that the consumers think it £1 better, and their judgment is not likely to be far wrong. Taking this simple view of the matter, we shall not go into detail or search for evidence to prove the inferiority of the colonial wood. We may mention incidentally, however, that, were we to do so, the result would be much more unfavourable to the views and statements of the opponents of free trade.

Taking the difference of the current gross prices as the measure of the difference of quality, and the difference of the net prices, stripped of duty, as the measure of the present loss to the community in price, we obtain an estimate of the whole loss per load on timber, per hundred on deals, and per thousand on staves, from the colonies, thus:—

—	PINE.		OAK.		DEALS.		STAVES.	
	Colon.	Foreign.	Colon.	Foreign.	Colon.	Foreign	Colon.	Foreign.
	£. s.	£. s.	£. s.	£. s.	£.	£.	£.	£.
Prices	4 10	5 10	5 10	7 10	17	29	70	110
Duties	0 10	2 15	0 10	2 15	2	19	4	42
Prices, free of duty, per load . . .	4 0	2 15	5 0	4 15	15	10	66	68
	£. s.		£. s.		£.		£.	
Loss in price . .	1 5		0 5		5		2 gain.	
Loss in quality. .	1 0		2 0		12		40	
Loss†	2 5 per load.		2 5 per load.		17 per hundred.		38‡ per m.	

Before we calculate the total loss per annum on these data we must make allowance for the timber which the British colonies would continue to furnish under any circumstances. For all purposes where great breadth and freedom from knots are of import-

* It is worthy of remark that the average prices of two years exhibit the same difference, namely, 20s.; the average price of Baltic red pine being 106s. 6d., that of Canadian 86s. 6d.

† The last line of loss is a line of differences, and, consequently, will not be disturbed by an equalized scale of duties. If the duties be fixed at 10s. or 20s., or 50s., the differences would still be as above exhibited—would still express the rate of loss which the community suffers by restriction.

‡ In the case of staves, foreign would still be higher than colonial, under equalized duties: this difference has to be deducted to make our statement of the loss by inferior quality correct. We have taken the ordinary, rather than the present prices, as Baltic staves are now, from scarcity, unusually high.

ance, there would still be a demand for the yellow pine timber of North America. On this point we must refer to the witnesses examined. Mr. White, an architect and surveyor, who had been extensively engaged in the timber trade, was asked (Question 2,899*) to state the purposes for which North American white pine would hold its place: he replied—

'Moulds, picture-frames, hat-boxes; these afford the largest price, I believe, given for any fir timber: the grain of Canadian timber is very fine; it admits of being cut into a thinner boarding than any other, and also for musical instruments.

'2,900. Purposes of wainscoting?—For panelling; a great deal of internal panelling.

'2,901. It is very superior for internal panelling?—Yes, from its great width, and it stands well: when it is once well-seasoned it stands extremely well.'

For what quantity of this wood there would be a demand, the report does not contain evidence to enable us to determine with precision. It would not, however, be so great as the quantity now consumed, inasmuch as the low price of yellow pine now causes it to be resorted to for purposes for which red pine is better adapted. 'As *timber*,' says Mr. Smirke (3,369), 'it is now used to a considerable extent, though not fit to be so used;' and Mr. Mitchel, a merchant engaged for upwards of 50 years in the timber trade, thinks its use extremely injurious. *Under these circumstances an allowance of 100,000 loads will be ample for the purposes for which white pine cannot be dispensed with; leaving 279,000 loads to be transferred from the colonial to the Baltic trade, and on which alone our present loss must be calculated.

The losses then are as follow:—

			£.
Loss on Pine timber,	279,000 loads,	45*s*.	627,750
" Oak "	17,500 "	45*s*.	39,325
" Deals "	34,000 hundreds,	£17	578,000
" Staves "	7,500 thousands,	£38	285,000
			1,529,075†

* See also the following evidence: Armstrong, 3299, 3313; Smirke, 3369-75-76-81; Mr. Warburton, M.P., 5114-52-55; Pemberton, 2819-20.

† The above, being the amount of loss by inequality of duties, would be all gained by the consumer, if the equalization took place, wholly by a reduction of the duty on Baltic timber. In any other case, part only would be gained by the consumer, and part by the revenue. If the duty were fixed uniformly, on both articles, at the present *average* rate, the State would receive the same amount of revenue as at present. Baltic timber would be cheaper than at present by the amount of the reduction of duty, or 35*s*.; it would be cheaper than Canada timber now is, by the difference between the present price of colonial timber, 90*s*., and the reduced price of Baltic timber, 75*s*.; that is to say, it would be cheaper by 15*s*., and it would be better to an extent indicated by the difference of the present prices, or 20*s*. Adopting this mode of computation, an allowance must be made for the enhanced price of

It may be proper to observe in this place, that the above estimate does not differ materially from others which have been put forward from time to time by competent judges. In the article in the 'Westminster Review' already quoted, the writer makes a larger proportion of the loss to arise from inferior quality than we have made; but the trade was then much less extensive than it now is. For instance, the importation of colonial deals was then only 12,000 great hundred; it is now 34,000, or nearly three times as much: the importation of staves was only 20,000 great hundred; it is now 75,000. Thus our estimate of £1,500,000 is more favourable to the opponents of free trade than an estimate of £1,000,000 ten years since. Sir Henry Parnell, in his work on financial reform, says, 'The trade costs the public £1,000,000; many competent judges say £1,500,000.' Mr. George Norman, a first rate authority, stated before the Committee on Manufactures, Shipping, and Commerce, in 1833, that the trade since 1813, that is, in twenty years, had cost the country upwards of £30,000,000. Hence, when the great increase of the trade is taken into account,—when it is considered that we have made no calculation for red pine masts, lathwood, battens, and many other articles,—it will, we think, be admitted that our estimate of £1,500,000, as the annual loss suffered by the consumer by the colonial timber trade, is far from excessive.

Against these statements of loss it is urged by the friends of restriction, that, the moment we equalize the duties, foreigners,

the 100,000 of white pine which would still be required from the colonies. This, at 10*s*., would amount to £50,000; thus we have

	£.
110,000 loads of Baltic pine cheaper by 35*s*.	192,500
279,000 loads of pine, transferred to Baltic, cheaper by 15*s*.	209,250
And better by 20*s*.	279,000
	680,750
Deduct for enhancement of yellow pine	50,000
Prospective gain or present loss by the pine trade .	630,750

The loss by the other articles of timber will be found to agree with our first estimate as nearly as the above.

Should the duty be fixed at a rate exceeding the average rates indicated by the second table, the consumer would be deprived of a portion of the advantage; but then the revenue would be increased to an equal amount. Thus, suppose that the timber, in all shapes, amounts to 1,200,000 loads, and the duty levied to £1,200,000, it follows that the mean rate is 20*s*., although a portion of the timber may have paid no less than 79*s*. 9*d*. (Appendix to Timber Report, No. 10), and another portion as little as 2*s*. 4½*d*. If the duty were fixed at 20*s*., the same amount of duty would be received as at present, whilst the public would be enormous gainers. If the duty were fixed at 30*s*., the public would gain some hundred thousands of pounds less, while the revenue would be increased. The transfer from the public to the state would not equal the 10*s*., inasmuch as consumption would be less; but it would, perhaps, not be far short of £500,000.

being relieved from the competition of the colonists, will raise their prices. We answer, that competition will exist in the North of Europe to an extent and of a nature to render combination for the purpose of keeping up prices impossible. There will be the competition, not only of individual dealers, but of three or four nations. In the beginning the price of Baltic timber will probably rise; two circumstances will, however, check the advance, and render it of short duration: first, a large quantity of Canadian timber will be thrown into the English markets the moment prospective equalization, or any approach to it, shall be announced; secondly, whatever advance may take place above the remunerating price will operate as an inducement to produce in excess, so that the period of high prices will most certainly be followed by a period of low prices. If the North of Europe were incapable of supplying the requisite quantity, except at an increased cost of production or importation, that increased cost, whatever it might be, must be set against our estimate of the present loss by the trade. There is, however, ample evidence that the necessary quantity would be forthcoming without material increase of cost. Mr. Richard Norman, a gentleman of great experience in the trade, was asked—

'579. The supply of timber can be increased to a very great extent? —To an unlimited extent.'

And he gives the following reason for his answer:—

'When first I entered business *fourteen* ports of Norway exported timber to this market; but the woods surrounding many of those places will either only furnish short timber, or, from local circumstances, they are prevented from procuring it of large dimensions. The consequence is, that of this number three only now supply it, viz., Christiania and Frederickstadt (I class these two together in both cases), Dram, and Schien. Were the duties equalized, each of the other eleven ports would again become suppliers of this market.

'602. Is the condition of the forests, or rather their propinquity to streams, such as that any considerable increased demand for deals would raise the cost of the deals, from the increased difficulty of bringing them down?—I should think not, because, if the proprietors of woods in the neighbourhood of the streams supplying Christiania or Dram were to raise the price beyond a certain extent, the alteration of the duty, for it is on that the question hinges, would enable other ports to supply deals on such terms as to force the merchants of Christiania and Dram to bring down their prices to an equal level; therefore I imagine that an alteration in the duty would not create any advance in the prime cost of the wood beyond the first year or so.

'603. You say to a certain extent. Is your opinion fixed as to the per-centage on the prime cost in Norway which would produce the effect of an additional supply?—No, I cannot say what it would be; it might be 5 per cent., perhaps.'

This advance, which, according to Mr. Norman, might perhaps be necessary to induce an additional supply, is 5 per cent. on the price in the producing country, and therefore amounts to a mere trifle—namely, about £50,000—on the price here. An advance even of 20 per cent., which could not by any possibility be maintained, would not be 5 per cent. on the English price. No great deduction, certainly, from the pecuniary advantage which we have shown would spring from an equalization of duties.

The enormous loss occasioned by the restrictions on the timber trade being thus placed beyond a doubt, it would require powerful inducements indeed to justify the continuance of those restrictions. Whenever complaint is made of the evil, we are told, by those interested in the North American trade, that such inducements do exist; that the pecuniary loss of £1,500,000 annually is more than counterbalanced by various national and commercial advantages, of which we should be deprived by the destruction of the colonial timber trade. We are told that the prosperity of our shipping and manufactures depends upon having colonies; that many of our colonies depend wholly on the timber trade for the means of purchasing our manufactures and employing our shipping, and that, consequently, every blow aimed at the colonial timber trade falls upon our ships, colonies, and commerce, and, through them, upon our maritime ascendancy as a nation. Into these allegations we shall now briefly inquire. We shall endeavour to ascertain in what way the annihilation—assuming it to be complete—of the colonial timber trade, would affect, *first*, the colonies; *second*, the trade and manufactures; *third*, the shipping of this country.

Considered in reference to the North American colonies, the question resolves itself into this:—Have the colonists any other means of employing the capital and labour now employed in the timber trade? and, if so, can the transfer from the old to the new employment be easily effected? To both these questions the answer is in the affirmative.

The North American colonies, both by soil and climate, are peculiarly adapted to agriculture, which is now the chief occupation of the people. Wheat is even now produced in Canada so as to sell at £2. 15*s*. in the English markets, after paying a duty of 5*s*. per quarter. The quality of such wheat is considerably better than the average quality of English wheat; it is on a par with all but the finest qualities of Kent and Essex wheat, and surpasses the wheat even of those counties in indifferent seasons.

But wheat is only one of many articles of agricultural produce, capable of being advantageously produced in the North American

colonies. Hemp and flax are there indigenous. They grow wild about the farmers' dwellings. For home use both are cultivated and worked up into household fabrics. Flax-seed has been long an article of export, and the only reason why it is not more extensively produced is because the timber trade holds out a strong but fallacious inducement to the application of capital and labour.

Tobacco is another article of rapidly-increasing production. In 1825 three or four hogsheads were received at Montreal from the southern part of Upper Canada*; in 1835 (or in ten years) the quantity had increased an hundred-fold—and this, be it remarked, in spite of the seductive influence of the timber trade.

Pot and pearl ashes are now manufactured and exported to a considerable extent, but their production has been checked by the extensive use of factitious soda. Ashes are a result of the clearing of the forest for agriculture. To cut down trees for the sole purpose of making ashes would not be attended with remuneration, but where clearing must take place at all events, the making of ashes becomes profitable. The extension of agriculture, consequent upon the annihilation of the colonial timber trade, would therefore increase the facility of bringing ashes to market on better terms, and thereby improve their chance of competition with the rival alkali.

Salted beef and pork, dried and pickled fish, butter, lard, hides, horns, tallow, live horses, and numerous other articles, have each, in British America, their appropriate section of country to which they seem naturally to belong by peculiarity of soil, climate, or position. Canada has its agriculture, Newfoundland its fisheries, Nova Scotia its mines, whilst New Brunswick is destined to become one of the finest grazing countries in the world, and would probably have been so by this time, had not the discriminating duties operated especially in favour of that province, in consequence of the advantage of a shorter and lower freight†.

In illustration of the extent of the resources of the several colonies, independent of timber, we shall turn to the Report. Mr. Revans, a gentleman well acquainted with the Canadas, in the lower province of which he long resided, states, with great precision and clearness, the large proportion of the importations into Canada which is paid for by exports other than timber:—

'I should first state,' says Mr. Revans, 'that I estimate the whole value of the import trade of Canada, both by sea and the United States, for home consumption, at about £2,200,000 colonial currency, or £1,583,334 sterling; and I should say that the value of wood of all

* Amherstberg, in 42° 30′ North.

† This is analogous to a rent in favour of New Brunswick. If all the provinces were fairly treated, the duty on the timber of those provinces which are least advantageously situated, should be lower by the difference of the freight.

descriptions, dependent upon the timber-trade law, exported from Canada, on the average of the three last years, might be about £500,000 colonial currency, or £416,667 sterling; certainly not more.'

Of the remaining portion, Mr. Revans estimates that about £500,000 is paid for by money brought in by immigrants, and by the expenditure of Government. This leaves £1,200,000, or £1,000,000 sterling, to be paid for by exports other than timber.

Let us now turn to the other colonies. In the Appendix to the Report is a statement drawn up evidently for the purpose of magnifying the importance of the timber trade; but, notwithstanding the use of considerable artifice, it has failed in disguising the insignificance of that branch of trade.

In Nova Scotia, mines and fisheries are the principal modes of investing capital and employing labour: witness the following statement:—

	£.
Produce of the Mines exported	247,000
„ Fisheries „	239,000
„ Agriculture „	50,000
„ Forests „	187,000
	723,000

(*Report on the Timber Duties, Appendix.*)

And even of the £187,000 a considerable portion consists of staves, boards, shingles, hoops, &c., shipped to the West India colonies, and therefore not liable to be affected by a change of the British duties.

Newfoundland has no timber trade. The exports are,—

	£.
Produce of the Fisheries	452,465
„ Agriculture	1,652
„ Forests	291

Prince Edward's Island exports various articles to the value of £65,000, whereof £16,000, or one-fourth, consists of timber, of which, as in the case of Halifax, the greater part goes to the West Indies.

To give an idea of the thorough dishonesty with which the table in the Appendix is drawn up, it is only necessary to state that ashes are included under the head 'Produce of the Forests.' It is quite true that ashes are the produce of the forests; but the impression intended is, that the trade in the 'produce of the forests' will be injured by any approach to equalization of duties— an impression which is false, considered in reference to ashes. Montreal is set down as exporting produce of the forests to the extent of £194,050: of this £182,530 consists of ashes.

There can thus be no question but that the North American colonies have other and ample means of employing their capital

and labour; and it only remains to estimate the effects of the process of transfer.

Capital is capable of two modes of investment. When invested in such a way that only a portion is annually reproduced, it is classed as fixed capital; when invested so that the whole is reproduced annually, or in a shorter period, it is called floating capital. Buildings, machinery, mill-dams, &c., must be classed as fixed capital. The subsistence of the labourer, the implements which rapidly wear out, the horses and cattle employed, and the manufactured article on its way to market or waiting sale, constitute floating capital. The difficulty of transferring floating capital is trifling; whatever difficulty exists lies in the transfer of fixed capital.

In the case of the timber trade of our North American colonies, the greater part of the capital employed is floating capital. The stock of timber at Quebec alone occasionally amounts to one-fourth or one-third of the annual supply; hence time should, and doubtless would, be given to dispose of this surplus stock, and to put a stop to further production. The cattle, horses, implements, and subsistence, would accompany the labourer to his new employment.

The fixed capital invested in the trade consists partly of mills, and partly of wharfs for the convenience of shipping the deals, boards, and staves. As to the amount of this capital, some difference of opinion existed among the witnesses examined; we shall therefore give currency to that estimate which is most favourable to the parties interested.

Appended to Mr. Neilson's evidence is a statement of the mill property in Lower Canada, drawn up by the owners themselves, and therefore to be received with considerable suspicion. The result is that the value of mills, producing 2,337,000 pieces of deals, is £145,000.

Now, of this quantity it is only that portion which is destined for the English markets which should be permitted to enter into the question. According to the annual tables now drawn up at the Board of Trade*, the number of deals imported from all the British North American colonies in 1834 was 34,000 great hundreds, or 4,080,000 pieces. This far exceeded the average of the previous three or four years; but, allowing the colonial deal-makers the benefit of their own statements, it would give, as the amount of *fixed capital* employed in the production of deals in all the British North American colonies, a sum but slightly exceeding £250,000 of the colonial money, or £208,333 British

* Statistical Tables, Part IV. page 162.

sterling. This, let it be observed, is the estimate of deeply-interested witnesses—the mill-owners themselves; evidence which would be rejected in a court of justice were the amount at issue of the value of one farthing only. Accounts more worthy of credit estimate the value of capital employed in mills and wharfs at £200,000 (£166,660 sterling), and even as low as £150,000 (£125,000 sterling).

Mr. Samuel Revans estimates the value of the fixed capital employed in the production of deals at £150,000 to £200,000. Now there is every reason for attaching great weight to this estimate. In the first place, no one can read the evidence of Mr. Revans without being struck with the extent and minute accuracy of his knowledge of the country. In the next place, in the whole course of his evidence he never ventures upon an opinion, without addressing himself to our reason by giving the grounds of that opinion. Lastly, he is a purely disinterested witness.

Accompanying the schedule of mills employed in the production of deals is also a list of coves, or lumber establishments, at Quebec. These coves are small bays in the river St. Lawrence, with sloping beaches, adapted to the examining, securing, and shipping of square timber. Their utility, combined with their proximity to the port of shipment, enables their owners to exact a rent—a rent generated, be it observed, by the discriminating duties. Though their fortunate owners may fix a value upon them proportionate to the rent they bear, they must not therefore be confounded with the capital of the colony. Some of these coves have from time to time changed hands, and thus an amount representing their artificial value may have been transferred from A to B, but still without affecting the capital of the country. B, the present possessor, may lose the advantages he expected from paying the money, but A, the original owner of the cove, still has it. The capital of the country therefore remains undiminished, though a value may have been first created and then destroyed by the law.

Mr. John Revans, in a pamphlet* on the timber trade published in 1831, states it to be his opinion that, 'as respects the fixed capital, it may be allowed that some, though a very small, loss would be sustained.' Since the publication of Mr. Revans' pamphlet the chances of loss have greatly diminished, indeed almost wholly disappeared, in consequence of a new employment which has opened to the Canadian mills.

On the shores of Lake Champlain, immediately south of the district of Montreal, a very extensive trade is carried on in boards

* 'Observations on the Timber Trade,' pp. 34. Richardson, 1831.

and planks, for the consumption of the cities and towns of the States of New York and Vermont. The principal emporium of this trade is Troy, at the head of the navigation of the Hudson river. Owing to the gradual disappearance of the forests in the States just named, the trade has been for some years moving gradually, but steadily, northward; and within the last two years, the old and nearer sources of supply having been found insufficient for the demand, Canada already furnishes a portion of the supply. So rapid has been the increase in this branch of industry, that some mills which formerly cut deals for the British markets have now ceased to do so, confining themselves wholly to what may be considered a home trade. The newspapers of Upper Canada continually mention this change. In the neighbourhood of Cobourg, on the north shore of Lake Ontario, are several mills which are now entirely employed in sawing boards for the United States' markets; and in a few years there is every reason to believe that the present mill property of Canada will be insufficient to supply the American demand for boards and planks.

Mr. S. Revans states, in his evidence (2,618), that the United States' demand for lumber would be supplied from Canada if the discriminating duties were removed:—

'As a more limited quantity (of timber) would be required, and that drawn from places of production more immediately in the neighbourhood of the markets, it would be enabled to be produced at a smaller cost, and we should send a good deal to New York, and to other large towns of the United States.' * * * 'I think we should have a good deal of the trade of New York, and the best part of our trade—the deal or plank trade.'

What was thus anticipated as the result of the removal of the monopoly of the English markets, has lately actually taken place before the removal of that monopoly.

Having thus shown that the North-American colonies have ample means of employing their capital and labour independent of the timber trade, and that there exist no obstacles to the transfer* of that portion of capital which is now employed in the latter branch of industry, we have done quite enough to show that, as far as the colonies are concerned, there is no reason why the prin-

* The transfer of capital from one employment to another is facilitated in Canada and the other colonies of North America in the same way as in the mother country, namely, by means of banks and credit. Banks may be considered as the instruments by which the lender and borrower of capital can be rendered mutually accessible to each other. When the wheat-producers are in a state of prosperity, and therefore of credit, they become extensive borrowers; when some other class of dealers are in a greater state of prosperity, and therefore of credit, they in their turn become the borrowers. Thus it is that capital is transferred from one channel to another gradually, and without the slightest disturbance.

ciple of equalization should not be carried into practice at once. We shall, however, go a point further, and show that the present forced trade in timber is actually *injurious* to the colony in the highest degree, and that the greatest positive benefit will arise from its annihilation.

As a general principle of the science of trade, it is true that profits have a perpetual tendency to equalize. If, at any particular time, one branch of industry ceases to yield the ordinary and average profit, production will decline until diminished supply shall restore price to a remunerating rate. But this principle, though true for the most part, is not without exceptions. It may happen that a trade may be carried on, without yielding, on an average, any profits at all; in which case the sooner it is discontinued the better. A trade may be analogous to a lottery. In a lottery, the amount returned to the adventurers generally in the shape of prizes falls short of the amount paid for tickets, and thus there is a certain net loss to the aggregate of those who embark in lottery speculations. Why then do people embark in them? Because they are lured by the magnitude of the advantages which must fall to the share of some. Their minds dwell upon the highest prizes; for these they make a desperate throw; they enter into no sober calculation as to the average remuneration.

The timber trade in Canada comes within the exception to the general rule. It partakes more of the character of a lottery than of a branch of sober industry. The prizes are extremely high, and the blanks proportionably numerous. A few words (and we shall adopt those of Mr. Revans in preference to our own) will place this in a clear point of view:—

'There is a circumstance,' says Mr. Revans (2,589,) 'attending the Canada timber trade, which causes the pursuit of that trade to be an exceedingly gambling pursuit; it is the smallness of the invoice price as compared with the price in this market. White pine is the principal of the Canada timber export; I believe it may be valued at 12*s.* a load. When it comes to this market it is enhanced, by the duties and the freight, and other charges, to about 70*s.*; now, supposing the shipper not to be the ship-owner, but to be possessed of an invoice of the timber, the rise and fall of the timber here would, of course, fall wholly on that investment, inasmuch as all the fixed charges must be paid. Assuming the selling price of Canada timber trade at 70*s.*, a rise of 5 per cent. would be 3*s.* 6*d.*; I believe no merchant would consider a rise or fall of 5 per cent. a fluctuation of any great importance; but the rise or fall of 5 per cent. (or 3*s.* 6*d.*) on 70*s.* is, on the invoice price of 12*s.*, 30 per cent. or nearly one-third; so that, while the market here appears to be without a fluctuation of any importance, there is a fluctuation to this enormous extent. The cotton trade is often spoken of as the most speculative trade, though it is not, in fact, a twentieth part so speculative as the Canada timber trade.'

This liability of the timber trade to excessive fluctuation is rather under than over-stated by Mr. Revans. Fluctuations have frequently taken place sufficiently great not only to swallow up the whole of the original cost, but to leave the shipper a debtor to the consignee to a considerable amount. In 1825-26, for instance, an excessive production of timber in the North-American colonies raised freights to 63*s*. per load. The same excessive production which thus enhanced the charges on the one hand depressed the home markets on the other; and many cargoes of timber did not pay the freight and dock charges. Thus the unfortunate shipper lost, first, his timber, and, next, the whole amount of the duty. If he were insolvent, the loss fell upon the consignee; so that, in the autumn of 1825, when some ground for anticipating the then approaching disasters had reached Canada, many prudent merchants refused to receive consignments of timber. The ruin which ensued was almost universal. Now, what had induced this excessive production, and disposition to speculate in timber? Simply the enormous prizes of previous years.

But the risk is not confined to the commerce in timber; it extends to its production. The timber of Canada and of New Brunswick is for the most part produced at a distance from the port of shipment, to which its transport in the form of rafts is attended with enormous risk. Mr. Revans shows, and other witnesses admit, that the wrecks are numerous:—

'A large quantity is lost coming down the numerous rapids and waterfalls; an immense quantity of the timber is lost or ruined; many rafts are lost when in the neighbourhood of Montreal. I have known 14 rafts wrecked in a single gale. At Quebec it is not uncommon to have an immense quantity of timber carried away after it is supposed to have been secured.'

Another source of disappointment and excessive loss arises from the absence of sufficient snow to transport the timber from the woods to the streams, and also from the sudden falling of the waters causing timber to remain on the beach. No less than 60,000 pieces of timber are now said to be suffering detention from a want of water in the Ottawa river. The consequences are high prizes to those who have been fortunate to reach the market, and ruinous blanks to those whose timber is left behind.

Of course the man who succeeds, under such circumstances, in getting his raft safely to market, gains a prize; and, in the reckless enjoyment which follows, the dangers of the rapids, of the lake, of the drift ice, and of the winds, are forgotten.

It would be absurd to look for sober habits from such a state of trade. All reasonable and coherent accounts characterize the trade as of a most demoralizing nature, turning the most hardy

and energetic portion of the population into a band of thriftless and reckless profligates.

It may be proper to remark that this liability to extraordinary fluctuation, and consequent risk of loss, does not belong to the production of sawn timber for home consumption and for the United States. The producers have not to bear on a small sum the fluctuations of a much larger; all they are liable to are the effects of competition, which invariably carry with them a remedy for the evils which are incidental to them. The 'getting out' saw logs is not so difficult and arduous a business as getting out large timber, and the risk of loss is very trifling, as they are floated down small streams, and are finally stopped by a dam. The great value of boards and plank consists of labour expended upon them, and the mode in which the labour is applied is highly favourable to the growth of a moral and intelligent population. The work is carried on under cover, but not in heated and confined buildings. Combination and co-operation are observed to a very considerable extent, and the whole business is, in most cases, under the inspection of the owner of the mill. That portion of the lumber trade which the North-American colonies would retain would not possess the objectionable character which attaches to the external timber trade.

We have already said that the seductive influence of this essentially gambling trade has the effect of turning aside capital from other and more productive employments. The following statement of the average quantity of wheat exported in periods of five years will amply illustrate and prove this proposition:—

Five Years ending	Bushels.
1797	326,921
1802	493,707
1807	261,809
1812	295,473
1816*	5,986
1821	391,255
1826	429,809
1831	747,210

Here we find that the rate of increase exhibited between the first and second periods met with a sudden check about the year 1807. After this period the exportable surplus still went on increasing, but starting from a smaller quantity; and it was not until after 1826 that the average surplus for export attained the same point as it stood at before 1807. Now it was in 1807 that

* Four years only, a period of war.

the colonial timber trade was first encouraged by discriminating duties; and, as there is no other circumstance by which this decrease of the export of other articles can be accounted for, we are warranted in attributing it to the introduction of the forced trade in lumber. Had the ratio of increase of the first periods been maintained, the average of 1827-31, instead of being 740,000 bushels, would have been 1,400,000. It is also worthy of remark that in 1772-75, when the population of Canada did not exceed 85,000, the average export of wheat was 293,796 bushels, chiefly to Spain and Portugal. In the same proportion the present population, exceeding 1,000,000, should furnish 3,500,000 bushels. It sometimes happens, during unfavourable states of the English markets, that the United States' millers are large purchasers of wheat in the market-towns of Upper Canada. Last year this was the case to a considerable extent. Whilst the wheat of Canada was thus going into the United States, flour was returned into Canada. In addition to this trade, foreign wheat has been shipped from England to Canada, and, it is believed, with advantage to the shipper. Some persons connected with the trade of Canada have been either ignorant or uncandid enough to mention this fact as a piece of evidence that Canada cannot grow wheat enough for her own consumption, and that therefore her dependence on the timber trade is absolute. These persons forget that foreign timber was shipped to Canada, as well as foreign wheat. Cannot Canada grow timber enough for her own consumption? Yet the inference, if good for anything, is good in both cases. The fact is, the discriminating duties in both cases are sufficiently high to enable the shipper to pay double freights for the purpose of securing the privilege of the lower duties.

It is quite amusing to observe the shifts to which the colonial timber-merchants are driven by the conflicting operation of inconsistent interests of their own. Some of the timber-merchants connected with Quebec are great jobbers and land-company schemers. As timber-merchants their interest is to show that Lower Canada is utterly incapable of producing wheat, and, as may be supposed, they hesitate not to make the assertion. Presently they are called upon to assume a new character—to contradict all they had previously advanced, and to laud their 'quelques arpens de neige vers le Canada' (as Voltaire has it) as an earthly paradise. Mr. Revans (2,595) points out the inconsistency, and even selfish cruelty, of those persons who assert 'that the country is unfitted for agricultural pursuits,' and yet recommend to emigrants to proceed thither. One opinion only can be formed of men who, as directors of the British American Land Company, exhort farmers to go to Lower Canada, and, as timber-merchants, would

have us believe that wheat cannot be advantageously produced in that province. The evidence of such men is utterly untrustworthy, utterly valueless, on either side.

Before we dismiss the portion of our subject which relates to the interests of the colonies it may be necessary to notice two statements, which, although often refuted, are ever and anon called up as reasons for continuing the monopoly. One is, that the lumber trade furnishes employment to the recent immigrant, and that, without that trade, no other employment would be open to him. The other is, that it is of signal use to the agriculturist, by clearing the forests.

With regard to the first assertion, it is notorious to those who are at all acquainted with the subject that in no one stage of the process of lumbering do the recent immigrants find employment. The manufacture, if we may use the term, is carried on by men who are accustomed to the axe as it is used in America. Most of the choppers and dressers are native Americans and Upper Canadians, with perhaps a few—but only a few—old countrymen, who have served a long apprenticeship to wood-craft. The men who prepare and raft the wood, also for the most part accompany it in its long and perilous voyage to its port of shipment. When it has been delivered into the hands of the Quebec dealer or shipping merchant, the original lumber-man leaves it; but does it then go into the hands of the recent immigrant? No; it goes into the hands of Lower-Canadian labourers, who are accustomed to the work which is now required, especially re-dressing and team-hauling. In some few cases, where mere human force is required, the recent immigrant does find employment; but such cases are not sufficiently numerous to affect the truth of the proposition that the lumber trade does not afford employment to the recent immigrant. It is to agriculture and to public works that he must look for employment.

In the next place, those who tell us that the lumber trade contributes in any way to the clearing of the forest are utterly ignorant of the manner in which the forest is cleared, as well as of the way in which the lumber-man proceeds. The lumber-man selects a few trees from an acre; the agriculturist requires that all be removed. The lumber-man leaves the under-brush as he found it; he also leaves the branches, and such parts of the tree as he does not require, to encumber and entangle the ground; so that the clearer, coming after the lumber-man, has nearly double work to perform*. The lumber-man is, in fact, a perfect nuisance to

* See Mr. Revans' Observations, &c., p. 15, and 'Westminster Review,' vol. vii. p. 141.

the chopper, and is the exciting cause of so many profane oaths, that we really think the lumber trade should be interdicted in Sir Andrew Agnew's holy Bill.

Having fully considered the question as it affects the interests of the British consumer, and that of the people of the colonies, we proceed to view it as it bears upon our manufactures and trade.

In showing that the colonists have other means of employing their capital and labour, independent of the timber trade, and that consequently the value of their exports would, except during the process of transfer and adjustment, remain undiminished, we, in effect, settled the question as to the unimpaired power of the North-American colonies to purchase our manufactures after their timber trade shall have been annihilated. The colonies will still take as great an amount of our manufactures as at present, and our manufactures will, in addition, have all the benefit of any new demand which may spring up in consequence of the increased power of the North of Europe to purchase. As the question, however, is one involving important principles, we shall not stop here, but shall endeavour to trace out the ulterior consequences of the proposed alteration.

It is said that the people of the North of Europe do not take our manufactures. True; but why do they not? Simply because they have only timber to offer us, and this we refuse to take of them. If they could find other customers for their timber, they would doubtless come to us for such articles as we are in the habit of selling cheaper than any other country in the world; but, as we give our custom in the only article in which they deal, to a country which does not want such custom, and which would not deal in the article but for our custom, the people of the Baltic are rendered poorer by the value of the trade, and our manufacturers deprived of custom to that amount. We have the most perfect evidence that the North of Europe would be an extensive customer to our manufacturers, in the fact that such was actually the case before we refused to take their only purchase-money.

Mr. Richard Norman is asked—

'642. You state that there has been a very large falling off in the Norway trade within the last few years; has that had any considerable effect upon the consumption of the produce of Great Britain in those countries?—A very great effect indeed. When first I entered business the exports of British manufactures and colonial goods from this country were enormous; they are now comparatively small, though Norway does take, and is disposed to take, everything she can from England.'

Mr. Norman afterwards states that this falling off does not

arise from any diminished desire to consume British goods, nor from their having got other channels of supply, but that it arises from their 'perfect inability' to purchase under the present circumstances of the trade. The witness was afterwards asked—

'752. Do you consider that an increased importation of Norwegian timber would cause an increased demand in Norway for British manufactures?—I believe that the effect of an increased supply of Norway produce in this country would be a very material increase in the exportation of British manufactures; and I believe, further, that, if the trade was put on such a footing as to yield a profitable return to the exporter from Norway, a much more than relative increase in the quantity of goods exported hence into Norway would take place.'

Mr. Norman also states (731) that even now 'London and Liverpool furnish to Norway British manufactured and colonial goods to a far larger amount than the proceeds of the timber exported;' and further (749), 'that the balance of freight is generally disposed of by the Norwegian captain and his crew almost wholly in the purchase of British manufactured goods.'

In Sweden, it is stated by Mr. Henry Prescott (858), a Bank Director, and a gentleman engaged in that trade, that a reduction of duties on British goods will come into operation in 1836: and in Prussia, so strong is the disposition to consume British manufactures,—

'That they find their way into Prussia,' says Mr. Bateman (1,082), 'through the port of Hamburgh: there is a very large exportation of British manufactured goods from Hull to Hamburgh; and I have reason to think that those manufactures find their way, in some measure, into Prussia.'

In contradiction to this very conclusive evidence in favour of an immediate increase in the demand for British manufactures consequent upon the removal of the present restrictions on Baltic timber, it is rashly asserted, but without even an attempt at proof, that the people of the Baltic countries will take nothing but money. Admitting this to be true, and thus giving the opponents of free trade all the benefit of their assertion, the argument can easily be shown to be of no value.

The money which, by the supposition, the Baltic people will receive from England, is of no use to them but for the purpose of enabling them to become more extensive purchasers of other articles. 'I presume,' says Mr. John Revans*, 'they do not eat it, nor wear it, nor sleep upon it.' Now, in laying out their money, although they may studiously avoid purchasing of us, they can scarcely avoid dealing with a customer of England; and thus,

* Observations, &c., p. 32.

although the increase of their exports may not create a *direct* demand for our manufactures, it must of necessity create an indirect demand. Even if some portion of the money received from us be laid out among a people not our customers to any extent, they will, at all events, be the customers of our customers, so that ultimately, though perhaps after a considerable circuit, an increased demand must necessarily reach our manufacturers.

This circuitous demand may be thus conceived: Norway, instead of buying our manufactures, insists on having our money. With this money she goes to Spain and Portugal for wines, to France for brandy, to North America for tobacco, and to the Brazils for sugar. Here, then, she deals with our good customers, who will most certainly come to us for calicoes and hardware with part of the money they get from Norway. With another portion of the money we may suppose they will go elsewhere for other commodities. Portugal and Brazil, for instance, will go to Newfoundland for dried cod-fish, so that they thus become the customers of our customers. In practice the circuit would perhaps be larger and more complicated; but, so long as Great Britain can sell her manufactures below the price at which other nations can afford similar goods, no extension in the purchasing power of any nation can possibly take place, without benefit accruing, either directly or indirectly, to the manufacturers of this country.

But we need not stop even here. Suppose that Norway, instead of putting money to its ordinary uses, were to be suddenly seized with a desire to possess 'vessels of silver and vessels of gold;' suppose further that at the same time other nations were to be seized with the same mania; this would really increase the demand for the precious metals. But what would be the consequence? The precious metals are commodities, produced under the same circumstances as other commodities, and obeying precisely the same laws. An increased demand would raise the price. This would stimulate supply; and the countries producing the precious metals would experience a great increase of prosperity. But the countries producing the precious metals are among our best customers for manufactured goods; hence, even on this extreme supposition, benefit would reach our manufacturers as certainly, and even as quickly, as under any other circumstances. No idle and vague fears need at any time be felt about draining us of our specie. This country is the money market of the whole world. Specie (especially silver in the shape of dollars) is perpetually pouring in upon us, so that the nation which will sell to us what we require, and take some of our surplus silver, is not a bad, but a very good, customer.

The effect of an equalization of the timber duties upon the interests of our manufacturers will therefore be this: Canada, as we have shown, will still take off as great an amount as before, whilst in the North of Europe a new demand will be created equal to the whole value of the trade transferred, or, at the lowest calculation, to £500,000 sterling*. The privation of this trade must consequently be added to the other evils which the present scale of duties inflicts upon the community.

We now approach the last branch of our inquiry, namely, the effect of a change in the channel of the timber trade upon our shipping, and, through our shipping, upon our maritime power.

In order to ascertain the effect of such change upon our mercantile marine, it is necessary to know what portion of that marine finds employment in the colonial timber trade. The Appendix to the Report of the Committee on the Timber Trade will enable us to establish this point. It contains a statement of the ships employed in the trade between the United Kingdom and the North-American colonies, which is as follows:—

Ports.	Ships.	Tons.	Men.
Quebec	779	232,273	9,964
Montreal	120	28,694	1,421
St. John's	511	153,392	6,603
St. Andrew's	102	29,729	1,269
Halifax	122	29,906	1,356
Cape Breton	12	1,789	113
Prince Edward's Island	19	3,360	159
Newfoundland	151	18,515	1,122
Total	1,816	497,658	22,007

This statement is far beyond the average, but we prefer taking it, as we have all along given the opponents of free trade the benefit of their own statements. It must also be observed that the above table includes the shipping employed in the transport of wheat, ashes, flour, and other produce, from Canada, and also fish and oil from Halifax, Cape Breton, Prince Edward's Island, and Newfoundland. Newfoundland and Montreal send no timber; Halifax, Cape Breton, and Prince Edward's Island, ship other articles. Hence the following table of deductions will be found necessary, to enable us to arrive at the shipping employed in the colonial timber trade.

* We have said nothing of the increased demand for manufactured articles on the part of the *British consumer*, when allowed to keep in his pocket the million and a half now annually taken from him in sheer waste by the discriminating duty.

Ports.	Cargoes.	Tons.	Men.
Montreal	120	28,694	1,421
Quebec	100	25,000	1,200
Halifax, Cape Breton, and Prince Edward's Island.	76	17,600	850
Newfoundland	151	18,516	1,122
Total	447	89,810	4,593*

The number of cargoes of timber shipped from British America is thus shown to be 1,369, the tonnage occupied 407,848, and the seamen navigating the said ships 17,414.

But the ships employed in carrying these 1,369 cargoes make more than one voyage. Those employed in the Canada trade make two; in the New-Brunswick trade they sometimes do, and always can, make three; and, when they do not do so, a voyage to the North of Europe is by no means uncommon. This would, probably, make each ship carry, on the average, 2⅓ cargoes, and make the whole number of ships employed amount only to 586. But, giving the ship-owners all the advantage of the difference, we will assume—a great admission on our part—that they can only make two voyages, on the average, to the American ports: this will give 684 ships employed in the colonial timber trade, measuring 204,000 tons, and navigated by 8,700 men.

If the timber trade were wholly annihilated, these 684 ships would be deprived of their present employment; but we have seen that the trade would not be completely destroyed; the United Kingdom would still require at least 100,000 loads of white pine timber, including masts, from the colonies. This quantity of timber, according to the proportion of the whole trade, would amount to 222 cargoes, or 111 ships, measuring 36,600 tons, and navigated by 1,400 men.

This leaves 573 ships, measuring 167,400 tons, together with 7,300 seamen, reduced to the necessity of finding other employment.

If the newly-opened trade of the Baltic were to employ British ships only, there would still be a diminution in the shipping employed, by the difference in the length of the two voyages. Of this the ship-owners would doubtless complain; but their complaints would be no more reasonable than if they were to complain of the skill and energy of all masters of ships who should make more than two voyages across the Atlantic in one year. Formerly one voyage only was made to Canada. In 1827 a new ship,

* It will be seen that we make a very small allowance of tonnage and men where we are called upon to make the estimate ourselves.

called the 'John Porter,' astounded the sober captains in the Quebec trade by making five passages, or 2½ voyages. Since then the 'Cherub,' Captain Neill (an excellent seaman and a good man, who now commands the Robertson), and the 'Sophia,' Captain Miller, have made three complete voyages, or six passages across the Atlantic. The Quebec and Montreal merchants gave to each of these energetic men a piece of plate. Had they been consistent, they should have petitioned Parliament for a tonnage duty on second voyages, and a further duty on third voyages; for it ought to be quite clear that such active men as Captains Neill and Miller would throw one-third of our ships out of employment*.

A diminished mercantile marine, arising from an improvement in navigation by which voyages are shortened, or from a shortening of the distance, is equivalent to saving effected in a process of manufacture. There would be a momentary loss; but this loss would be made up by the subsequent gain, otherwise the change would not take place. It is the saving, and nothing else, which determines that the change shall take place. In like manner a saving in the cost of building ships would injure individual ship-owners, but the public would gain in the price of every sea-borne article; and this gain would prevent a diminution of national capital, and furnish an additional fund for further accumulation. Loss of employment from a saving of cost cannot be regarded as a subtraction from the national wealth, and therefore is not to be deprecated.

The time occupied in the trade of the North of Europe, compared with that of British America, is as nearly as possible indicated by the average rate of freight, namely, as 28 to 37; in other words, the European timber trade would only require about 430 ships instead of 573. Of these 430 ships, it is capable of proof that the greater part will be furnished by Great Britain. The ship-owners, in contradiction to this, assert that they cannot compete with the ship-owners of the northern countries. How then is it that Great Britain, even under present disadvantages, actually enjoys a considerable share of the carriage of European timber? Taking the average of 10 years, ending with 1834, there have been imported from the North of Europe—

In British ships . . . . . 69,806 loads of timber.
In foreign ships (from all countries) 75,766 ditto†.

* Since the above was written we have met with the following extract from a Canadian paper:—'A splendid silver cup was presented at Quebec on Saturday last to Captain Edward Grandy, of the fast-sailing *City of Waterford*, as a token of respect for his having made three voyages last season to and from the port of Quebec in that vessel. Similar compliments were paid some years ago to Captain Neill, of the *Robertson*, and Miller, of the *Cherokee*, for similar successful efforts, when they were in the *Sophia* and *Cherub*.'—*Montreal Gazette*, May 24.

† See Porter's Tables, Part IV., 1835.

Without descending to particulars, this is quite sufficient to prove that the statement of the ship-owners is wholly unfounded, and that they do actually compete with foreigners on tolerably equal terms. But, if the competition be now equal, what so certain to destroy that equality, and turn the scale in favour of the British ship-owner, as a reduction of 25 per cent. in the price of the principal material used in the construction of ships? At the present moment there is scarcely any branch of our industry so heavily taxed as our shipping. The timber, the iron, the cordage, the sail-cloth, and, when the Corn Laws are considered, we may add the labour, are all enormously enhanced in price by our antiquated system of restrictions; yet, instead of demanding perfect freedom of trade, the narrow-minded ship-owner calls for countervailing restrictions in his favour, which, although they might, perhaps, give him the chief share in the carrying trade of colonial and British produce, would effectually deprive him of much of the foreign carrying trade which he now enjoys, and which he enjoys only because his own insane wishes have not been completely attended to.

At the first opening of the Baltic trade every one must admit that foreign nations will not have wherewith to supply the necessary tonnage, and that, therefore, our ships now engaged in the American trade will be called upon to supply it. As they gradually become worn out, two circumstances afford conclusive evidence that Great Britain would still be called upon to supply the demand. The first is the cheapening of what may be called the raw material of ships; this has already been discussed. The second is this: timber can be carried in ships so worn out as to be useless for other purposes. As Great Britain has the largest stock of ships of any nation in the world, it follows that her supply of old ships, fit only to carry a floating cargo, must be large in proportion. The supply of old ships possessed by the Baltic nations being necessarily small, it could be by building only that they could supply tonnage sufficient for the increased timber trade. But it is quite impossible that new ships can compete with old ships: hence Great Britain must enjoy the trade.

There is, in the minutes attached to the Report of the Committee, much direct evidence in favour of this general conclusion. Mr. Norman is asked,—

'743. Supposing the scale of duties were altered, so as to increase the taxation and export of deals from Norway, do you imagine that extra quantity would be exported wholly in Norwegian ships, or that British shipping would be employed?—I should think that British shipping, in that case, must be employed, for I do not think that the Norwegian ships are numerous enough to supply the probable demand for them.

'744. Why should it not answer the purpose of the Norwegians to build ships for that trade?—The hull of a Norwegian ship can, of course, be built cheaper than the hull of an English ship, the cost of materials being so much less; but I believe the hull is the only thing in which the Norwegian ship has the advantage, for all her sails, her anchors, her cordage, her cables, are invariably English; there are very few ships that come to the port of London where that is not the case.'

With regard to the principal Prussian ports, Mr. Solly's opinion is equally strong, as the following extract will show:

'I believe that, if the present cause was by any means removed, whereby the trade to Memel in wood would resume its former footing, it would in every respect resume that footing, and be carried on, as before, in British ships.

'1,618. Then you are of opinion that the British ship-owners can navigate as cheap as the Prussian?—A great deal cheaper.'

Mr. Solly, after stating that his observations apply to Danzig as well as to Memel, gives the reasons on which his opinions are grounded.

The gentlemen connected with the colonial trade, as may be supposed, bear witness against Mr. Solly and Mr. Norman. They declare that the English ship-owner cannot sail his ship as cheaply as the foreign ship-owner; but when we recur to the strong fact that he does already maintain a competition, and add to this the bias which their evidence receives from their interest, we are bound to receive their unproved statements with suspicion.

That the *present* owners would be called upon to compete with cheaper *British* ships we admit; and this we believe to be at the bottom of their opposition to a reduction of the duty on what we have called one of the raw materials of the ship. Hear Mr. J. D. Hume, of the Board of Trade, on this point. In allusion to the drawback of duty allowed on timber used in building churches, Mr. Hume is asked,—

'151. Do you not think it would be possible to give to the shipping interest a similar advantage, and to allow them to have their timber duty-free for ship-building?—This is a subject which was taken into consideration some time ago by the Board of Trade, when Mr. Huskisson was the President of it. He was very anxious to make an arrangement by which the ship-owners might have a drawback of the duties used in ship-building * * * it was accordingly proposed to some persons of the shipping interest: but it was strongly opposed by the gentlemen to whom it was submitted, because they said it would be a means of building ships in future much cheaper than their own had been built, and that it would be a great bounty to the building of more ships. It was then observed that the national interest was generally urged in favour of the shipping interest, and with it the maritime strength of the country; but the parties seemed

to think it would be very hard to lower the value of their ships for a future object of that nature, particularly when that property had been already lowered so much as it had been at that time.'

We think we have said enough to show that, of the tonnage required to bring the timber of the Baltic to this country, the greater portion—indeed nearly the whole—would be British. Still there would be a decrease of demand to the extent of some 140 or 150 vessels, measuring about 42,000 tons, in consequence of the shorter duration of the voyage. This tonnage would speedily be absorbed by the increased quantity of wheat, flour, and other commodities, which the capital and labour liberated from the production of timber will cause to be exported from the North-American colonies. It is true that, in the early stages of the process of adjustment, the demand will be chiefly for the better class of ships. There will, consequently, be a tendency to an advance in the freight of such ships, at the same time that the freight of old ships will decline. This will stimulate the building of new ships, and the breaking up of old—a state of things which will be extremely beneficial to the character of our mercantile marine. The following table* will show the annual net consumption of our shipping by losses and breaking up:

	Ships.	Tons.
Shipping at the end of 1832	24,435	2,618,068
Built in 1833	1,159	144,648
Total	25,594	2,762,716
Actual quantity, end of 1833	24,385	2,634,577
Consumption in 1833	1,209	128,139
Shipping at the end of 1833	24,385	2,634,577
Built in 1834	1,160	148,121
Total	25,545	2,782,698
Actual quantity, end of 1834	25,055	2,716,000
Consumption in 1834	490	66,698
Average consumption by loss and breaking up	850	97,420

It is impossible, after examining the above table, to conceive that any serious inconvenience can arise from the temporary jeopardy in which some 40,000 tons of shipping will be placed. But when it is considered that the whole value of such ships does

* See Porter's Tables, Part IV. p. 43.

not exceed one-tenth of the loss we are doomed annually to incur for their supposed benefit, no minister should hesitate one moment in the work of equalization.

We shall now detain the reader but a very short time, whilst we dispose of what may be called the patriotic argument of the ship-owners. Of the sincerity of this patriotism of theirs Mr. Hume's statement has given us the means of judging; but we have now merely to examine the validity of the argument. We are told that the destruction of the colonial timber trade will seriously affect our maritime power, by endangering the employment of upwards of 7,000 seamen. Now, suppose that the whole of the shipping employed in the timber trade, instead of being immediately taken up by the European trade, were swept from the waters, does any one in his senses really imagine that our maritime power would suffer? If so, we were in a deplorable condition in 1832, when we had nearly 7,000 seamen less than in 1834. According to Parliamentary returns we had, in 1834, 168,061 seamen, and in 1832 only 161,634, being a difference of 6,327 men. In fact, after losing the whole of the shipping engaged in the colonial timber trade, we should still be in a better position for manning a navy than we ever were before. At no period of our history has Great Britain had so large a mercantile marine as at present*; whilst, at the same time, the chances of war were never so small. Before the late war France had a considerable navy, but, by a series of the most extraordinary successes, England destroyed that navy so completely, that Napoleon ceased to hope for its resuscitation. Yet, with the navy of our former rival reduced to insignificance, in a period of profound peace, and without the remotest probability of war (dread of Russia notwithstanding), we are called upon to keep our navy in the same state of efficiency as though we were on the point of quarrelling with all Europe. On the absurdity of this policy we cannot avoid presenting to the reader's attention an extract from

* The following statement of the number of seamen employed in British ships in the period from 1802 to 1811, compared with the number at present employed, ought to remove all alarm:—

Average number of British seamen in the nine years, from 1802 to 1811	158,184
Number in 1804	153,787
,, 1834	168,061
Increase, compared with the average from 1802 to 1811	9,877
Increase compared with 1804	14,274
Seamen employed in the colonial timber trade . .	8,700

The following statement of the contributions from seamen, national and mercantile, to Greenwich Hospital, also confirms our view:—

Contributions in 1818	£39,590
,, 1827 . . .	39,965

the late Mr. Mill's admirable article, 'Colony,' in the 'Supplement to the Encyclopædia Britannica.'

'A navy is useful for the defence of Great Britain. But a navy of what extent? One would not, for example, wish the whole people of Great Britain engaged in the navy. The reason, we suppose, would be, because this would not contribute to strength, but weakness. This is an important admission. There is, then, a line to be drawn; a line between that extent of navy which contributes to strength, and that extent which, instead of contributing to strength, produces weakness. Surely it is a matter of first-rate importance to draw that line correctly. What attempt has ever been made to draw that line correctly? What attempt has ever been made to draw it at all? Can anybody point out any landmarks which have been set up by the proper authority? Or, has the matter been always managed without measure or rule? And has it not thus always been an easy task to keep the navy in a state of excess, always beyond the line which separates the degree that would contribute to strength from the degree that infallibly contributes to weakness?

'As the passion of England has always been to have too great a navy; a navy which, by its undue expense, contributed to weakness; so it has been its passion to have too many sailors for the supply of that navy. The sailors of a navy are drawn from the sailors of the maritime trade. But a navy of a certain extent requires, for its supply, a maritime trade of only a certain extent. If it goes beyond that extent, all the excess is useless with regard to the supply of the navy. Now, what reason has ever been assigned to prove that the maritime traffic of Great Britain would not, without the monopoly of the colonies, afford a sufficient supply of sailors to a sufficient navy? None whatsoever; none that will bear to be looked at. But till a reason of that sort, and a reason of indubitable strength, is adduced, the policy of the navigation laws remains totally without a foundation. In that case it deserves nothing but rejection, as all the world must allow. It is a violent interference with the free and natural course of things; the course into which the interests of the community would otherwise lead them; without any case being made to appear which requires that violent disturbance.'

It is impossible to consider this subject without coming to the conclusion that the measure proposed by the committee, namely, to reduce the duty on European timber by 15*s*., that is, to 40*s*., is inadequate. It will produce all the inconvenience, without the benefit, which a bolder measure would produce. It is a half measure of good, but a whole measure of evil. It will render the colonial timber trade a lingering, dying trade. Men will still vainly hope for benefit from that trade, but, after ineffectual trials, they will be compelled to desist by a series of disappointments, generally ending in ruin. A more accurate view of the whole evidence than the committee have taken would have led to the following conclusions:—

1. That it is expedient to equalize the duty on all timber, from whatsoever source, and charge it at 20*s*. per load.

2. That the duty on deals, staves, battens, &c., be calculated according to their solid contents *, at the same rate of 20*s.* per load.

The consequences of such equalization we have shown to be,—

First—That the revenue would be *at least* equal to its present amount;

Second—That the community would be benefited to the amount of £1,500,000 per annum, in price and quality together;

Third—That the colonists would be benefited by being induced to employ their labour and capital in sounder, steadier, and more productive modes of investment;

Fourth—That the demand for British manufactures would be increased by the whole value of the trade transferred; and, lastly,

Fifth—That the character of our mercantile marine would ultimately be considerably benefited by the reduced price of the principal material used in the construction of ships; and, even should there be a cessation of demand for a small amount of tonnage of the worst ships, that the small loss consequent thereon cannot weigh against the enormous advantages which will spring from equalization; especially when, as far as national defence is concerned, we are in a situation to bear more than the diminution which could occur if the whole shipping engaged in the colonial timber trade were sunk in the ocean.

Ω.

Postscript.—After coquetting with the question during the whole of the past session, ministers, towards its close, announced that they did not intend to introduce any measure affecting the *principle* of the trade till next year; and as they will, even then, postpone the operation of the law until twelve months after its enactment, we shall be compelled to endure all the evils incidental to the restriction until the year 1838.

It was in 1831 that a measure proposing the reduction of the duty on Baltic timber, and a virtual recognition of the principle

* The present mode of levying the duty is unjust to the English sawyer. The average duty on foreign deals is only 42*s.* 5½*d.* per load, whilst the sawyer has to pay 55*s.* on the timber he saws. On colonial deals the average duty is equal to 4*s.* 8*d.* per load; the sawyer has to pay 10*s.* per load. Under an equal duty the English sawyer would enjoy a larger share of the manufacture.

Those countries which can produce deals of large dimensions are unduly favoured, whilst those which can furnish only the smaller and least valuable kinds are unjustly taxed. Witness the following scale:—

Dimensions.				Duty per Load.		
ft.	in.	in.	in.	£.	s.	d.
20	11 ×	12 ×	3	1	15	0
20	11 ×	9 ×	3	2	6	6
15	11 ×	9 ×	3	2	12	0
12	0 ×	9 ×	3	3	10	4
8	0 ×	9 ×	3	5	5	6

of free trade was introduced by the Whig ministry into the House of Commons; on a division they found themselves in a minority, and the question appears to have frightened them ever since.

As the annual loss was then more than £1,000,000, and is now £1,500,000, we may estimate the accumulated loss of the period of seven years at £9,000,000; that is, at the average annual rate of £1,250,000.

What can be said of the conduct of the Whigs in thus avoiding a financial reform which they declared to be necessary many years ago? In 1831 ministers in their speeches showed the trade to be fraught with evil. In 1833 the same ministry had power to carry anything. They were then enjoying the popularity which the passing of the Reform Act had conferred upon them: the first operation of that Act was to confer the power of an enormous parliamentary majority on its authors, and yet they neglected to take any advantage of that power as far as this question is concerned. In fewer words—in 1831 they knew of the evil;—in 1833 they had full power to remedy it;—and yet in 1836 the disgraceful regulation still remains in force. It may be urged that the Melbourne ministry is not the Grey ministry; that Lord Althorp, who proposed the measure, is no longer in the House, and so forth. All this is true as regards the names we have quoted; but it is still the Whig ministry; still is Mr. Poulett Thomson there, and in a much better position for carrying through a measure of the sort than he enjoyed when the question was first agitated.

If ministers had done their duty by bringing forward the question every year, and had submitted to be left in a minority for three or four sessions, they could have carried the measure long before this time. Discussion in the House would have led to controversy out of the House. The public would have become enlightened, and the maintenance of the monopoly would have been impossible.

It has been stated that some negotiations have been opened with the Northern Powers relative to a relaxation of the duties on British goods, and that the postponement was occasioned thereby. Now, we cannot think that delay is justifiable on such grounds. We deprecate the whole doctrine of reciprocity. Let England set the example of free trade without waiting the result of negotiations for reciprocity, and the system of commercial restrictions would melt away over the whole world. If the corn laws, maintained by the power of the land aristocracy against the sense of the nation, were repealed, that monument of ignorance, the American tariff, could not long be maintained.

It is of very little consequence which of the great monopolies is first broken down. So signal, we feel convinced, will be the

success attending the removal of any one of them, that the sweeping away of the rest must follow as a necessary consequence. The recent inroad made upon the West India sugar monopoly, by admitting the East India producer to a share, may, we trust, be taken as an earnest of more wholesome legislation in future. Ω.

Art. VI.

LAW REFORM FOR SCOTLAND.

1. *First Report from His Majesty's Law Commissioners, Scotland. Ordered to be printed* 12*th May*, 1834.
2. *Second Report, &c. &c.*, 1835.
3. *A Bill to improve and regulate the Forms of Process and diminish the Delay and Expenses of Procedure in the Courts of Judicature in Scotland, and in Appeals from the Court of Session to the House of Lords. Ordered to be printed* 26*th June*, 1835. *Brought in by Mr. Wallace and Mr. Hume.*
4. *A Bill to make certain Alterations in the Duties of the Lords Ordinary, and in the Establishments of Clerks and Officers of the Court of Session and Court of Commission for Teinds in Scotland, and to reduce the Fees payable in these Courts. Ordered to be printed* 14*th April*, 1836. *Brought in by the Lord Advocate, the Attorney-General, and Mr. R. Steuart.*
5. *A Bill to regulate the Constitution, Jurisdiction, and Forms of Process of Sheriff Courts, and the Civil Jurisdiction of Burgh Courts, in Scotland. Ordered to be printed* 29*th June*, 1836. *Brought in by the Lord Advocate and the Attorney-General.*
6. *The Practice of the Court of Session. By James Johnston Darling, Writer to the Signet.* Edinburgh. Tait. 1833.

THE civil code of Scotland is a far more manageable subject in the hands of legislators than that of England. For allowing it to remain in its present state, or for making merely superficial improvements, no excuse can be found in an alleged necessity for adjusting a mass of ancient complicated precedent, too vast to be at once altered in all its minuteness. The most radical alterations have frequently been made with little inconvenience. Courts of extensive jurisdiction have been at once abolished, and their whole duties transferred to others. The old principles of the commercial law have been altered so as to make them approach those of the law of England, with scarcely any interference by the legislature; and the most absolute doctrines

of the feudal law have been invaded, at the dictate of necessity or interest. When a form or principle becomes totally useless for all purposes whatever, it is immediately abandoned, and nothing is ever retained but what *may be* of use to the public, or is *ascertained* to be of use to official persons or lawyers. This pliable state of the law is evinced by the almost total absence of legal fictions. A Scotch lawyer looks with sage contempt at the practice of bringing a man into court on the paltry insinuation that he is in the custody of the marshal of the King's Bench, or on the statement that a client owes money to the King which he cannot pay till he recovers his own debts; and a fine and recovery is a mystery beyond his comprehension. He knows very well that his inquisitive and logically-inclined clients would look with just suspicion on proceedings so absurd in their very aspect; and as the facile nature of the law does not render it necessary to adhere to forms when the direct use has departed from them, he finds it far more expedient to pillage the public by giving a colour of utility to every thing he does. It thence has happened, that, while in England the lawyers inherit that 'old Gothic castle, erected in the days of chivalry, but fitted up for a modern inhabitant,' with its 'moated ramparts, embattled towers, and trophied halls,' 'magnificent and venerable, but useless,' all as graphically described by Blackstone, those of Scotland have, with more prudence, from time to time pulled down their weather-beaten tottering old fortalices, and built neat comfortable cottages; which, besides being far more seemly establishments for the entertainment of their clients, are infinitely more agreeable and useful to themselves.

Those alterations of the law in Scotland which have been of service to lawyers bear some such relation to those which have been useful to the public, as geometrical to arithmetical progression. Lawyers, however, have been of late awakened to the folly of the abuses in their system, by the same self-interest which created those abuses. The selfishness of individuals has overshot the general policy of the body, and the methods of procuring justice have been rendered so intricate, tedious, and expensive, that the public have passed a silent resolution to have recourse to them only in cases of extremity, while knaves and tyrants find them useful as means of oppression. The deserted state of the courts of justice cannot be better expressed than in the words of the acute formalist whose work stands at the head of this paper. He is addressing, not the public in general, but his own profession:—

'The business of the Court of Session has diminished rapidly during the last forty years, although in that period the population of the

country has increased at least one-half, and its wealth and the number of transactions in a still greater ratio. Thus, the value of cottons manufactured at Glasgow forty years ago did not amount to a million a year, now they approach six millions. The rental of the same city in 1803 was £81,000, now it is £383,000. Between 1790 and 1810 the linen manufacture in Scotland was doubled in extent. In 1822 linen of the value of two millions sterling was exported, while in 1812 the exports of this article were worth only £830,000. These facts show that the business of the country has greatly increased, yet the cases enrolled in the Outer House Rolls averaged for the four years preceding 1798, 2,631 annually; for the four years previous to 1810, when the fee-fund was imposed, 2,594; for the four years after, 2,374. This was an annual average deficiency of 220 cases. The average of the four years before the late Judicature Act came into operation [1825] was 2,143, and for the four years afterwards only 1,998, giving an annual average of no less than 791 fewer than the year ending 11th July, 1794, when 2,789 cases were enrolled. Notwithstanding the abolition of the Commissary and Admiralty Courts, which occasioned an influx of business into the Court of Session, the whole number of cases enrolled in the Outer House Rolls in the year 1831 amounted to only 1,956.'—*Practice*, &c., p. 3.

It is seldom indeed that lawyers have found it expedient to lift their voices against the delays and expense of obtaining justice, yet in the following passage one of the most extensively employed practitioners in the Court of Session complains loudly, and on very substantial grounds:—

'I hope it is not irregular in me to mention, generally, the conviction which has for some time been settled in my mind, that the practical forms now in use in the Court of Session are complicated, expensive, and inexpedient, to a degree that has greatly impeded and frequently has disappointed the course of justice altogether; and that the *growing* dissatisfaction with the law of Scotland, which is so apparent, ought mainly to be ascribed to the pernicious forms by which it is administered. I say the growing dissatisfaction, not upon the authority of persons whose minds are otherwise discontented with the existing institutions of the country, but upon the authority of my own employers and correspondents, to whom I have in practice found it impossible to explain the endless delays and the great expense and uncertainty incurred in preliminary stages of causes—the discussions on *points of mere form*, and the other obstructions which stand in the way, both of judgments by the court, and of trials by jury. I think the obvious decline in the extent of *substantial* business before the court is sufficient evidence of the growing dissatisfaction with it; for the population and the transactions of the country are greatly increasing, and it cannot be doubted that law business would have increased in a commensurate degree, if some sufficient cause had not deterred the public from resorting to the courts. It is no small condemnation of the existing regula-

tions, that they work so ill before the present Outer House Judges, whose general excellence no one can reasonably hope to see surpassed.'—*Report, Appendix* 35, *Answers of H. Macqueen, Esq.* (*since deceased.*)

It is clear from such opinions as the above, and from the general tenor of the Report, that some amendment must be attempted; which, in as far as it will be urged forward by the general body of lawyers, will be exactly to such an extent as may bring back the suitors to the court at the very highest price at which they will consent to litigate; while the unprofessional supporters of reform will either act at the bidding of their legal instructors, or on information as to the subject which very few of them possess. The latter, with all its difficulties, affords a better chance of a good result; and in the hope to assist in weakening, in some respects, the damping conclusion of the syllogism, that the law can only be reformed by lawyers, but lawyers will not reform it, *ergo,* there can be no reform of the law—a few pages may not be unprofitably bestowed on a cursory view of the administration of civil justice in Scotland, for the benefit of those persons not deeply versed in summonses, defences, replies, duplies, reclaiming notes, interlocutors, hornings, poindings, captions, sequestrations, adjudications, &c.

The gradation of the courts of ordinary jurisdiction in Scotland, from lowest to highest, is as follows: The sheriff substitute, the sheriff, the lord ordinary of the Outer House of the Court of Session, one of the two divisions of the Inner House of the Court of Session, and the House of Peers. Some cases, before they can be brought into the Court of Session, require to pass through a preliminary court called the Bill Chamber. A process may commence in the Court of Session, or it may enter the local court of the sheriff in the first instance, and then be gradually wafted to the House of Peers. An outline of the ordinary proceedings in the latter order of case, will give the best view of the system.

An ordinary action of debt commences with a *summons;* which is a writ addressed to the officers of the court, stating the demand of the pursuer (plaintiff), and authorizing the defender to be cited to show cause why judgment should not pass against him. The defender answers, in a written pleading called *defences.* In the preparation of either of these preliminary documents, the law-agent has the alternative of either stating the whole case at once, and contenting himself in the many future papers with repeating it in different words; or he may give just as much information as will show the judge that there is some matter in dispute, the nature of which he cannot understand, and reserve the more precious information to be doled out by degrees. The latter method is generally preferred, as a good field for a trial of wits—it being the

interest of one party to tell as few truths, and these under as mysterious a guise, as he can, in order that he, without compromising his own side of the question, may take as much advantage as possible of any incautious admissions of his opponent which may escape through a similar disguise. The pursuer follows with *replies*, in which he is supposed to meet the averments of the defender. He is entitled to make such additional statements as are necessary to elucidate the grounds of action set forth in the summons, but not to make important additions—a rule, the observance of which depends on the respect the agent may chose to pay to it, or on his conscientious discrimination between 'necessary' and 'important' facts. The sheriff now sees the pleadings. In cases of gross mismanagement he is entitled to order papers to be withdrawn, and to find the party liable in costs, but he seldom makes use of the power; and as he finds the state of the case totally unintelligible, he appoints 'duplies' to be lodged by the defender. Here then are four papers, generally of considerable length, the nature and contents of which depend very much on the idiosyncrasy of the respective lawyers. If one of them is a lofty-minded person, he discourses on the British constitution and the liberty of the subject, calling for equal justice to high and low. If he is pious withal, he has much to say about the charity and Christian feeling with which his own client is urging the case, and hints at qualities the very reverse, displayed by his opponent. If he is learned in the law, he quotes all codes, foreign and domestic, from the Twelve Tables to the Cinq Codes. If he is a political philosopher, he shows the bad effect which would accrue to the community in general from the admission of claims such as those insisted on by his adversary. The staple commodity, however, is scolding, with a general ripping up of the conduct of the opposite party, and sometimes of his agent, from their earliest transaction with each other to the matter on hand. 'If they can throw dirt on the character of the opposite party,' says one gentleman, 'they seem to think it enough to deprive him of the benefit of law, and to entitle their client to gain a triumphant victory.'—*Ap. to Report*, 309.

The sheriff may now ask the parties if they will consent to 'close the record,' by which they are precluded from any farther statement of facts. Whatever may be the feelings of the parties themselves, the agents have no particular motive to let the matter out of their hands at this stage; so, on either party objecting to close, the sheriff may order one to lodge a 'condescendence,' and the other to answer it, or the two to give in mutual condescendences and answers. The condescendence ought to be a distinct *seriatim* narrative of the facts on which the suit is founded. Its very use is an acknowledgment that these have *not* been brought out in the pre-

vious papers. If the agent understands his business, and has studied the art of concealment, they need not even yet be revealed, but may wait for mutual 'revised condescendences' and 'revised answers.' The record will then be closed; but a party may, on a representation, be entitled to alter or amend a statement, or supply a deficiency, and then, of course, his adversary must be allowed to neutralize the effect of the additional pleading. A variety of new procedure then takes place, according to the nature of the case. Documents have to be applied for, and the application has to be defended and resisted. Evidence has to be taken, and the right to resort to it or the manner in which it is to be taken are subjects of new litigation; when allowed, it is taken in presence of a commissioner only, instead of the judge; and being committed to writing under the authority of an irresponsible party, it embraces all subjects and questions on which the conscience of an agent will permit him to waste paper; while questions as to the admissibility of a witness, or the right to put a question, lodge themselves in collateral processes. A sheriff-court practitioner has lodged with the Commissioners 'Notes of the procedure of a Sheriff-Court Process' in a state of dependence from Sept. 1830 to Nov. 1833, and likely then to be so for 'a twelvemonth yet.' The different steps of this fraction of a process amount to *one hundred and nine*. A partial extract from the list may show how ingeniously Scotch lawyers have managed to deprive the public of the advantages of a system so excellent as that of local courts would be were it in a sound and healthy state:—

'1831.

Oct. 10. Defender's proof commences.
Pursuer objects to the admissibility of a witness.

24. *Answers* to the objections ordered in six days.

Nov. — *Petition* from the defender for more time to prepare the answers.

18. *Interlocutor* appointing petition to be answered in six days.

25. *Interlocutor*, in respect *no* answers were lodged to petition, allowing answers from defender to pursuer's objections to be received, and appointing replies thereto from pursuer in six days.

Dec. — *Replies* lodged.

9. *Interlocutor* appointing pursuer to lodge *condescendence* of facts to establish that witness is inadmissible for defender, and defender to answer the condescendence in other six days.
Condescendence lodged.
Answers lodged.

1832.

Jan. 11. *Proof* and conjunct probation allowed to both parties in regard to the admissibility of the witness.

Feb. 3. *Pursuer's* proof closed.
22. Time for defender proving *renewed* for three weeks under certification.
March — *Minute* for defender for more time lodged.
14. Time to defender *renewed* for fourteen days under certification.
May 4. *Interlocutor* sustaining the objection to the admissibility of the proposed witness in the then state of the process.
7. *Appeal* for defender lodged.
11. *Appeal dismissed*, and term *renewed* to the defender for fourteen days under certification.
30. *Avizandum* made.
June 6. *Interlocutor* pronounced, repelling the objections to the admissibility of the witness, reserving consideration of the effect to be given to his testimony, and *renewing* the term for the defender proving on the merits for three weeks.
7. *Appeal* for pursuer lodged.
13. *Appeal* dismissed.
Petition for pursuer for leave to advocate lodged.
22. *Petition* dismissed by sheriff substitute.
Appeal to depute lodged.
25. *Interlocutor* dismissing appeal and prorogating time for defender proving for three weeks.'

Report, Appendix 273, *Notes by Mr. M. Lothian.*

The sheriff may now be supposed to have, and for the unfortunate litigants but too truly has, before him a huge bundle of papers of various descriptions and sizes (for condescendences have been known to occupy from 200 to 800 pages) which it would occupy half a year to read, and of which he would not understand the aim if he had them by heart. His next duty is to procure written argumentative pleadings, or 'memorials', which are not stinted in extent or variety of subject. After he has given a decision on the merits of the case, the losing party again brings it under his notice by a 'reclaiming petition,' which of course would be totally useless if it did not open new views. To this paper there are answers, which have *no particular form*, and are not limited by any regulation.

During the *whole of these proceedings* the principal issue of the case has been *only before the sheriff substitute,* though discussions on particular points may have found their way through the Court of Session to the House of Lords and back again. The substitute having given a second decision, the losing party then appeals to the principal sheriff. The appeal is accompanied by no new pleadings, but the sheriff may order further papers to be lodged if he see fit.

The next great step brings the litigant to the door of the Court of Session. He has now to enter a more magnificent and aristocratic edifice, and must suit himself to the dignity of the place, by bidding farewell to paltry expenses and small delays. Here he has agents of a higher class to deal with, who must receive corresponding remuneration. Counsel must be employed, not only as men learned in the law, but in the formal furtherance of every ordinary step of the useless procedure. Their fees, in matters of mere form, are calculated according to the dignity of the profession, not the nature of the business; and, as the agent has the trouble, not only of virtually transacting the business himself, but of having the name of a barrister formally coupled with it, the fees to counsel are therefore coupled with additional remuneration to himself, and fees even to counsel's clerk, who does nothing even by the tacit virtues of his name. The office fees are likewise of a higher standard; and it has been reported by the Commissioners, (Report, 8,) that, on an average of five years, the sum of £25,207. 14*s*. 4*d*. has been annually collected in the shape of fees from suitors! On this subject it may be observed, that the Commissioners urge strongly, as a general principle, that fees from suitors should be abolished, and that all officers should be paid by fixed salaries. At the same time, where there is a choice of employment (as there at present is) among several officers, a fixed salary is a premium on insolence and indolence, and it is proposed that small fees should be collected by those officials who come in immediate contact with the law agents, sufficient to be inducements for them to compete in civility, without proving burdensome to litigants. The 'fee fund,' which is an arbitrary demand on litigants, without regard to the nature and extent of the case, and amounts to upwards of £13,000 annually, is proposed, in one of Mr. Wallace's Bills, to be abolished, as it certainly should be. By the Government measure, all that will be effected is a revisal of the table of fees, and a limitation of the salaries of the officials.

The Court of Session, however, is not opened to the unsuccessful litigant, until he shall have gone through a preliminary court, called the Bill Chamber, where all he has to do is to pay certain monies for the privilege of litigating in the court within. He then reaches the outer chamber of the Court of Session, and comes before a single judge, called the Lord Ordinary. The insufficiency of the making up of records or pleadings in the local courts has attracted the attention of the Commissioners, and shall be afterwards alluded to. If the Lord Ordinary finds the record insufficient, the parties re-commence, and a totally new action proceeds before a new judge.

The reader being, probably, tired and sickened with what he has perused above, will readily spare details. One party lodges a 'condescendence,' and the other answers, and new papers are made by revising and re-revising these; 'numerous instances,' says a practitioner, 'may be found at every bar, where these *re's*, on each side, extend to *re-re-re-re*.'—(Report, Ap. 37.) There may be then several debates, with delays between; written pleadings exchanged between the parties and revised, and delays again; when the case, being decided by the outer chamber, goes to the inner, where, after debates and delays, it is decided for the fifth time. An appeal is then taken to the House of Lords. It may there be found that some point of the case has not been sufficiently brought out, and it is remitted to the Court of Session, perhaps with directions to take the opinions of all the judges. There will then be additional written pleadings and debates, and after the case is again decided by the Court of Session, it will be a second time appealed. It is finally decided by the House of Lords—perhaps reversing all the previous decisions—with what deliberation on the part of that wonderful body of Nature's lawyers every one knows. The decision is put in force by the court below.

Such is a sketch of the various general steps through which a process may pass, and but too frequently does pass, according to the law of Scotland. It is a scanty outline, giving the unprofessional reader no more conception of the actual amount of persecution, pillage, delay, and annoyance of every description encountered in practice, than a few pages of Goldsmith can give to the schoolboy of the individual instances of crime and misery occurring in one of Marlborough's battles. Anything like a comprehensive view of the particular reforms necessary for the cleansing of the system would be a task of considerable difficulty, a subject too extensive for a periodical work, and one too unlikely to attract the attention of general readers. If the people—who, from the technical difficulties thrown in their way, must fight at great disadvantage for law-reform—once awakened to the necessity of it, will urge their representatives to bring it forward, and will adopt certain broad principles on which it is to be based, there is no doubt that lawyers, deprived of any other alternative, will speedily reduce these principles to practice, however great may be their horror on first beholding them. It is certainly impossible to reform the practice of the law without the aid of lawyers, but means ought to be found of compelling lawyers to give that aid. Government have had, from time to time, for the last few years, some measures for improving various branches of the administration of justice in Scotland. It is to be presumed

that the authors of these measures wish them to be passed into laws; but the present method of carrying the business of the country through Parliament has stood in the way of the country obtaining more than a small share of them. In a work devoted to the discussion of juridical subjects, these measures might afford matter for much minute criticism. Their general view seems merely the accomplishment of the best possible arrangement of the bad system—they are motions calculated to a mean proportion between the resistance offered and the reforms required; and they are not, nor is it to be supposed that their supporters can intend them to be, held as the organic reforms required. In these circumstances their provisions, which are varied and minute, need not be discussed in a paper which professes only to draw the general outline of some of the existing evils, and of the more approvable methods of removing them; and which, as it hardly notices in its sketch of defects those minor vices to be amended, will not be expected to discuss these amendments among the general alterations deemed necessary for the accomplishment of a full reform. Without denying, therefore, the just amount of praise to those who have brought forward these measures, it is deemed best to hold in view the improvements, on a more extended scale, brought forward during the Session of 1835 by Mr. Wallace. It is to be hoped that these measures will not be lost sight of, and that the people of Scotland, with the law-reformers of England, will assist in again bringing them under discussion, perhaps improved in their details by the study and observation which it is the duty of the public to bestow on them. These Bills must be admitted, by every candid man sufficiently acquainted with the outline of the subject to see their aims, to contain, so far as they go, sound and just principles of law-reform for Scotland, though there are several minutiæ to which practitioners would object, perhaps on good grounds. If they can find means of baffling the demand to have the principles of these Bills put in practice, they will urge these objections as defects, and sneer at the proposed measures. If they cannot do so, they will wisely give the assistance of their practical experience to remedy the defects, and bring the measures into operation. With a view of offering a few hints to those who may be disposed to assist in the measures of law-reform to Scotland, which it is hoped may soon be brought forward, the causes of some of the leading hardships, with the remedies proposed, may here be sketched.

One of the most obvious evils in the Scotch system of procedure is the accumulation of useless writings. To remedy this at the commencement, it is proposed by Mr. Wallace, that the defender should be brought into court on a short printed writ stat-

ing briefly the demand of the pursuer; in place of the 'summons,' which contains a narrative—afterwards found useless—occasionally accompanied by argument. This would be followed by a declaration, containing the facts on which the plaintiff founds his claim, stated *seriatim*, and without argument. These recommendations do not, indeed, go the length of what is necessary to constitute good judicature, which would require that the parties should be brought at the very commencement into the presence of the judge, and the issue made up (after interrogation of the parties) by the judge himself. But this being a more thorough reform than it is likely that a legislature like ours could be persuaded to accomplish at one step, Mr. Wallace's Bills are entitled to the praise of a bolder approach to the true principles than has yet been ventured upon by any of those who have tried their hands practically at law-reform. Without descending to tedious particulars, it may be stated as the general aim of these proposed measures, that in all papers which may be interchanged (these being much limited in number) whatever facts are stated on one side, shall be explicitly met by admission or denial on the other side. When a party equivocates, lodges useless papers, does not admit what he afterwards is proved to have known, or does not produce documents he has access to, the remedy is a rigid infliction of costs; and it has been judiciously suggested, that no lawyer of any grade should have action, either against his own client or the opposite party, for papers improperly lodged. The habit of mixing argument with fact, in the Scotch pleadings, originated in the high equitable powers assumed by the Court of Session, and the habit of involving the fact with the law, in a view of the circumstances of the particular case. It thus became the interest of the counsel to work upon the feelings or prejudice of the judge, and all papers became more or less impregnated with appeals to equity or compassion. For the purpose of further reducing this system, it is proposed that argumentative written pleadings should be abolished, parties being entitled to lodge notes of the authorities from which they intend to plead *vivâ voce*. All the debates in the Sheriff Courts have hitherto been carried on by ponderous papers, the abolition of which will be of incalculable advantage to the litigant. The propriety of having all undisputed motions, and steps of mere form, conducted in presence of some officer of the court, instead of the judge, a great portion of whose time they now occupy, need not be insisted on.

But, perhaps, the greatest and most essential of all amendments will be the enjoining and facilitating the judicial examination of parties—a principle not opposed to the old simplicity of

the laws of Scotland: it is one which lawyers have brought into disuse, and to which they will always have the same kind of reasonable objection which brewers entertain towards home-brewing. It is not, therefore, to be wondered at that the Law Commissioners, and several of the legal gentlemen examined by them, especially the Tories among them, labour under grave doubts of the propriety of such a principle. The staple argument is founded, with grave humanity, on an anxiety to protect nervous and timid people from the machinations of the bold and dexterous;—a sad compliment to the judge, who is thus supposed incapable of that impartiality and discrimination between parties, which a jury exercises towards witnesses. The success of those small-debt courts which prompted the admiration of Bentham (they have since been improved, and will probably be rendered still more efficacious) should instruct those who believe that the same impartial justice ought to rule the right to £8 and to £8,000. The returns for the year 1832 show that, exclusive of some counties for which no return had been given, the cases decided in these courts amount to 79,548; there have been, therefore, just so many cases of injustice, or the system of personal examination, the leading principle on which they are conducted, is a good one. The dictum that an important case requires more deliberation than one about a small amount may be very true as to the adjustment of the law, because, as the case will be recollected and held as precedent, the interests of the community in general will be affected by the legal decision, which must be weighed, not only as touching the interests of the parties, but prospectively those of the community. The ascertainment of the fact, however, is, in a nation where justice is pretended to be administered equally, of the same importance in all cases; and it is either imperfectly accomplished in the small-debt courts (of which all classes highly approve), or on erroneous data and principles, and too expensively and tediously, in the others.

The numerous grades of jurisdiction form an evil of vast magnitude. The principle of an appeal court is, that the law should be kept uniform, and a remedy provided for errors of intention or judgment in the inferior court, by means of a revision by a superior tribunal, having before it the very same materials for forming a judgment which were used by the inferior court. A succession of lawsuits is as absurd in its principle as it is fraught with confusion and expense; yet in almost every separate jurisdiction in Scotland there are new pleadings, (a great proportion of which are printed,) and the last new view of the state of the case is generally taken by the House of Lords. It is proposed by the Law Commissioners that the 'bill of advocation,'

through which cases are brought from the Sheriff Court to the Court of Session, should be disused. It is further proposed by Mr. Wallace, that the appeal from the sheriff should not be brought in the first instance before the Lord Ordinary, but should proceed directly to the Inner House, and in this view he is seconded by the well-informed author of the 'Practice of the Court of Session.' In the Government measure for putting into the hands of sheriffs the power of awarding *cessio bonorum*, by which a prisoner for debt is released on giving up his available funds, this principle is sanctioned for the purpose, probably, of keeping the present system clear of a line of practice in which it would be too powerfully caricatured. The grounds on which the Commissioners object to such a change in ordinary cases are awkward:—

'Even if the principles and forms of pleading were so perfect as to present in all cases the true issue in law or fact for the decision of the cause, or if the fact could be conclusively settled in the Sheriff Court, and the appeal to the Court of Session were on law merely, we should hesitate to say that a direct appeal to the Inner House were the best and most expedient course. But we are perfectly satisfied, that while in these respects causes must come to the Court of Session imperfectly prepared, and not for a review of the sheriff's judgment in law merely, but to have the whole law and fact disposed of, a discussion, first before the Lord Ordinary, and afterwards before the Court (if either party be dissatisfied with the judgment of the Lord Ordinary), is necessary to mature the case, and to give the parties due confidence in the ultimate judgment.'—*Report*, 91.

Here is still the old principle, that justice must be administered of several qualities, according to the amount paid for it. In these boasted local courts the cases are improperly made up; they are therefore erroneously and unjustly decided, and justice can only be obtained by incurring the expense of the superior court. It might be expected that along with such an admission the Commissioners should propose that the sheriffs should no longer reside in Edinburgh, living in dignified leisure, or practising at the bar, while their duties are performed by substitutes miserably paid, but that local district judges of eminence should be appointed, with such salaries as will tempt them to reside within their jurisdictions. But it is not so. The Commissioners are unanimously of opinion that the present system should be continued, and for the old reason—that the formality of appeal from the sheriff-substitute to his principal affords 'a ready and unexpensive application of the higher judicial talents and knowledge of men of eminence in the law, removed from local influence, and familiar with the administration of justice in the supreme court.' (*Report*, 66.) The effect of this familiarity appears in the passage quoted above. The gist of the whole matter lies in this,

that people in general prefer moderate salaries, with little or nothing to do, and time to gain money in other directions, or to spend it if they are men of fortune, to getting larger salaries for which they must give constant work; and hence the system is defended. Government have found it expedient to secure the argument of the Commissioners by Act of Parliament; and the measure for regulating the jurisdiction of sheriffs contains a clause compelling them to live in Edinburgh, and attend the courts, as some of them have shown an excellent contempt of the principle of familiarity with the supreme court, by residing on their own estates, apart both from their counties and the great Themipolis*.

The present system of appeal to the House of Lords is a mighty engine of oppression. The expense of printing papers and employing agents in London is great. Appeals are not of regular enough occurrence to induce Scotch counsel of any eminence to reside in London. An English barrister is commonly employed, who must be remunerated, not only for studying a case, but for informing himself in some branch of the law of Scotland; while in complicated cases it is necessary to send a barrister from Scotland, who must be paid for the neglect of his business at home, and perhaps a long residence in London, during which the case has daily a chance of coming on. 'The expense of an appeal to the House of Lords,' says the Report (p. 92,) 'is known to be at least £200 sterling.' As a specimen of the oppressive incidence of such a sum, take the following instance. In 1829, Ralph Scott, a hedger and ditcher, raised an action for certain wages in the sheriff court of Perthshire against the present Lord Mansfield. The first judgment was in favour of Scott, with costs. Lord Mansfield appealed to the sheriff principal, who confirmed the decision. He 'advocated,' and the Lord Ordinary pronounced in favour of Scott, with costs. He reclaimed to the Inner House—still the same unvarying decision. He then appealed to his brother Peers, and was more courteously treated. The decision of the court below was affirmed, for there could be no doubt of its propriety, but *no costs were given*, 'in consideration of the delay of the pursuer in making the demand for payment,' and because 'their lordships [of the court below] did not appear to have raised, or to have had distinctly raised before them, a particular point of the case †.' To a man of great wealth such a consummation would be sufficient and satisfactory vengeance. To a judicial establishment which (as stated by Mr. Wallace) costs the country £170,000 annually, it was matter of bitter reproach that the case could not be investigated until it reached the atmosphere of the House of Peers.

* See some remarks on this subject, West. Rev. No. XXII. p. 94.
† Scott v. Earl of Mansfield, 'Scot. Jurist,' III. 520, and V. 284.

Among Mr. Wallace's other measures are plans for mitigating the expense and hardship of appeals. It is singular, however, that the propriety of abolishing the system has not more forcibly occurred to law-reformers. Appeals have been of service, and their utility has by no means been overlooked by the lawyers of Scotland; but they have not considered whether the same advantages may not be otherwise obtained.

Appeals to the Parliament of Scotland were resorted to during the reign of Charles II. (who strenuously opposed them) on account of the notorious partiality of the judges, who were in the habit of sitting in cases out of their order when their own relations were concerned. The system was recognised at the Revolution. At the Union a more unexceptionable recourse was had to the House of Lords, and the state of aristocratic feeling and family favouritism in Scotland, for many years afterwards rendered the idea of impartial justice being there administered purely Utopian. The last lingering symptom of the malady was a feeling of political partisanship, but this too has undoubtedly died away, and there is now no danger of the system, such as it is, being partially administered by the judges. It has already been mentioned that the pure prætorian jurisdiction of the Court of Session introduced a slovenly system of judging cases without distinctly separating the questions of law from those of fact, so that it could never be certain whether a point of law was settled by the decision or not. This defect, if it does not still exist, was certainly obvious down to a very late period, and the great boast of the system of appeals is, that the law lord presiding in the House of Peers has checked it, and established more certain rules. The effect was good, but a less detrimental method might have been found of producing it. The remedy indeed in some measure fostered the defect. It has been a prevalent practice not to consider the law fixed until a point in question has received the decision of the House of Lords, and that court has been in the habit of often altering a train of decisions of the court below, and so completely altering the law on the point. Thus it was law in Scotland down to the year 1790, that goods delivered and not paid for could be recovered from a bankrupt under particular circumstances. A decision on this principle was reversed by the House of Lords on grounds of English law, after the litigation had been conducted in the courts below with a view to the Scotch law only*. The change was beneficial, but the manner in which it was brought about was unjust. All the alterations of the hereditary House, however, have not been improvements. An entail formerly protected the estate from the

* Allan Stewart and Co. v. Stein's Crs. 23 Dec. 1790. Bell's Com. I, 209.

debts of the person succeeding by virtue of its provisions, but no art could protect it from those of the entailer. Yet in reversing two decisions unanimously and without hesitation pronounced by the Court of Session, the House of Lords made it law that if two proprietors make a mutual entail of their property to one series of heirs, they may thenceforth defy creditors, and leave the estates to the fortunate heirs untouched*.

There are many useful and beneficial principles in the law of Scotland, to which, as the purpose of the present paper is merely to urge the amendment of defects, no allusion has been made. There are divers other abuses, as to the remedies of which the different Bills brought in by Mr. Wallace may be consulted; and to which the illustrations given above may serve as the *pes Herculis.* The present system of bankruptcy is in general acknowledged to be of little more service than that of enabling a debtor to put any remnant of funds he may have into the hands of a favoured creditor and law agent, the pockets of the latter being often replenished from those of the creditors, who are startled by an application for payment in place of a dividend. On this branch of the law the measures brought forward by Government are of a more satisfactory nature than those in other branches of the law. They may be said to come within the category of a sound reform, and to be capable of being made nearly complete, without any violent infringement of the principles on which they are founded. The mal-administration of trial by jury, from having been viciously engrafted on the complicated forms of written and printed pleadings used in Scotland, has, as Bentham prophetically predicted, (*Scotch Reform considered with reference to the plan proposed in the late Parliament for the regulation of the Courts for the Administration of Justice in Scotland, &c.*, 1808,) proved a source of vast oppression and delay. The best Scotch lawyers often profess their ignorance of the mysteries of the system. It is stated in evidence, (*App. to Report,* 48,) *that 'it would be useless to pursue for £100 before a jury in Scotland, even with a cerainty of gaining,* as the costs not admitted would cover that sum,' and the threat of resorting to the well-known ruinous expense of a jury-trial too often serves the rich and oppressive litigant, when he has used the expense and delay of the ordinary courts in vain.

It is, in short, the general feeling of the people of Scotland, based on too much experience, that the 'palladium of English liberty,' raised on the noxious practice of their own courts, and adding strength to its vicious foundation, is a strong engine of injustice and the tyranny of superior wealth. S. L.

* Agnew v. Stewart, 31st July, 1822. Shaw's Appeal Cases, I. 320.

Art. VII.

EXCURSIONS IN SWITZERLAND.

Excursions in Switzerland. By J. Fenimore Cooper, Esq., author of the 'Spy,' the 'Pilot,' &c. In two volumes. Bentley.

> ———— Above me are the Alps,
> The palaces of Nature, whose vast walls
> Have pinnacled in clouds their snowy scalps,
> And throned eternity in icy halls
> Of cold sublimity, where forms and falls
> The avalanche—the thunderbolt of snow!
> All that expands the spirit, yet appals,
> Gather around these summits, as to show
> How earth may pierce to heaven, yet leave vain man below.
>
> Byron.

FEW countries offer within such narrow limits so many attractions as Switzerland. The disciple of science holds in reverence the names of Pictet, De Luc, and De Saussure; the philosopher regards with interest the untenanted abodes of Voltaire and Rousseau, however he may repudiate the speculations of the one and the wild sophisms of the other; whilst the patriot, with glowing exultation, turns from the scenes of the desperate and successful struggles for liberty during the middle ages to the hallowed spot where dwelt the friend of Bentham, Mirabeau, and Romilly *. The less stern recollections of Gibbon and Stael lend their influence to charm the aspirant to blue-stocking popularity; and the ignorant and effeminate lordling, listlessly reclining on his couch in full view of the Campagne Diodati, lisps out his gratitude that the wayward being whose poetic genius shed such a bright lustre on his country belonged to his 'exclusive order.'

To an American the bold and picturesque scenery, and the associations of liberty connected therewith, could not fail of offering irresistible allurements; and we hailed with peculiar satisfaction a work on that country from the pen of an author of European as well as transatlantic celebrity; the more so, as the title conveyed an assurance that his talent would be exercised in scenic delineations of the sublime and beautiful, tinged by the memory of the patriotic past. The following observations, called forth by an impartial analysis of the 'Excursions in Switzerland,' by Mr. Fenimore Cooper, will sufficiently demonstrate whether our expectations have been realized.

Our author thus describes the sensations he experienced on a distant and unexpected view of Mont Blanc:—

* Etienne Dumont.

'The day was lovely, and I had persuaded A—— to share my seat on the carriage-box. As we rounded the little height on which the ruin is seated, she exclaimed, "What a beautifully white cloud!" Taking the direction from her finger, I saw an accurately defined mass, that resembled the highest wreath of a cloud whose volume was concealed behind the mountains of the Jura, which, by this time, were so near as to be quite distinct. There was something that was not cloudy, too, in its appearance. Its outline was like that of a chiselled rock, and its whiteness greatly surpassed the brilliancy of vapour. I called to the postilion, and pointed out this extraordinary object. "*Mont Blanc, monsieur.*" We were, according to the maps, at least seventy miles from it, in an air line!

'I shall never forget the thrill of that moment. There is a feeling allied to the universal love of the mysterious, which causes us all to look with pleasure at any distant object that insensibly leads the mind to the contemplation of things that are invisible. The imagination steals down the sides of distant peaks into the valleys, which it is apt to people with creatures from its stores of recollection, or, perhaps, by its own creative powers. This glimpse of the *glacier*, for it was only a glimpse,—the shining mass settling behind the Jura as we descended on a gallop towards Dole,—transported us all, over a long line of road, into the very heart of the country towards which we were hastening. Mont Blanc, it is true, is not in Switzerland, but it is a part of the same wonderful formation that renders Switzerland so remarkable, and the eye actually swept across two of the cantons, and half of Savoy, to take in this speck of aërial brightness. I never before so ardently longed for wings, though their possession used to be one of the most constant of my youthful aspirations.'—Vol. i. pp. 19-21.

The appearance of the Chateau de Joux, amidst the beetling crags of the Jura, on one of which it is situated, calls forth a sarcasm on the unmerited treatment Toussaint L'Ouverture received from the ruthless policy of Napoleon. The character of this individual as a patriot, rashly conceded to him by those swayed by anti-Gallic prejudices, will not bear a rigid scrutiny, and his claims to the honours of political martyrdom may be justly disputed. Toussaint L'Ouverture was born in a state of slavery in the year 1745*. The earlier part of his life is necessarily veiled in obscurity, and not until 1791 is any mention made of him, when he was in the confidential employ of Mr. Bayon de Libertas. At this period he became acquainted with Biasson, Bouskman, and Jean François, the leaders of the revolted blacks; but, notwithstanding the various offers that were made him, he refrained from accepting any situation, and took no part in the revolution and horrible massacres of that year. The moment, however, he observed the affairs of the colony wore a favourable aspect for the

* In the northern part of St. Domingo.

development of his plans, he suddenly presented himself in the camp of Biasson, who, aware of his ability, received him into especial favour, created him his military secretary, and entrusted him with the command of several predatory expeditions. The unexampled ferocity he displayed in this species of warfare won him the confidence of his general, and he was immediately placed second in command.

The blacks at this time were disunited by party strife, dissension pervaded their ranks, and their leaders were in open rupture. Toussaint availed himself of the opportunity to betray Biasson to his implacable enemy, Jean François. His tent was surrounded in the middle of the night, and he was handed over to the tender mercies of his rival. Toussaint and François subsequently joined the Spaniards under the Marquis d'Hermona. The former was made a marshal, decorated with Grand Crosses of Merit, and honoured with every proof of distinction. Whilst under the protection and in the service of the Spaniards, the French who fell into his hands were butchered without remorse. Some were deliberately sawn asunder, others burnt over a slow fire, and every kind of mutilation was inflicted to render more acute the lengthened agony of their sufferings. They were encouraged in these horrible acts by the cheering acclamation of the priests, all styling them the *avengers of the altar and the throne, the especial favourites of God, and selected as sacred instruments to work out his divine will.* The cause of Spain becoming hopeless, Toussaint made secret overtures to the French General Seveau, which were readily accepted. It was contrary to his nature to abandon allies without committing some crime worthy to record his treachery. On the 25th of June, 1794, he ordered a solemn mass to be performed; and after having reiterated his oath of fidelity to Spain, before the Governor Don Garcia and the Marquis d'Hermona, he marched with solemn pomp to the church, where he received the communion in the presence of his soldiers. On leaving the edifice he gave orders to surround the Spaniards, and put every one of them to the sword. Priests, women, and children, were indiscriminately murdered; and the horrors of the scene exceed the possibility of description. It is not our province to pursue any farther the history of this '*Great Patriot;*' but we trust that we have shown how slender are his claims to admiration and pity.

A Conservative poet thus speaks of him:

> 'That dungeon-fortress never to be named,
> Where, like a lion taken in the toils,
> Toussaint breathed out his brave and generous spirit.

If Mr. Rogers means to infer that this generous monster terminated his existence amidst the snows of the Jura, he is incorrect. He died at Besançon, in April, 1803.

We had ventured to hope that a liberal mind, such as Mr. Cooper possesses, would have contemned that anti-Gallic prejudice, which he has apparently acquired from the perusal of English authors of more than suspected veracity.

The change from the monotonous campagne of France to the picturesque scenery of the Jura is well given.

'Although the country had been gradually improving in the picturesque and in neatness for the last eight or ten posts, the change in its appearance now became truly magical. Cottages of admirable forms and of faultless neatness were scattered profusely along the roadside, the path itself being narrowed to the width which is exactly suited to good taste. The verdure in the valley rivalled the emerald, while the mountains loomed out from behind their curtains of vapour in dark patches of rock and larches. We hear a great deal of the verdure of England; but I have already told you that it is the winter rather than the summer verdure of that country which occasions surprise. The liveliest verdure of England does not equal the liveliest verdure of even New York, more especially in the forests; but the imagination can scarce conceive of any vegetation of a purer tint or more even texture than that of the meadows which covered the entire valley through which we were trotting, and this too along a road that absolutely was wanting in nothing to render it both good and beautiful. What a change from the wearying *pavés* of the *routes royales*, their everlasting sameness, and the avenues of dusty elms!

'The dwellings were uniformly at some little distance from the highway; and, so tenacious are these mountaineers of their soil, not an inch of naked earth was visible, with the exception of here and there a footpath that went serpentining from cottage to cottage, through the emerald lawns, in a way to give the whole valley the appearance of a vast extent of pleasure-grounds, laid out with the most admirable simplicity.

'The effect of this sudden transition on us all was like that of passing into a new world. We had never before witnessed such a nature, and to me it really seemed that I had never before seen so faultless an exhibition of art.'—Vol. i. pp. 30, 31.

Mr. Cooper fixed his abode at La Lorraine, within a short distance of Berne, and we can vouch for his taste in selecting this Swiss 'Campagne.' Independently of being within easy reach of the Oberland Alps, the neighbourhood of Berne presents other facilities to those who wish to make excursions to the different parts of Switzerland, since it serves as a central point from whence the different routes radiate. As a residence it is little patronised by the more fashionable amongst the wandering English. To these, the towns of Geneva and Lausanne afford greater attrac-

tion. A contemplation of the grander scenes of Nature cannot bear a comparison with the refined luxuries of society; and, incapable of receiving pleasure, except through the medium of the grosser senses, they seek, amidst balls and revelries, soothed by the lascivious tinklings of lulling instruments, a resource from that sensation of languor, the result of palled appetite and intellectual imbecility.

Our author did not fail to visit the tomb of Madame Langhans at Hindelbank. As this monument was the spontaneous offering of pure friendship, unalloyed by those worldly motives that too often characterise the astute actions of civilized man, it acquires a double interest, and increases the admiration due to its intrinsic merit alone.

'Hindelbank is no more than a sequestered and insignificant hamlet, at the distance of two leagues from Berne. The church, also, is positively one of the very smallest and humblest of all the parish churches I remember to have seen in Europe. Small as it is, however, it contains the tomb of the Erlachs, whose principal residence is at a short distance from the village. A German artist, of the name of Nahl, was employed to execute something for this distinguished family, and, while engaged in the work, he took up his residence in the house of the parish priest, whose name was Langhans. The good pastor had been recently married, and tradition hath it—I hope justly, though I have seen sufficient greatly to distrust the poetry of these irresponsible annals—that his young wife was eminently beautiful. She died at the birth of her first child, and while the sculptor was yet an inmate of the family. Touched by the sorrow of his host, and inspired by the virtues and beauty of the deceased, Nahl struck out the idea of this monument at a heat, and executed it on the spot, as a homage to friendship and connubial worth; looking to the Erlachs alone for the vulgar dross through which genius too commonly receives its impulses.

'The sexton had ascended a little platform at the head of the church, which seemed to be covered with boards thrown loosely on the joists. Raising one or two of these, the real monument was immediately beneath our eyes. An ordinary flat tombstone, with armorial bearings and inscription, lay at the depth of about six inches below the floor. The idea was that of the grave giving up its dead for judgment. The stone was rent longitudinally in twain, until near the head, where a fragment was so broken as to expose the faces and busts of those who were summoned to the resurrection. The child lies tranquilly on the bosom of its mother, as if its innocence were passive, while the countenance of the latter is beaming with holy joy. One hand is a little raised, as if reverently greeting her Redeemer. The sculpture is equal to the thought; and the artist, probably from the circumstance of moulding the features after death, while he has preserved the beauty of a fine symmetry, has imparted to them a look entirely suited to the mystery of the grave. These things too often savour of conceit; and after the momentary

feeling of wonder, into which perhaps you have been surprised, is a little abated, the mind turns with greater pleasure to the more severe models of classic taste. Such is not the case with this extraordinary monument. It grows upon you by study, and its rare simplicity is quite as remarkable as the boldness and poetry of the conception. Even the material, perishable and plain as it is, helps to sustain the interest; for it betrays the poverty which could not restrain, though it might trammel, genius. There it lay, in noble contrast to the more ostentatious sorrow of the Erlachs! I would not have changed it into marble if I could, although it is no more than the common friable sandstone of the adjoining hills, of a greyish-blue colour, and of which half the houses in Berne are constructed.'—Vol. i. pp. 63-66.

Mr. Cooper proceeds to visit the Alps of the Oberland, commencing with a description of this magnificent chain, under the different aspects it occasionally assumes:—

'One of these appearances is often alluded to, but I do not remember to have ever heard the other mentioned. The first is produced by the setting sun, whose rays, of a cloudless evening, are the parents of hues and changes of a singularly lovely character. For many minutes the lustre of the glacier slowly retires, and is gradually succeeded by a tint of rose-colour, which, falling on so luminous a body, produces a sort of "roseate light;" the whole of the vast range becoming mellowed and subdued to indescribable softness. This appearance gradually increases in intensity, varying on different evenings, however, according to the state of the atmosphere. At the very moment, perhaps, when the eye is resting most eagerly on this extraordinary view, the light vanishes. No scenic change is more sudden than that which follows. All the forms remain unaltered, but so varied in hue, as to look like the ghosts of mountains. You see the same vast range of eternal snow, but you see it ghastly and spectral. You fancy that the spirits of the Alps are ranging themselves before you. Watching the peaks for a few minutes longer, the light slowly departs. The spectres, like the magnified images of the phantasmagoria, grow more and more faint, less and less material, until swallowed in the firmament. What renders all this more thrillingly exquisite is, the circumstance that these changes do not occur until after evening has fallen on the lower world, giving to the whole the air of Nature sporting, in the upper regions, with some of her spare and detached materials.

'This sight is far from uncommon. It is seen during the summer, at least, in greater or less perfection, as often as twice or thrice a week. The other is much less frequent; for though a constant spectator when the atmosphere was favourable, it was never my fortune to witness it but twice; and even on these occasions only one of them is entitled to come within the description I am about to attempt.'—Vol. i. p. 71-73.

Again—

'The day, on the occasion to which I allude, was clouded, and as a great deal of mist was clinging to all the smaller mountains, the lower

atmosphere was much charged with vapour. The cap of the Niesen was quite hid, and a wide streak of watery clouds lay along the whole of the summits of the nearer range, leaving, however, their brown sides misty but visible. In short, the Niesen and its immediate neighbours looked like any other range of noble mountains, whose heads were hid in the clouds. I think the vapour must have caused a good deal of refraction, for above these clouds rose the whole of the Oberland Alps to an altitude which certainly seemed even greater than usual. Every peak and all the majestic formation was perfectly visible, though the whole range appeared to be severed from the earth, and to float in air. The line of communication was veiled, and while all below was watery, or enfeebled by mist, the glaciers threw back the fierce light of the sun with powerful splendour. The separation from the lower world was made the more complete, from the contrast between the sombre hues beneath and the calm but bright magnificence above. One had some difficulty in imagining that the two could be parts of the same orb. The effect of the whole was to create a picture of which I can give no other idea, than by saying it resembled a glimpse through the windows of heaven, at such a gorgeous but chastened grandeur as the imagination might conceive to suit the place. There were moments when the spectral aspect, just mentioned, dimmed the lustre of the snows, without injuring their forms; and no language can do justice to the sublimity of the effect. It was impossible to look at them without religious awe; and, irreverent though it may seem, I could hardly persuade myself I was not gazing at some of the sublime mysteries that lie beyond the grave.'—Vol. i. p. 74.

We never have before perused so vivid, yet accurate, a delineation of the stupendous scenery of the Oberland. All the other mawkish attempts of modern tourists shrink into utter insignificance.

The etymology of the word 'Alps' has caused much discussion. Some of the old authors derive it from the Greek 'αλπεις;' others from the Latin 'Alba.' The more probable explanation is the one given by La Tour d'Auverque in his 'Origines Gauloises,' deriving it from the two Celtic monosylables '*Alb*,' white, and '*Pen*;' summit or elevation. The Bernese or Oberland Alps form the inner circle of the Swiss mountains, comprising the valleys of Hasli, Grindelwald, Lauterbrunnen, Kanderthal, Imtigen, Adelboden, Simmerthal, and Sarnen. This is the central point of attraction of the glacier region. Here the sound of the rushing cataract is interrupted only by the louder roar of the devastating avalanche, and the wild shriek of the dying chamois-hunter, as the treacherous rock crumbles from beneath his feet, mingles with the scream of the lammergeyer, exulting in eager anticipation of his banquet, and often commencing ere the vitality of its prey is extinguished. There are three distinct kinds of avalanche or *lavange*. The *lavange de froid, de chaud*, and *de vent*. A large mass of snow, detached from the side of the

mountain by its specific gravity, is called a *lavange de froid.* This occurs usually in winter, and is the most dangerous description of avalanche; rushing down into the valleys in one dense mass of enormous magnitude, accompanied by utter devastation. The German name is '*Kalte lauenen*,' or *grund-schloss-schlag lanwine.* The *lavange de chaud staub lanwinen*, or *lavigna da chiod*, in the Engadine, is less compact, becoming pulverised at the first shock, and consequently extending over a larger tract of country. These avalanches take place in the spring, when the southern scirocco thaws the fresh deposits of snow of the foregoing winter. The *lavange de vent* is composed of the lighter particles of snow collected together by the force of a mountain 'ouragan,' and is often mistaken for a snow-storm. To travellers it is extremely dangerous, the road, in the course of a few minutes, being sometimes covered from the depth of two to ten feet. It is this species of Alpine storm that is frequent on the Grand St. Bernard, in which the dogs belonging to the Hospice evince such extraordinary sagacity. Mr. Cooper was fortunate enough to witness a *lavange de chaud* on the Jung Frau :—

'My eye was fixed on the side of the Jung Frau, when I saw a speck of snow start out of a mass which formed a sort of precipice, leaving a very small hole, not larger in appearance than a bee-hive. The report came soon after. It was equal to what a horseman's pistol would produce in a good echo. The snow glided downward two or three hundred feet, and lodged. All heard the report, though no one saw this little avalanche but myself. I was in the act of pointing out the spot to my companions, when a quantity of dusty snow shot out of the same little hole, followed by a stream that covered an inclined plane, which seemed to be of the extent of ten or twelve acres. The constant roaring convinced us the affair was not to end here. The stream forced its way through a narrow gorge in the rocks, and re-appeared, tumbling perpendicularly two hundred feet more on another inclined plane. Crossing this, it became hid again; but soon issued by another rocky gorge on a third plane, down which it slid to the verge of the green pastures; for, at this season, the grass grows beneath the very drippings of the glaciers.

'This was a picturesque avalanche to the eye, though the sound came so direct, that it was like the noise produced by snow falling from a house, differing only in degree. The size of the stream was so much reduced in passing the gorges that it bore a strong resemblance to the Staubbach, and according to the best estimate I could make, its whole descent was not short of a thousand feet. The hole out of which all this mass of snow issued, and which literally covered acres, did not appear to have more more capacity than a large oven! We shook our heads, after examining it, and began to form better estimates of heights and distances among the Alps.'—Vol. I. p. 103.

After returning to La Lorraine, Mr. Cooper starts for an excursion northwards, commencing with Soleure, the most ancient town of Switzerland. Tradition affirms it to have been built in the time of Abraham; at any rate, on the old tower is the following inscription, which escaped our author's observation:—

'In Celtis nihil est Salodoro antiquius,
Exceptis Treviris, quarum ego dicta soror unis.'

The field of Konigsfelden is passed with trifling notice: nevertheless few spots present greater claims to arrest the steps of the traveller than the site of the murder of the Emperor Albert in 1308. The emperor had arrived in Switzerland with a powerful army, intent on crushing liberty amongst the sturdy mountaineers who had already emancipated several places from his imperial grasp. He was accompanied in this expedition by his nephew, John Duke of Suabia, to whom he had behaved with the utmost duplicity, withholding from him a great portion of his hereditary estate, and otherwise treating him with indignity and insult. The duke, in order to gratify his thirst for revenge, leagued himself with Rodolph de Balm, Walter d'Eschenbach, Rodolph de Wart, and Conrad de Tegerfeld. At the passage of the Reussuear Windisch, within sight of the Castle of Hapsbourg, whilst Albert was in the act of stepping from the boat, the duke plunged a lance deep into the back of his neck, exclaiming '*Receive the reward of thy injustice.*' Balm thrust him through with his sword, and Eschenbach cleaved his skull with a battle-axe. Notwithstanding such desperate wounds he lingered nearly an hour, and died under an oak tree, within a few yards from the spot where he had received the first blow, deserted by all his attendants, with the exception of a faithful paramour, who refused to abandon him, although exposed to great danger. Wart, alone of the conspirators, had not struck him, and was the only one who suffered execution for the murder. He was betrayed to Agnes, the infuriated daughter of Albert, by a relation, Diebold de Blamont, and was broken on the wheel. He disdained to sue for pardon, evincing the greatest fortitude during the torture, nor so long as he possessed the power of utterance did he cease reviling the emperor:—*Je meurs innocent puisque je n'ai point trempé les mains dans le sang d'Albert; mais ce n'est point un empereur que mes complices ont fait mourir,—c'est un parjure, un assassin qui s'est souillé du sang de son maître*, qui a envahi le patrimoine de son neveu, et qui aurait mérité de subir lui-même le supplice qu'on me fait souffrir.* His agonies were prolonged for three days, during

* He had killed the Emperor Adolphe de Nassau at the battle of Worms.

which time his wife remained at the foot of the scaffold, consoling him with the voice of undying affection, until Nature yielded to the intensity of suffering. She survived him but a few days.

Agnes erected on the spot of the assassination a splendid convent, endowing it munificently, and retired thither to end her days in sorrow and seclusion. It has served as a place of sepulture to twenty-three individuals of the House of Hapsbourg. The remains of some have been removed; among others those of Albert; and his body was identified from the deep incision on his skull made by the axe of Eschenbach. The convent is now a ruin; but that portion of the building which has escaped the ravages of time and war has been converted into a bedlam, and is now tenanted by persons in every way preferable to the former possessors.

The ruins of the Castle of Hapsbourg, situated on the Wülpelsberg, are remarkable only as having been the cradle of the most powerful dynasty in Europe. The view from the ramparts reaching to the Black Forest, and commanding the valleys of the Reuss and the Aar, is varied and extensive:—

'A pretty, dark wood of larches and birches covers the hill-side. The ascent is by an easy, winding path, which runs, nearly the whole distance, beneath the shade of the trees. A carriage might be driven to the summit, which lies about three hundred feet above the river, on the northern side; but it is a precipitous terrace on the three others. The shape of the little platform on top is that of an irregular quadrangle, of about one hundred feet by two hundred; the greatest extent being from north to south. At the southern extremity rises a plain, massive, stone tower, and attached to it is a plainer wing; in which, in fact, the tower is partially buried. The whole is dilapidated, but less so than one might expect. This ruin is about eighty or ninety feet in one direction, and from seventy to eighty in the other. The workmanship is not at all superior to what is seen in our own country breweries, and other similar rustic edifices, but more massive. The interior was quite rude, though one apartment, probably the ancient Ritter Saal, or Knight's Hall, still retained its carved ceiling, the wood of which was black as ink with smoke and time. Two petards are mounted at the windows of an upper chamber, probably relics of a past age. The family which tenanted the room or two that are still habitable could tell us nothing of their history, nor could the guide.

'Such is the Castle of Hapsbourg, in the nineteenth century, the cradle of the House of Austria, and the architectural predecessor of Schœnbrunnen.'—Vol. i. p. 147.

Passing through the ancient county of Tockenbourg, Mr. Cooper could scarcely have been ignorant that a romantic legend is attached to the ruined castle, formerly belonging to the counts of that province, in the higher part of the valley.

Count Henry of Tockenbourg had long been enamoured of the daughter of a neighbouring baron who did not receive his suit with a cordiality befitting his rank and reputation. It was easy for the count to enforce the slavish obedience of his vassals; but the affections of a lady were neither within his province to command or his power to win. Nevertheless the marriage was peremptorily determined on by the father of the lady, who appears to have been actuated by motives similar to those that in the present age constitute the sole guide for parental interference. A young noble who had long cherished a regard for the Lady Ida, unable to contend with his despair, retired from the world, and assumed the cowl in a neighbouring monastery, not improbably carrying with him the pity of the mistress of his affections. The nuptials took place: under such untoward auspices it is not surprising that the marriage was far from being a happy one. Jealousy inflamed the mind of the count, whilst aversion steeled the heart of the lady. One *fine morning*, to use a French idiom, the count perceived on the finger of a menial the bridal-ring of the countess. Maddened by the sight, and not seeking an explanation, he rushed to the chamber of the unfortunate Ida, and seizing her by the hair precipitated he from the window. Fortunately a dense mass of shrubs grew underneath overhanging the abyss,—falling amongst them her clothes got entangled in the branches, and she was thus accidentally saved from a horrible death. Her innocence was fully established by the *irrefutable* testimony of her Alpine 'Gazza Ladra,' who had stolen the ring, and it had been subsequently picked up by the servant. Not wishing, however, to expose herself again to similar bursts of marital fury, the Lady Ida retired to the neighbouring convent of Fischingen, where she sought consolation, and probably obtained it from the soothing councils of the juvenile monk, who had relinquished the blandishments of the world at the epoch of her marriage. In vain did the enraged count endeavour forcibly to wrest his wife from the bosom of the church. The young Confessor and the Lady Abbess, supported by the influence of the powerful Bishop of Coise, heeded not his menaces. The bonds of the church were not to be rent asunder. The countess had voluntarily offered herself a willing spouse of God; and the Church insisted on retaining within its consecrated precincts the blushing beauties of the Holy Bride.

Crossing the Lake of Thun, Mr. Cooper meets with an Englishman and his family, who may be taken as fair samples of the usual tourists in Switzerland during the summer months:—

'At Thun I parted from the rest of my fellow-travellers, who returned

home, while, provided with a walking-staff, (an ashen pole, six feet in length, and shod with iron,) and accompanied by the guide, who carried my knapsack, I took oars again for Neuhaus. I had engaged a boat for myself, and was just "shoving off," when a proposition was made by an Englishman to be of the party, with his wife and daughter. It would have been uncivil to refuse, and I consented. The wife was quiet and simple; but the husband was a thorough John Bull, who appeared to regard even the peak of the Jung Frau with sullen contempt, as if there were better things in its way in England. When I occasionally pointed out a strong feature in the view, his manner of assenting seemed to say, "it was pretty well for Switzerland;" and once, when I drew his attention to a singularly beautiful effect produced by the sun on a mountain top, he muttered a reply, and immediately began to tell me how cheap mutton was in Herefordshire. His wife, a meek-looking little woman, appeared to acquiesce in all he said from habit; but I thought she turned longing eyes towards the mountains, and I make no doubt that their visit to Switzerland is owing to her secret admiration of Nature. He probably takes his revenge for the trouble she has given him by dilating constantly, when they are alone, on the excellence of the *côtelettes* they might be quietly eating at home.

'I was not sorry to get rid of my male companion at Neuhaus. He conscientiously offered to pay his fair proportion of the price of the boat; but, provoked at his mutton, I declined accepting his money, a little *en grand seigneur*. He was evidently both surprised and mortified; when, to relieve him, I took back half of that which had just been given to the boatmen. We parted civilly, and I was honoured with a stare, and a profound bow; for indifference to money is certain to command respect in England.'—Vol. i. p. 265.

Notwithstanding the continued provocations and the unprovoked insults which Americans receive from itinerant authors of this country, Mr. Cooper has, in a great measure, abstained from seeking what would perhaps be a just retaliation, by exposing the manifold absurdities of our countrymen when on their travels—a forbearance well worthy of imitation by Mrs. Trollope and other authors of that vulgar class. The instant an English aristocrat sets his foot on foreign ground he assumes the tone and bearing of the most offensive superiority. Should an occasion present itself of insulting the feelings or of provoking the temper of foreigners by outraging their prescribed usages of society, the opportunity is seized on with avidity, to demonstrate how elevated his mind is above all conventional trammel, totally unmindful that the means adopted to prove his mental superiority is the immediate consequence of ignorant prejudice and the most overweening self-conceit. He conceives a species of halo to surround his bedizened and scented person; that a contact with persons unknown to him may derogate from his assumed grandeur—in fact, that all things and all men derive more or less of conse-

quence according to the countenance he may be bounteously pleased to accord them. In justice, we must admit that these contemptible propensities are confined almost exclusively to men; the fairer portion of society, whether from amiability, or probably from more refined tact, rarely affording similar examples of ignorance and ill-breeding.

Amongst the various vices that English travellers are prone to, not the least is an irrepressible longing to display the extent of their literary attainments, leaving everywhere traces of their aptitude to rhythm. These modest little gems besprinkle the pages of the inn-journals, kept for the purpose of inscribing the names of travellers. A book is now open before us, wherein is a collection of these specimens of aristocratic genius, from the which we shall select two; not because they are the worst, but from the fact of the author of each having had the astounding impudence thereunto publicly to affix his signature. The following is copied from a book belonging to one of the inns at Chamouni:—

'Behold those towering mounts of snow,
And the glaciers *high and low*,
Looking, like a frozen sea,
Radiant with sublimity.
Who can scan the mountain's height?
Who can plumb the chasm's depth?
An awful sight *above-below*,
Making the heart rock to and fro;
One fatal *footstep, and you plod*
Towards the judgment-seat of God.
These are things that make *men think*,
When *pausing on a precipice brink.*
Until the weary *spirit slumbers,*
Lulled by *the avalanche's distant* thunders.
Adieu, Chamouni!—Farewell, farewell!
When next *I'll* see thee, who can tell?'

Who indeed? This brilliant scintillation of poesy, far beyond the reach of criticism, bears the signature of one 'Scott;' and in the page where it was necessary for him to designate his particular avocation or precise station in society he notes himself as being of the noble house of 'Buccleuch.' We offer our sincere congratulations to the duke of that name, on his relationship to a person of such distinguished ability and unerring taste.

The other specimen is from the pen of a Yorkshire Baronet, of sporting fame, written at Airolo, in the Val Bedretto, having come, as he expresses himself, *all the way* from England, for the purpose of chamois-hunting. On his success in the chase he is altogether silent, but draws the attention of the public to a little '*affaire du cœur*,' in the following lines:—

'If chance denies us e'er to meet again
In this tormenting world of constant pain,
I hope to meet you in *the realms* above,
Where it will be adjudged no crime to love;
Where fortune cannot frown, or friends dismay,
But all be *everlasting joy through one eternal day.*
Frances, I cannot say, adieu!—oh, no,—
The very thought is madness—*oh!*'

Eheu! Eheu! The consolidated erudition of Eton and Christchurch was insufficient to enable the sporting baronet to dole out his love-sick nausea in harmonious numbers. His opinion in what the joys of heaven consist is clearly expressed; and we rejoice that the mystery is at last solved. Did he learn this from the orthodox persecutors of the theological professor at Oxford?

Mr. Cooper passed the Grutli—the memorable scene of the nightly meetings of the patriots Furst, Arnold, and Stauffacher—without deigning to bestow on it a passing regard. *I determined not to land, for the place offered no other inducement than a little extra enthusiasm.* Then why display this repudiated feeling at Einsedlin?

'The church is large, and almost worthy of being ranked with the cathedrals of Italy. It is a good deal ornamented, having many marble altars, painted ceilings, and much gilding. The shrine is of marble, and it stands quite near the great doors. Iron gratings in front, and on parts of the two sides, permit views of the interior, where the bronzed images of the Mother and Child are so placed as to receive the rays of a single but strong lamp. Their habiliments resembled pure gold.

'When I entered, hundreds of pilgrims were kneeling on the pavement around the grates, keeping their eyes riveted, without an exception, on the dark, mysterious faces within. Many maintained this position for hours, and all appeared to be absorbed in subdued devotion. The light of the church was growing dim with the decline of day, and I walked stealthily around the groups, and through the vaulted aisles, with feelings of reverence, pity, admiration, and awe, so blended, that I find it difficult to describe them. I knew that the temple was God's, and that his Spirit was present; I felt persuaded that much devout reliance on his mercy was blended with the superstition I witnessed; and, while my reason showed how fearfully near idolatry these poor people had approached, the mystery of the incarnation never appeared so sublime, and, if I may so express it, so palpable, as at that moment. I believe few men are less under the influence of superstition, or a dread of any sort connected with spiritual agencies, than myself, and yet I found it necessary to draw largely on my Protestant insensibilities, in order to gaze at the bronzed countenance of Mary with indifference. Sympathy with the earnest and well-meaning crowd who knelt before her, a belief which, while it rejected so much of the embellishment of their own faith, admitted so much of its substance, and a sense of

common inability to penetrate the great secret of the system of the universe, disposed me to be charitable. It was impossible to witness the pain and labour with which these poor people had traversed plains an mountains to reach the shrine, the subdued and imploring air with which they approached the image, and the fixed attitudes of reverence and deprecation, mingled with a strange sentiment of affectionate reliance, that all assumed, without feeling how insignificant shades in creed become when devotion really occupies the soul. In short, I was in no humour to be critical, and felt strongly disposed to receive everything as it was offered, and as it wished to appear.'—Vol. ii. p. 40.

From the foregoing we have every reason to infer that examples of idolatry and superstition tend more to elevate the mind than the scenes of the most devoted patriotism that history can afford. If an appeal to Heaven alone can sanctify a cause, Mr. Cooper might have learnt that the Swiss, who, to use his own words, '*had got together to plot a revolt* *,' and who were in number thirty-three, and not three as asserted, solemnly swore—their left hands joined together whilst their right grasping their swords, were uplifted to Heaven—'*Au Nom de Dieu, qui a crée les paysans et les empereurs, et assuré aux uns comme aux autres la jouissance et de tous les droits de l'homme, de combattre, courageusement, pour la Liberté, et de la transmettre à leur des descendans.*' We consider this declaration of independence, on the part of the brave Swiss, an act sufficiently solemn to merit the admiration of posterity. Was the appeal to the ruling power less sacred on the uncultivated field of Grutli—the tabernacle of Nature—than in the gorgeous palaces of priestcraft, before bronzed images clad in golden petticoats, resplendent with precious stones? But enough: we turn from this portion of the work, with surprise and regret, to peruse, with feelings more akin to gratification, the description of '*cette terre riche et fertile, le plus beau dont l'œil humain fut jamais frappé,*' chosen by the 'Apostle of Affliction,' as worthy to witness the loves of Julie and St. Preux:—

> ' 'Twas not for fiction chose Rousseau this spot,
> Peopling it with affections; but he found
> It was the scene which passion must allot
> To the mind's purified beings: 'twas the ground
> Where early Love his Psyche's zone unbound,
> And hallow'd it with loveliness: 'tis lone,
> And wonderful, and deep, and hath a sound,
> And sense, and sight, of sweetness: here the Rhone
> Hath spread himself a couch, the Alps have reared a throne.'

' A more ravishing view than that we now beheld can scarcely be

* Was Washington a rebel?

imagined. Nearly the whole of the lake was visible. The north shore was studded with towns, towers, castles, and villages, for the distance of thirty miles; the rampart-resembling rocks of Savoy rose for three or four thousand feet, like walls above the water, and solitary villages were built against their bases, in spots where there scarcely appeared room to place a human foot. The solemn, magnificent gorge, rather than valley, of the Rhone, and the river, glittering like silver among its meadows, were in the distant front, while the immediate foreground was composed of a shore which also had its wall of rocks, its towns laved by the water, its castles, its hamlets half concealed in fruit-trees, and its broad mountain-bosom, thrown carelessly into terraces, to the elevation of two thousand feet, on which repose nearly every object of rural art that can adorn a picture.

'In this landscape we now met, for the first time, the glow of Italian warmth mingled with the severe grandeur of Switzerland. Vévey, which lay nearly at our feet, is celebrated for the mildness of its climate; and all the adjoining shore produces wine and fruits, that are believed properly to belong to a parallel of latitude several degrees lower than the real position of the place. This circumstance is owing to the manner in which the district is sheltered by the mountains, and to a south-western exposure. The sunny character of the scenery struck us as not among the least agreeable of its features. The beauty of the panorama was singularly heightened by the presence of some thirty or forty large barks, with *latine* sails, a rig particularly Italian, and which, to my eye, was redolent of the Mediterranean, a sea I had not beheld for twenty years. They were lying lazily on the glassy lake, as if placed there by Claude himself, to serve as models. By shutting out other objects, so as to look only at the barks, and to make an horizon of the blue element on which they floated, the deception was complete, so far as mere poetry was concerned, though the obtrusive knowledge of the mariner did, indeed, impertinently demonstrate that a Genevese bark is not absolutely a Genoese felucca. But there was enough of lubberly beauty to render the former very fit objects for a landscape; and the wisest way, on such occasions, is to forget all minute knowledge, and to dwell on the general effect, unless, according to the mariner's code, the "minute knowledge" produce most satisfaction.

'I shall not affirm that this was the finest view we had yet seen in Switzerland, but I do think it was the most exquisite. It was Goëthe compared to Schiller; Milton to Shakspeare; Racine to Corneille. Other places had a grander nature, more awful principals, and altogether sublimer features; but I cannot recall one, in which elements, of themselves noble and imposing, were so admirably blended with extensive, delicate, and faultlessly fine details. Had the architecture and the towns been a little more Italian, and the shipping more finished, this scene would have nobly sustained a comparison with some of the very best on the other side of the Alps.'—Vol. ii. pp. 239-242.

Vevai has been the scene of more than one romance. Many years since, a carriage stopped at the door of the principal inn; two persons alighted from it. The lady was of surpassing love-

liness; her auburn hair was parted over a forehead of dazzling purity; her features were cast in the most perfect mould, and her countenance beamed with a beauty rendered more seductive by the deep expression of the melancholy depicted on it. Her fragile frame indicated a delicate state of health, little calculated to withstand the chilling blast of the merciless 'bise'—so prevalent in that district. Her male companion appeared verging towards the term of middle life. Haughty in manner, and evidently accustomed to command, his imperious tone was borne out by the manifest impress of intellectual superiority. Here and there, care, or study, had faintly traced an incipient wrinkle, that time, perhaps, would have spared to his otherwise well-preserved person. His whole thought seemed centered in the beautiful being who clung to him for support, watching her every movement, and eager in the anticipation of each fancied want; for existence seemed to be valued only inasmuch as it enabled him to soothe her feelings and conduce to her enjoyment. They were English,—the servants were foreigners,—and none knew from whence the mysterious strangers came, or whither they were going. After some days, a château in the neighbourhood was engaged, and rendered as fit as circumstances would admit for the reception of an invalid. The melancholy of the lady daily increased, her frame rapidly emaciated, and the hectic flush, denoting too fatally approaching dissolution, imparted to her transparent complexion that dazzling brilliancy which lights up the countenance during the last lingering moments of existence. Night and day her companion was ever near her couch; no hand, save his, offered the soothing draught; no other voice was by her either heard or heeded. ——She died. He alone witnessed her death, and closed those eyes that to the last regarded him with immutable affection. In the middle of the night a boat was pulled close to the shore of the lake near the little port of Vevai, awaiting its destined freight. Presently an indistinct mass of persons slowly approached, guided by the uncertain light of a lamp, and bearing a coffin enveloped in its sable pall. It was placed on board,—the bearers withdrew,—and the boat was unmoored. On reaching the middle of the lake the funeral bark stopped,—the boatmen assisted to poise the coffin on the low prow,—and when it was nicely balanced, the hand of the stranger committed the body of his sister—the victim of incestuous passion—to the silent deep:

'Sullen it plunged, and slowly sank,
The dark wave rippled to the bank.

* * * * *

> And all its hidden secrets sleep,
> Known but to genii of the deep;
> Which, trembling in their coral caves,
> They dare not whisper to the waves.'

This wild tale is supposed to have originated the conception of Manfred and Astarte. The stranger was an English peer, whose name, for obvious reasons, we refrain from publishing.

Passing hastily through the Valais, our author gives rather an imperfect sketch of the many beauties of that district. The waterfalls of Tourtemagne, and those of the Lieve, near the baths of Leuk, small but eminently beautiful, were not visited. A circumstance connected with the latter has indelibly impressed them on our memory. We had been wandering since daylight on the mountain between the Rawyl Pass and the Brunen, in search of chamois, with tolerable success. The chasseurs had descended to the lower Valais, with the carcases of a couple slung over their shoulders; whilst, in the company of an Italian, named Lorenzi, who had shared in the fatigues of the morning sport, we returned by a circuitous though more easy path, towards the town of Sion. The appearance of this person was wild and singularly eccentric. With the exception of a surprising facility of scrambling over rocks, he possessed no requisite quality for a hunter of the Alps, and apparently joined the party more for the purpose of visiting the untrod regions, whither the pursuit had led, than from a desire to participate in the sport. His head was covered with a profusion of curling locks, and his eyes gleamed with a sparkling brilliancy so peculiar to the inhabitants of that southern clime. Sometimes, when the chasseurs were posted in a particular spot, stealthily watching the movements of a grazing herd of chamois, he would burst forth, pointing angrily to the snow-capped mountain:—

> '—— Ben provide Natura,
> Quando dell' Alpi schermo,
> Pose fra noi e la Tedesca rabbia.'

And away bounded the whistling chamois, amidst the execrations of the disappointed chasseurs. At other times, when the winding road in the Valais became visible, leading to his own balmy Italy, he would exclaim—

> 'Tu chi vai in Pindo,
> Ivi pende la mia cetra ad un cipresso,
> Salutila in mio nome e dila poi,
> Ch'io son dagli anni e dalla fortuna oppresso.'

We had accidentally met at the *table d'hôte* of Sion, and found him particularly well versed in the legendary lore of the Valais.

The monks of Tourbillon and Valeria were his constant theme; and being an inveterate priest-hater, he never lost an opportunity to relate an anecdote illustrative of their unblushing career of gluttony, drunkenness, and debauchery. We were taking our way slowly down the pass, when, on approaching the western fall of the Lieve, our attention was directed to a person seated on a fragment of rock, gazing intensely on the foaming cataract. It was Byron. Aware of his invincible dislike to be made an object of curiosity, we intimated to our companion the propriety of passing without taking any notice; but no sooner had he become cognizant of the name of the celebrated individual before him, than throwing away his rifle, he rushed up the path leading to the fall, abruptly presenting himself before Byron, who at first appeared by no means to relish the intrusion of a seeming madman. He took off his cap, and, bowing with reverence, said respectfully, but firmly, '*Vengo nel nome della patria, per render, omaggio al poeta del secolo;*' then, advancing a step, and placing his hand on his breast, he added, with dignity, '*Son, Foscolo.*' The countenance of Byron instantly relaxed, and, rising, he made a warm acknowledgment for the impromptu compliment. No entreaty could induce Foscolo to replace his cap on his flowing locks, and during the brief interview the two poets remained uncovered. They never met again.

Our author bids adieu to Switzerland from the roof of the *Duomo* at Milan, the most beautiful specimen of florid Gothic architecture in Europe:—

'We ascended to the roof of the *Duomo*, which resembled a bit of table-land, on a small mountain. The view was limited, in all directions but one, by an horizon like that of the ocean—the eye ranging over a vast extent of cultivated plain, covered, as usual, with fruit-trees, out of which rose the gaunt towers of churches, stretching up their necks like so many watchful cameleopards. But the hoary Alps were ranged along the northern margin of the landscape, looking warm and cheerful. Monte Rosa was the most conspicuous, affording us, for the first time, a distinct view of its sublime proportions. The glaciers were brilliant, but dreamy, no longer turning their faces coldly on us. Even the eternal snows appeared to have received a milder tint from the genial climate of Italy.

'I bent my eyes, in vain, athwart the endless plain to the south, in the hope of catching some dim outline of the Apennines. If they are ever visible from Milan, the haze of the atmosphere prevented their being seen on this occasion. But, though the organs of sight were so limited, the spirit was free. I was transported, across the seemingly boundless plain, into lower Italy, which is, in fact, *the* Italy we love, and began to enjoy, in anticipation, the pleasures of a residence in a country that, unlike its sterner neighbour, gradually wins upon the

feelings, until it becomes the object of our dearest affections. Adieu, then, to Helvetia, with her caverns, her fields of eternal ice, her cascades, her green and broad mountain sides, her pastoral abodes, her winding and rocky paths, her aërial bridges, her infernal glens, her forests of dark larches, her congress of hoary mountain-peaks; and away for the glowing vales and purple rocks of *Parthenope!*'—Vol. ii. p. 312.

By the foregoing extracts we have afforded incontestible proof that, in comparison with other tourists, Mr. Cooper maintains a commanding superiority, placing an immeasurable barrier betwixt himself and the miserable herd who, at the bidding of a sordid contractor, undertake to describe feelings they never experienced, and relate facts alike equidistant from truth or interest. Still we candidly confess, that although 'the Excursions' are sprinkled with passages of great force and originality, on the whole they fall short of the expectations we had formed. The errors we complain of are those of omission. A wide field was open for the display of that power characteristic of Mr. Cooper's peculiar genius, and it is only by a few hasty touches that we are occasionally enabled to detect the evident traces of a master-spirit. It is difficult to convey vivid impressions of grand scenery by the use of words; yet, as it is in this particular portion of his art that our author has excelled in his former writings, we were led to anticipate, with such materials as were presented, a work of extreme interest. To a certain extent this expectation has not been realised. C. A. H.

ART. VIII.

THE FACTORIES.

1. *First Report of the Central Board of His Majesty's Commissioners as to the Employment of Children in Factories, with Minutes of Evidence and Reports by the District Commissioners.* 1833.
2. *Supplementary Report from Commissioners.* 1834.
3. *A Return of the Names of the Inspectors appointed to superintend the Factories of the United Kingdom; the Salaries and Districts assigned to each; copies of the Reports presented by them to the Secretary of State, according to the provisions of the Act of Parliament.*
4. *The Curse of the Factory System, &c.* By John Fielden, M. P. for Oldham.

IT is now upwards of thirty years since the attention of the public was first directed to the state of the working people employed in factories. Anterior to this period, the main part of

the manufactures of the country had been carried on in the dwellings of the work-people in the towns, and in cottages and farm-houses in the rural districts. But the mechanical inventions brought into operation by Sir Richard Arkwright completely changed the condition of the manufacturing population. The labour which had hitherto been domestic, performed for the most part 'by mothers, or by daughters under the mother's eye,' was now transferred to large buildings, called factories, erected at first on the sides of streams in Derbyshire, Nottinghamshire, and Lancashire, the water affording the power necessary to work the machinery.

These new establishments immediately effected several highly important changes. First, the work-people were taken from their families, and collected in large numbers in one building; secondly, infant labour was substituted, to a great extent, for adult labour—the water-wheel almost entirely dispensing with the necessity of the muscular arm of the adult, but creating a demand for the small and nimble fingers of the child; and thirdly, the population in the neighbourhood of the new erections being in general scanty and wholly unable to afford an adequate supply of young hands, recourse was had to the different parish workhouses in London, and the great provincial towns in the kingdom, from which many hundreds, and it is said thousands, of children were brought and apprenticed to the manufacturers for a term of years. It was then the custom to have what was termed 'an apprentice-house' attached to the factory, and in these the young persons were lodged.

It appears that it was the practice to pay the overseers of the mills according to the quantity of work which they could turn off in the week or month; and hence arose the incentive to long hours of labour, the young people being tasked beyond their strength, and the performance of the task enforced by acts of cruelty. The position of the apprentice under this state of things was truly unfortunate: at a distance from his friends, without any protector, and so completely under the control of the master and the overlooker, that an appeal to the one against the other was likely only to lead to increased severity.

The account given by Mr. Fielden of the condition of these unfortunate children is sufficiently appalling :—

'Many thousands of these little hapless creatures were sent down into the north from the different parish workhouses of London, Birmingham, and elsewhere, being from the age of seven to the age of thirteen or fourteen years old. There is abundant evidence on record, and preserved in the recollections of some who still live, to show that, in many of the manufacturing districts, cruelties the most heart-rending

were practised upon the unoffending and friendless creatures who were thus consigned to the charge of master manufacturers; that they were harassed to the brink of death by excess of labour; that they were flogged, fettered, and tortured in the most exquisite refinement of cruelty; that they were, in many cases, starved to the bone while flogged to their work; and that even in some instances they were driven to commit suicide to evade the cruelties of a world, in which, though born to it so recently, their happiest moments had been passed in the garb and coercion of a workhouse. The beautiful and romantic valleys of Derbyshire, Nottinghamshire, and Lancashire, secluded from the public eye, became the dismal solitudes of torture and of many a murder. * * * Having tired out one set of hands, by working them throughout the day, the masters had another set ready to go on working throughout the night; the day-set getting into the beds that the night-set had just quitted, and, in their turn again, the night-set getting into the beds that the day-set quitted in the morning. It is a common tradition in Lancashire, that the beds *never got cold!* These outrages on Nature, Nature herself took in hand; she would not tolerate this; and accordingly she stepped forth with an ominous and awful warning; contagious, malignant fevers broke out, and began to spread their ravages around; neighbourhoods became alarmed; correspondences appeared in the newspapers; and a feeling of general horror was excited when the atrocities committed in those remote glens became even partially known.'

Such representations, which were at that time very general, even although they might be exaggerated, could not but attract the attention of the legislature; and the demand for legislative interference became at last so loud, that in the year 1802 the late Sir Robert Peel, himself a large manufacturer, brought in and carried, 'An Act for the preservation of the health and morals of apprentices and others employed in cotton and other mills, and cotton and other factories.' (42 Geo. III. cap. 73.)

This Act extended to all such mills wherein *three* or more apprentices were employed; and it provided—

'1st. For the due ventilation and washing of the factories.

'2d. The proper clothing of the apprentices.

'3d. Limiting their labour to twelve hours daily, and not permitting it at night.

'4th. Requiring each apprentice to be instructed, in some part of every working day during the first four years of his apprenticeship, in reading, writing, and arithmetic.

'5th. The separation of the sexes.

'6th, Sunday instruction, and the attendance of the apprentices at divine service, and occasional examination by the rector, vicar, or curate of the parish.

'7th. Authorising the justices at quarter-sessions to appoint visitors of such factories, with requisite powers.'

The effect of this Act was greatly to check the employment of apprentices, who had become less necessary to the manufacturer, partly in consequence of the migration, to the neighbourhood of the newly-erected factories, of numerous families, whose children not being subject to the restrictions which Sir Robert Peel's Act imposed on apprentices, were preferred by the mill-owners, and partly in consequence of the application of steam-power to manufactories. The steam-engine needed not that the population should migrate to it; it might be carried to the population; might be erected in the very midst of the most densely-peopled city, and the more densely-peopled the better, provided only there were abundance of fuel.

It has been justly stated, that where but ordinary care and humanity were exercised the apprentice system was one of great trouble and anxiety to the master, who had the moral as well as the physical condition of his young people to look after,—to supply all their wants,—to provide medical assistance in case of illness,—and, of course, was subject at all times to the loss of the value of the apprentice's labour the whole time it was prevented by indisposition, or any cause whatever, from working; to which was now superadded, the legislative restrictions imposed by Sir Robert Peel's Act. The manufacturer would therefore naturally chose his young work-people from the population around him, from which he could procure as many as he needed, and of whom he had no sort of charge the moment they left the factory. Hence the practice of employing parish apprentices soon greatly diminished—a circumstance which, in every point of view that can be taken of the subject, must be considered fortunate. Whatever may have been the amount of exaggeration in the representations formerly given of the hardships and cruelties inflicted on apprentices, there is evidence, the accuracy of which cannot be questioned, that the evils connected with the apprentice system were of a most serious nature.

'In the few factories in which apprentices are still employed,' says Mr. Muggeridge, in one of his Reports to the Poor Law Commissioners on Home Migration, 'I find nothing in their condition to lead me to regret that the practice has so much diminished. They are, with few exceptions, a dispirited and discontented class; infinitely worse clad and less happy and respectable in their appearance than the children of the same ages who are their fellow work-people in the same factories. Universally regarded as a distinct class, lower in the scale of society than their companions in labour, and usually kept and living apart from them, they appear even to estimate themselves almost as lowly as they are regarded by others.

'The incentive to industry and good conduct, which almost naturally

flows from labour independently and willingly afforded, and proportionately remunerated, is lost where the young person feels himself in a state of bondage, almost entirely deprived of personal liberty, and regarding himself as only being fed that his physical strength and capacity may be adequate to the work expected to be wrung from him: without possessing either a motive to improve, or ambition to excel, he probably endeavours to do as little as possible; and the interests of his employer running in an exactly contrary direction, as he would get as much as he can at as little expense, it is obvious that such conflicting influences are likely to produce anything but satisfactory results.

'Nor do the evils terminate with the apprentice indenture. The effect upon the future character and dispositions of persons who have passed in such a school, and under such discipline, that portion of their lives in which the mind receives its bent, under circumstances which destroy those very springs of independence from which industry must flow, and render distasteful that which it is so essential to excite and cherish, is, too frequently, to produce the abuse of the liberty to which they are restored the moment they get possession of it. Regarding themselves as freed from what they have only considered as the thraldom of labour, they will have recourse to any means to obtain a livelihood rather than to those which have become so irksome and unpleasant to them; and if such a return could be procured, I have little doubt it would be found that a very small proportion of the children who have been apprenticed in factories have availed themselves of the knowledge they have therein acquired, as a means of future livelihood.'

The evils incident to the apprentice system, which had greatly diminished with the comparative discontinuance of the system, were soon succeeded by others peculiar to the new condition of the factories, when the people became accustomed to send their own children to them. Fourteen years after carrying the Apprentice Act, that is, in the year 1816, Sir Robert Peel procured a Committee of the House of Commons to examine into the expediency of a Bill to apply the provisions of the former Act to *all* children worked in factories. Before that Committee, Sir Robert Peel gave, in evidence, the following among other statements:—

'Large buildings are now erected, not as formerly on the banks of streams, but in the midst of populous towns; and, instead of parish apprentices being sought after, the children of the surrounding poor are preferred; whose masters being free from the operation of the former Act of Parliament, are subjected to no limitation of time in the prosecution of their business, though children are frequently admitted there to work thirteen or fourteen hours per day, at the tender age of seven years, and even in some cases still younger. * * * Such indiscriminate and unlimited employment of the poor, consisting of a great proportion of the inhabitants of trading districts, will be attended with effects to the rising generation so serious and alarming, that I cannot contemplate them without dismay; and thus that great effort of British ingenuity,

whereby the machinery of our manufactures has been brought to such perfection, instead of being a blessing to the nation, will be converted into the bitterest curse. * * * Having other pursuits, it was not often in my power to visit the factories (speaking of his own); but whenever such visits were made, I was struck with the *uniform appearance of bad health*, and *in many cases stinted growth of the children*. The hours of labour were regulated by the interests of the overseer, whose remuneration was regulated by the quantity of work done.'

In this inquiry it came out further, that the provisions of the Apprentice Act were evaded and set at nought; that great numbers of children employed in mills were apprentices from London parishes; that they were worked from five in the morning till eight at night, all the year round, with only one hour for the two meals; that in making up lost time they frequently worked from five in the morning till ten at night, and invariably they worked from six *on the Sunday morning till twelve*, in cleaning the machinery for the week.

In the subsequent discussion on this subject, Mr. Horner, in his place in the House of Commons, stated,—

'That these children were often sent one, two, or three hundred miles from their place of birth, separated for life from all their relations, and deprived of the aid which even in their destitute situation they might derive from friends—a practice repugnant to humanity, which had been suffered to exist by the negligence of the legislature. It had been known, that, with a bankrupt's effects, a gang, if he might use the term, of these children had been put up to sale, and were advertised publicly, *as a part of the property*. A most atrocious instance had come before the King's Bench two years ago, in which a number of these boys, apprenticed by a parish in London to one manufacturer, had been transferred to another, and had been found by some benevolent persons in a state of *absolute famine*. Another case, more horrible, had come to his knowledge, while on a Committee up-stairs, that, not many years ago, an agreement had been made between a London parish and a Lancashire manufacturer, by which it was stipulated that with every *twenty sound* children one *idiot* should be taken.'

The consequence of this inquiry was the passing of an Act in 1819, the main provisions of which were, first, that no child under nine years of age should be employed in any factory for the spinning of cotton-wool, and second, that no child under sixteen years of age should be employed in any such factory for more than twelve hours during the day, exclusive of the meal-times. After the passing of this Act there were four others to amend, to alter, or to render valid this one, all of which were repealed by the Act commonly called Sir John Hobhouse's, the principal provision of which is, that it be unlawful to work any child in a

factory who is under eighteen years of age for more than sixty-nine hours of the week. This Act was also confined to cotton factories.

Such was the state of things when, in the year 1832, Mr. Sadler brought a Bill into Parliament to limit the hours of labour for all under eighteen years of age* to fifty-eight hours in the week; and the provisions of this Bill were to extend to all mills, woollen, flax, and silk, as well as cotton. Unwilling to pass such a measure without further investigation, the House of Commons appointed a Committee of Inquiry, of which Mr. Sadler was the chairman, the main tendency of the evidence elicited and recorded by which, according to Mr. Fielden, went to show that if it be 'a part of the legislature to make laws to protect men from the arm of the murderer, laws of the same protecting kind are necessary in the case of factory children, where the murder is as certain as in any other instance, and more cruel, because the death is more lingering.'

But the evidence taken by this Committee having been manifestly *exparte* evidence (for witnesses were examined only on one side of the question), and an objection to its trust-worthiness, that it was not taken on oath, having been strongly urged, the House of Commons refused to entertain the Bill founded upon it, introduced in the absence of Mr. Sadler, who was no longer a Member, by Lord Ashley; and an amendment was carried, that a Commission be appointed to take evidence as to the expediency of the measure. Thereupon a Commission was issued, under the Great Seal, 'to collect information in the manufacturing districts, as to the employment of children in factories; as to the effects of such employment, both with regard to their morals and their bodily health; as to the propriety and means of curtailing the hours of their labour; in what respect the laws made for the protection of such children have been found insufficient for such purpose; and what may be the further provisions necessary for their protection.'

This Commission consisted of fifteen Commissioners, ten of whom were civil, and five medical Commissioners. A Central Board was appointed, consisting of two civil, and one medical Commissioner, stationary in London, to frame instructions for the district Commissioners, to receive their communications, and to frame the general report. Four districts were traced out, comprehending the seats of each of the principal branches of manufacture in which any large portion of infant labour is employed, to each of which districts two civil Commissioners and one medical Commissioner were appointed, armed with the power of personally inspecting the various factories contained in the several districts, and of examining witnesses on oath.

The Central Board invited communications and suggestions as to the course of inquiry from the parties favourable to Lord Ashley's Bill, as well as from those opposed to it; drew out forms to be filled up, and queries to be answered, which were sent to the various factories throughout the kingdom, embracing the several particulars respecting which information was indispensable, before it was possible to arrive at a just conclusion respecting the real condition of the factories, and of the physical and moral influence of factory labour. Tabular queries were likewise proposed, framed in such a manner as might render the returns available even to the actuary, as a basis for statistical results, having for their object to determine the amount of sickness and mortality prevalent among the manufacturing, as compared with the non-manufacturing population. Moreover, instructions were drawn up for the guidance of the Commissioners, civil and medical, suggesting the various subjects of inquiry, and showing the principles on which the investigation should be conducted, in order to obtain correct and complete evidence.

The papers and documents returned to the Central Board by the District Commissioners with their reports, the answers to the forms and queries, as returned from the various factories, with the actuary's (Dr. Mitchell) reports, and the several reports, general and supplementary, of the Central Board, have been ordered to be printed by the House of Commons, and these volumes present a body of evidence, the correctness of which is unimpeachable, and we believe unimpeached, affording a full exposition of the condition of the factories in the different districts of the kingdom, and more especially in relation to the hours of labour, the age at which children begin to work, the nature of their employment, the state of the buildings in which the occupation is carried on, the treatment to which the children are subjected, and the ultimate effects of their employment on their physical and moral condition.

From the general report of the Central Board, it appears that the hours of labour vary considerably in the different districts. In Scotland, in general, they are from twelve to twelve and a half, though in many places they are not less than thirteen hours. It is customary to leave off an hour, and occasionally two hours earlier on Saturday; but the time thus lost on Saturday is commonly made up by working a quarter of an hour later on the other days. In the north-eastern district of England, the regular hours of labour are twelve, and in some places thirteen. In Manchester they are twelve. In the west of England they often do not exceed ten. In all the districts, in some factories, there is no intermission of the work day or night. In such cases two sets of

work-people are employed, each set commonly working twelve hours.

In general, the time allowed for meals is half an hour for breakfast, half an hour for dinner, with no stoppage for tea; but sometimes there is no stoppage either for breakfast or tea, only for dinner; in some factories, for an hour, in others, and this is the more general rule, for half an hour.

Often the work-people stop during a part of the dinner-hour to clean the machinery, which sometimes occupies half of the dinner-hour. The children commonly stop to clean their own work. In some factories care is taken on the part of the proprietors to secure to the work-people the whole of the time allotted to meals; but in others this time is encroached upon without the slightest scruple. Occasionally, the work continues without interruption during the whole of the meal-hours, the engine never stopping, excepting about ten minutes, to be oiled, and the work-people 'eating how they can.'

'"Did not stop for meals; used to eat how we could; has gone on so this six years or more." "Sometimes the breakfast would stand an hour and a half; sometimes we'd never touch it; many a time I've brought mine out and never touched it, because I hadn't time." "Took it as we could, a bite and a run; sometimes not able to eat it from its being so covered with dust."'

Where this practice of working during the whole of the meal-hours prevails, the work-people never leave the factory from the time they enter it in the morning until they have finished their work in the evening.

When time is lost by stoppages, whether from the breakage of machinery, or the want of a due supply of water, or from holidays, it is the custom for the people to work, sometimes half an hour, at other times an hour, and occasionally even as much as two hours daily extra time, until the whole of the lost time be made up. When the children do not clean the machinery out of the hours allotted for their meals, they clean it at extra hours.

'"In all the mills in this town the children stop fifteen minutes after the mill sets (seven o'clock in the evening) to clean the machinery. For nine months together they have worked an hour extra, making up time. . . . When water has been frozen, she has been obliged to work until ten or eleven at night to make up lost time."'

In some districts, this practice of working extra hours to make up lost time tells with peculiar severity on the children, as in the carpet factories, on the drawers (always children), who must attend the weaver, at whatever time he is at work, and who are often called up at three or four in the morning, and kept on for sixteen or eighteen hours.

'"The drawers are entirely under the control of the weavers, both as to the time of work and payment. It is very much the case with some sort of men to go idle one part of the week and to work extra hours the rest. In such cases I have known men to work from three o'clock in the morning till ten o'clock at night; the drawers must work the same hours; they must always go together, they can't do without one another." "It is the practice for the weavers to be idle and dissipated part of the week, and to work extra hours the rest. We abound with that evil; we witness it every week round. I have known instances in the depth of winter of drawers being called upon to work by four o'clock in the morning, and earlier. I believe it is the common practice for the idle weavers to place their draw-boys in the loom, and to employ younger boys or girls as drawers, to make up for their own laziness or dissipation. The weavers are in general idle the early part of the week, and they afterwards work from eighteen to twenty hours to make up their lost time, during which the draw-boy or draw-girl must attend them. I have known frequent instances of their commencing work at two or three o'clock in the morning."'

With scarcely a single exception no additional wages are paid for additional labour to make up lost time; and the work-people, young and old, perform this labour with reluctance. But when extra wages are paid for extra time, there seems to be no limit to the period for which the people will continue at their employment.

'"Have sometimes worked, and do now occasionally work, sixteen hours. Very commonly worked fourteen or fifteen hours through the whole winter, and got extra wages. Worked all last night (I found her working at a quarter before six—Commissioner); worked from a quarter before six yesterday morn; will work till six this evening; thirty-four hours, exclusive of two hours for meals; did this because the hands were short, and she should get an additional shilling." "Have worked here two years; am now fourteen; work sixteen hours and a half a day; was badly, and asked to stop at eight one night lately, and was told if I went, I must not come back. Worked till twelve at night last summer; began at six in the morning; told book-keeper I did not like to work so late; he said I mote."'

Commissioner states,—

'We have distinct information, that in Milne's factory (Nottingham) the clearing children are kept to their work constantly during a period of sixteen hours. When additional wages are paid to children for extra hours the sum is exceedingly trifling.'

'*Boy of fourteen.*—"We only get a penny an hour for over-time."

'*Foreman.*—"We reckon it as nearly as we can to their wages for over-hours; those who have three shillings get a half-penny per hour."'

All the witnesses agree in the statement that whatever the child earns by his regular hours of labour is uniformly appropriated by the parent; but it is the common practice for parents

to encourage the children to work extra hours by leading them to consider the wages which they thus earn as peculiarly their own, although a cheat is often practised upon them even with regard to these extra wages.

'*Boy twelve years old.*—"We are paid for over-hours at the rate of twopence for three hours; I have always that for myself." "What do you do with it?"—"I have it for clothes. Sometimes I put it into a money-club for clothes. I have worked nine hours over in one week; I got for that fivepence halfpenny. I gave it to my mother, and she made it up to sixpence, and put it into the money-club. She alway puts by sixpence a week from my wages for that." "Then your mother gets what you earn by the over-hours, don't she?"—"No; I gets it for myself." "Does your mother like you to work over-hours?"—"No; she don't like it; never asked for me to be excused; knows it would'nt be no use; sometimes gives me a halfpenny to spend." "What do you do with it?"—"Saves it to buy shoes; have never saved above a shilling for that; mother put more to it, and bought me a pair." "Was very nigh nine years of age when I first went to piecen. Got 2*s*. 6*d*. a week at first; am now eleven; get 4*s*.; always pays my wages to my mother; never spent a penny in my life; my father takes my wages from the pay-table, and gives to me to take home to my mother. My mother used sometimes to give me a halfpenny or a penny again, she would say, to buy me apples, or what I would please to tell her, for me to eat on Sunday. She knew it beforehand (his working all night on, after having worked from six in the morning the day before), I told her at my meal-time: she let me keep what I got so." "All the younger children give their earnings to the parents."'

It is established by indubitable evidence, that in some instances children begin to work in factories as young as five years old; it is not uncommon to find them at six; many are under seven, and still more under eight; but the great majority are nine. The wages paid to very young children is sixpence per week; in the case of children as old as ten years, in some districts, it is under 2*s*. a week; and in other districts it is from 2*s*. to 3*s*. a week; and in general, at seven years of age, it is only 1*s*. a week.

On account of their great cheapness there is, as the whole evidence shows, a constant demand for children of the younger ages. Of the difference to the manufacturer, one of the witnesses gives the following illustration:—

'"In spinning fine yarns, a certain proportion of children from twelve to ten years of age are advantageous to our spinners, being cheaper than older hands, and sufficiently effective: 184 such children, whose wages average 2*s*. [illegible]$\frac{3}{4}$*d*. per week, are employed in our mills. If children of twelve to fourteen years of age were substituted, the average of *their* weekly wages, being 4*s*. 5*d*., the extra expense would be 700*l*. per annum."'

This statement assigns the reason of the fact, which forces itself on the attention, at the slightest glance of the tables constructed from the returns by Dr. Mitchell, namely, the immense numbers which all the tables show to be everywhere employed in early life, and the exceedingly small number employed at an advanced age. Thus, from the table for the cotton factories in Lancashire, it appears that out of 3,770 males employed there are 2,157 below 21 years complete, or under age; and, out of 3,844 females employed, there are 2,518 below 21. In like manner in the table for the cotton factories of Glasgow and the vicinity, out of 4,631 males there are 2,683 below 21; and out of 7,445 females there are 4,870 below 21. From the same table for the cotton manufactories of Lancashire, it appears that from 11 to 16 years of age, the number of males employed is 1,169; from 16 to 21 years of age the number employed is 736; in the next period of five years the number falls to 612; and in the five years from 26 to 31 the number is only 355. The proportions are nearly the same in all the factories in all the districts.

This striking diminution in the number of people employed in factories, as age advances, has been attributed to the havoc produced upon the work-people by disease and death, in consequence of the injurious nature of their occupation. Had it been so, the destruction of human life by factory labour would have been greater than that caused by the plague in any country in the world. But an inspection of the wages' tables at once shows the real cause of the diminution of the numbers. Thus, from the wages' table for the cotton factories of Lancashire, it appears that the wages of the male, from 11 to 16, are on an average 4*s.* 1¾*d.* a week; in the next period of five years, from 16 to 21, the average rises to 10*s.* 2¼*d.* a week. Of course the manufacturer will have as few at that price as he can, and certainly none for any description of work which may be done by males working at 4*s.* 1¾*d.* In the next period of five years, from 21 to 26, the average weekly wages rise to 17*s.* 2½*d.* Here is a still stronger motive to discontinue the employment of males as far as it can possibly be done. But in the subsequent periods, the average rises still higher, from £1. 0*s.* 4½*d.* up to £1. 2*s.* 8½*d.* At such wages only those men will be employed who are necessary to do work requiring great bodily strength, or great skill, or who are placed in offices of trust and confidence. It is remarkable that, while the wages of the male vary, in this striking manner, as the age advances, the wages of the female continue pretty stationary, at about the average of 7*s.* 3½*d.*, and never much exceed this amount: accordingly, the number of females

employed is pretty nearly the same, from 11 to 16, and from 16 to 21, being at that period 1,240. But now a sudden and prodigious diminution takes place, so that in the space of 15 years, that is from 21 to 36, this number is reduced to 100; not because, as has been absurdly asserted, death has transferred the names of these women from the register of the factory to the register of the dead, but because their names have become inscribed in the marriage-registers. By the returns, it appears that the greatest number of marriages from the factories takes place before the women have completed their twenty-sixth year. By these same returns, as well as from the evidence given to the District Commissioners, it appears that very few women continue to work in the factory after marriage, for which the wages' table again assigns the reason. In many cases the wages of full-grown women average under 6*s.* a week; they rarely amount to 8*s.*, and hardly ever exceed that sum: hence observes Dr. Mitchell:—

'The low price of female labour makes it the most profitable as well as the most agreeable occupation for a female to superintend her own domestic establishment; her low wages do not tempt her to abandon the care of her own children; and in this case Nature effects her own purpose more wisely and more effectually than could be done by the wisest of men.'

From these statements it is clear that causes, as steady in their operation as a physical law, are constantly withdrawing persons of advanced and even of mature age from the employment of the factory, and imposing that labour upon the immature, and, in a very large proportion of cases, upon children who have not yet attained even the age of puberty. It cannot be doubted that causes which operate injuriously on the body and mind at this tender age inflict on the human being evils which can never be repaired at any subsequent period of life. The influence of factory labour on the physical and mental constitution of the young is, therefore, a question of paramount importance; and to this question the evidence recorded by the Factory Commission affords the means of giving the most complete solution.

The uniform account given to the Commissioners by the children themselves, and especially the younger children, when questioned as to their own feelings, is,—

'"Sick tired, especially in the winter nights." "So tired when she leaves the mill, that she can do nothing." "Feels so tired, she throws herself down when she gangs hame, no caring what she does." "So tired, not able to set one foot by the other." "Many a time has been so fatigued she could hardly take off her clothes at night, or put them on in the morning; her mother would be raging at her, because

when she sat down she could not get up again through the house." "Looks on the long hours as a great bondage." "Thinks they are not much better than the Israelites in Egypt, and their life is no pleasure to them." "Are the hours to be shortened," earnestly demanded one of these children of the Commissioner who was examining her, "for they are too long." '

On consideration of the whole of the evidence returned to them, the Central Board observe,—

'We have been struck with the perfect uniformity of the answers returned to the Commissioners by the young workers in the largest and best-regulated factories, as well as in the smaller and less advantageously conducted. In fact, whether the factory be in the pure air of the country or in the large town, under the best or the worst management, and whatever be the nature of the work, whether light or laborious, or the kind of treatment, whether considerate and gentle, or strict and harsh, the account of the child when questioned as to its feeling of fatigue is the same.'

The truth of the representations of the children is confirmed by the testimony of the parents, of which the following may be taken as examples:—

'"Her children come home so tired and worn out they can hardly eat their supper." "Has seen the young workers absolutely oppressed, and unable to sit down or rise up; this has happened to his own children."'

By the testimony of the adult operatives, who state,—

'"The long hours exhaust the workers, especially the young ones, to such a degree that they can hardly walk home." "The younger workers are so tired they often cannot raise their hands to their heads." "All the children are very keen for shorter hours, thinking them now such bondage that they might as well be in a prison." "The sufferings of the children absolutely require that the hours should be shortened."'

By the testimony of the overlookers, who depose,—

'"The work over-tires the younger workers." "Often sees the children very tired, and very stiff-like." "Is entirely of opinion, after real experience, that the hours of labour are far too long for the children; has from twenty to twenty-four boys under his charge, from nine to about fourteen years old; and they are generally much tired at night, always anxiously asking if it be near the mill-stopping." "Never knew a single worker among the children that did not complain of the long hours."'

Admissions to the same effect, on the part of the managers and proprietors, abound in every part of the depositions:—

'"I have known the children," says one witness, "hide themselves in the stove among the wool, so that they could not go home when the work was over. I have seen six or eight fetched out of the stove, and

beat out of the mill." "After the children from eight to twelve years old," says another witness, "had worked eight or nine hours, they were nearly ready to faint; only kept to their work by being spoken to, or by a little chastisement, to make them jump up. I was sometimes obliged to chastise them when they were almost fainting, and it hurt my feelings; then they would spring up and work pretty well for another hour; but the last two or three hours were my hardest work, for they then got so exhausted." '

Sleepiness is another feeling of which the children complain nearly as much as of fatigue:—

' "Is often so sleepy that he cannot keep his eyes open." "Longs for the mill's stopping, is so sleepy." "Often falls asleep while sitting, sometimes while standing." "Was up before four this morning, which made her fall asleep when the mill was inspected at one to-day by the Factory Commissioner. Often so tired at night, that she falls asleep before leaving the mill." "I have seen them fall asleep, and they were performing their work with their hands while they were asleep, after the billy had stopped, when their work was over. I have stopped and looked at them, for two minutes, going through the motions of piecening fast asleep, when there was really no work to do, and they were really doing nothing. I believe, when we were working long hours, that they have never been washed but on a Saturday night, for weeks together." "Children at eight are so fatigued, that they are asleep often as soon as they sit down, so that it is impossible to waken them to sense enough to wash themselves, or scarcely to eat a bit of supper, being so stupid asleep. I experience it by my own child, and I did by myself, when a child, for once I fell asleep when on my knees to pray on my bed-side, and slept a length of time till the family came to bed." "I have never seen fathers carrying their children backwards nor forwards to the factories; but I have seen children, apparently under nine, and from nine to twelve years of age, going to the factories at five in the morning, almost asleep in the streets." '

Pains in the limbs, back, loins, and sides, are very frequently, but not so uniformly, complained of as fatigue and drowsiness. The constancy and severity of the pain uniformly bear a strict relation to the tender age of the child. Girls suffer from pain more uniformly than boys, and up to a more advanced age:—

' "Many nights I do not get a wink of sleep from the pain." "At first suffered so much from the pain that she could hardly sleep, but it went off." "Knee failed from excessive labour; severe pains and aches would come on, particularly in the morning; it was better in the evening." "I have seen children, under eighteen years of age, before six at night, their legs hurt them to that degree, that they have many a time been crying." '

No one could reasonably doubt that a degree of labour productive of such effects, commenced in early childhood, and continued unremittingly, day after day, up to the period of adult age,

must injure the bodily health. To ascertain, by direct and personal examination, whether such injury were really produced, and to what extent, was one of the main objects of the Commission. The collection of evidence necessary to set this question at rest has been kept steadily in view by all the Commissioners, and the result is thus clearly and strongly stated in the General Report:—

'That this excessive fatigue, privation of sleep, pain in various parts of the body, and swelling of the feet, experienced by the young workers, coupled with the constant standing, the peculiar attitudes of the body, the peculiar motions of the limbs required in the labour of the factory, together with the elevated temperature, and the impure atmosphere in which that labour is often carried on, do sometimes terminate in the production of serious, permanent, and incurable disease, appears to us to be established. From cases detailed in the evidence, and the accuracy of which has been strictly investigated, we do not conceive it to be possible to arrive at any other conclusion. The evidence, especially from Dundee and Glasgow, from Leicester, Nottingham, Leeds, and Bradford, from Manchester and Stockport—in a word, from all the great manufacturing towns, with the exception of those, perhaps, in the western district, in which there is little indication of disease produced by early and excessive labour—shows that grievous and incurable maladies do result in young persons from labour commenced in the factory at the age at which it is at present not uncommon to begin it, and continued for the number of hours during which it is not unusual to protract it.'

It is obvious that the physical injury thus inflicted on children by the labour of the factory could not possibly be the sole evil; but that the intellectual and moral injury sustained must be at least commensurate with the physical, and the investigation of the amount of this class of evil was also one of the main objects of the Commission. On this subject the General Report states:—

'From the depositions of witnesses of all classes, it appears that even when the employment of children at so early an age, and for so many hours, as is customary at present, produces no manifest bodily disease, yet, in the great majority of cases, it incapacitates them from receiving instruction. The young children very generally declare that they are too much fatigued to attend school, even when a school is provided for them. This is more uniformly the declaration of the children in the factories of Scotland than in those of England. Few will be prepared to expect the statements on this head, in regard to Scotland, where the education of the children is neglected to a far greater extent than is commonly believed; where a comparatively small number can write; where, though perhaps the majority can read, many cannot; and where, with some honourable exceptions, it seems certain that the care once bestowed on the instruction of the young has ceased to be exemplary.'

The Reports of the Commissioners for Scotland, who will be

found to have kept this subject continually before their view, are decisive on this head. Many of the persons sworn could not write nor sign their depositions:—

'The want of education, so general among these people, which has surprised me, is to be attributed to their being for so long a period of the day confined to the factories. The overseers of the small mills, when the proprietors are absent, uniformly declare their aversion to the present long hours of working, as injurious to the health of the workers, and as rendering their education impossible. It is, upon the whole, impossible to doubt that the young workers must be so much fatigued by the very long hours of labour, that they cannot be so fit to receive instruction as other young people, and that they have too little time for being at school, even to enable them to learn to read, write, and to understand accounts tolerably. Want of education cannot fail to have an unfavourable influence on their morals.'

From the examination of the whole of the evidence collected by the Commission, the conclusions to which the Central Board arrived were,—

'1st. That the children employed in all the principal branches of manufacture throughout the kingdom work during the same number of hours as the adults.

'2d. That the effects of labour during such hours are, in a great number of cases,—

'Permanent deterioration of the physical constitution;

'The production of diseases often wholly irremediable; and

'The partial or entire exclusion (by reason of excessive fatigue) from the means of obtaining adequate education and acquiring useful habits, or of profiting by those means when afforded.

'3d That, at the age when children suffer these injuries, from the labour they undergo, they are not free agents, but are let out to hire, the wages they earn being received and appropriated by their parents and guardians.'

'We are therefore of opinion, that a case is made out for the interference of the Legislature in behalf of the children employed in factories.

'The restrictions we venture to propose are:—

'That children under nine years of age shall not be employed in factories.

'That, until the commencement of the fourteenth year, the hours of labour during any one day shall not in any case exceed eight.

'That, until the commencement of the fourteenth year, children shall not in any case be allowed to work at night—that is to say, between the hours of ten at night and five in the morning.

'The grounds on which we recommend the above restriction on hours of labour to be limited to the commencement of the fourteenth year are,—1. That at that age the period of childhood, properly so called, ceases, and that of puberty is established, when the body be-

comes more capable of enduring protracted labour. It appears in evidence, from the statements and depositions of all classes of witnesses, including the young persons themselves, that the same labour which was fatiguing and exhausting at an earlier period, is, in general, comparatively easy after the age in question. 2. That from the comparative infrequency with which serious and permanent disease appears to have been produced when labour did not commence before the ninth year, and was not immoderate, there is reason to conclude that the restriction now suggested will afford an adequate protection. 3. That, in general, at or about the fourteenth year, young persons are no longer treated as children; they are not usually chastised by corporal punishment; and, at the same time, an important change takes place in what may be termed their domestic condition. For the most part they cease to be under the complete control of their parents and guardians. They begin to retain a part of their wages. They frequently pay for their own lodging, board, and clothing. They usually make their own contracts, and are, in the proper sense of the word, free agents. For all these reasons we conceive that this is the natural period when young persons may be placed on the same footing as adults, as far as regards the disposal of their labour.'

It is further stated, that the great evil of the manufacturing system, as at present conducted, is the necessity it entails of continuing the labour of children to the utmost length of that of adults; that the only remedy for this evil, short of a limitation of the labour of adults, which would create an evil greater than that which is sought to be remedied, is the plan of working double sets of children; that, although to this plan there are objections of considerable weight, yet that those same objections must necessarily attach more or less to any change in the present modes of working; that the object aimed at by the working of double sets—namely, that of counteracting the tendency to an undue employment of infant labour—is such as more than compensates for the sacrifice to be made in attaining it; and that no other mode of effectually accomplishing this most desirable object, likely to be attended with so small an amount of evil, has been suggested.

It is indeed admitted that, according to the statements of all the witnesses examined, there would be a great difficulty, if not an impossibility, of immediately getting the number of hands requisite, were all under fourteen years of age to be at once reduced to six or eight hours' labour. This difficulty, which would probably apply in some degree to all mills, would of course be felt in the greatest degree by those which are not situated in populous towns or districts; and, even were the difficulty on this head less than it really is, the loss of earnings by the operatives, from a sudden reduction of the working-hours of their children up to

the fourteenth year, might entail, in many cases, severe suffering. Hence the measure recommended, however salutary in its tendency, might fail altogether, on the score of the alleged difficulty, if not impracticability, as regards the manufacturer on the one hand, and of the distress it might occasion to the working class on the other, were it to be immediately enforced, instead of giving (as should be done in all great changes, such as this would be) ample time for preparation. It is therefore suggested by the Central Board, that the limitation to eight hours' work should, in the first instance, be applied only to children up to the commencement of the twelfth year of their age; that this limitation should take effect in about six months from the passing of the Bill, and should be extended, by stages or intervals of six or twelve months each, to children under the thirteenth or the fourteenth year of their age respectively. By the application of this limitation, in the first instance, to children under twelve, the most urgent part of the evil proposed to be remedied is met; none of the hands of twelve and thirteen will be displaced or reduced so as to occasion immediate distress to the families; and time will be given for judging of the experiment as far as it goes.

In order that the chilren may derive substantial benefit from the abridgment of their hours of labour, it is recommended that a portion of the time thus gained should be occupied in education; and it is suggested that this will secure two ulterior objects of considerable importance: first, it will be the best means of preventing the employment of the same child in two different factories on the same day, or in any other kind of labour likely to be injurious to its health; and, secondly, it will better qualify the persons so educated to adapt themselves to other employments, if, in after life, the vicissitudes of trade or other causes should render it desirable that they should find other means of support.

On the ground that all preceding enactments for the regulation of the labour of children in factories have failed from the want of an adequate machinery to enforce their execution, and that the legislative measures now recommended would stand in peculiar need of some special agency to secure obedience to them, since they relate solely to the children, are not directly conducive to the immediate interests, either of the master manufacturers, or the operatives, or of any powerful class, and, consequently, are not likely to receive continuous voluntary support, it is recommended that the Government appoint inspectors to go circuits in the chief manufacturing districts, at intervals as short as may be practicable, and exercise the functions with which they may be invested for carrying the law into force.

Such were the recommendations in which the labours of the

Factory Commission terminated. These recommendations, in all their essential points, were adopted by the legislature in an Act passed the 29th of August, 1833, and which came into operation on the 13th of February, 1834. The chief enactments of this statute are—

That no child shall be employed in any mill or factory, except in silk-mills, under nine years of age; that after the 13th of February, 1834, no child shall be employed without previously producing a certificate of age from a surgeon; that no child under eleven, and eventually none under thirteen years of age, shall work more than nine hours in any one day, or more than forty-eight in the week, and never in the night.

That no young person, under eighteen years of age, shall work more than twelve hours in any one day, or more than sixty-nine hours in the week, nor in the night, except under particular circumstances.

That children limited to forty-eight hours in the week shall attend school on every working-day for two hours.

That an hour and a half in the day shall be allowed for the meals of all under eighteen.

That holidays, equal to six entire days in the course of the year, shall be given to all under eighteen.

Four inspectors are appointed, empowered to enforce the observance of the Act, to each of whom a certain district is assigned. The duty of the inspector is to visit and personally inspect the various factories in his district, to see that the law is obeyed, and twice a year to report his proceedings to the Government.

From the whole of this account it is clear that the main object of the framers of this Act, and of the Legislature in adopting its provisions, has been the separation of infant from adult labour, with the twofold purpose of protecting the health of the children and of providing for their education. On examining the evidence returned to them, it soon appeared to the Central Board that the most direct and simple mode of accomplishing such desirable ends would be to work the children in double sets; that this plan would afford an easy means of restricting the labour of the child to whatever number of hours might be deemed expedient, without materially interfering with the labour of the adult, and that it would combine the further advantage of leaving abundant time for the education of the children, and would offer a facility for making that education a portion of their daily occupation. But it is liable to the obvious objections that it must cause, at least in the first instance, some trouble to the master, and perhaps oblige him to pay somewhat higher wages; inconvenience to the workmen when working by the piece, who must incur the increased expense of hiring, and

the increased trouble of teaching, a greater number of children; and in all cases loss to the parents by the diminution of their children's wages. It was also a question at first whether the plan were practicable; that is, whether a sufficient number of children could be got. Had this plan presented itself to the minds of the Commissioners at the outset of the inquiry, it would have been easy, by means of the printed queries, to have obtained, directly from the factories, the fullest information on this point; but it happened in this case, as occasionally happens in others, that the remedy did not suggest itself until the evil was ascertained. On attempting to investigate the matter, the Central Board received conflicting statements, but it was not difficult to see where the truth really lay. From many of the mill-owners the answers returned to the question submitted to them was, that the scheme was utterly impracticable; but then, these same people declared that the filling up of the printed queries was impracticable, and declined to make the required returns on that ground, although in by far the greater proportion of instances these lists were speedily and satisfactorily filled up with all the requisite information. It was plain that, in the view of these men, whatever was attended with any degree of trouble or inconvenience was impracticable. From other manufacturers, and those the most considerable, the representations made to the Central Board were such as the following:—

'"The Bill should apply to children below a certain age only, say twelve, limiting their work to six hours per day; in that case a change of young hands could easily be obtained; it would bring them up to habits of industry, and be beneficial to their parents, without hurting their health or preventing their education." "Relays would do well if restricted by law to six or seven hours a-day; we could then, by relays, go with adults whatever hours were found proper." "As children under twelve years of age have generally been found to enjoy health and cheerfulness, relays have not been thought of; but there can be no doubt that working by such relays might be accomplished." "To children, say under thirteen, there can be no great objection on the part of the manufacturers to relays." "In the anticipated Act of Parliament for the regulation of children's labour, we beg earnestly to recommend it may contain a clause allowing two sets of children to be worked in any factory on one day; and we think that seven hours would not be too great to allow to each set of children. A clause of this kind, we think, would operate to check some of the evils which may fairly be anticipated to the great interests of the country, which a too restrictive Act might produce." "The workmen in my employment, just before I came up to town, met, and canvassed the question of factory regulations, and proposed as the result of their deliberations that children under twelve years of age should be employed only six hours, and should work in two sets." "We are at present in the actual employment of double

sets of children; we combine the working of the double sets with attendance at school during the hours when they are unemployed; we insist upon it; the children composing these sets are from nine to ten years old, and receive 1*s*. 6*d*. per week, out of which they pay for the instruction they receive, 1*d*., 2*d*., or 3*d*. per week: for learning to read, 1*d*.; read and write, 2*d*.; read, write, and accounts, 3*d*. It is the duty of the man who pays the wages in the morning to see that the children are in regular attendance at the school; the plan has worked well for the children, and has been much approved of by the parents."'

Notwithstanding that manufacturers themselves thus suggested this very plan, that others earnestly recommended it, and that others stated that 'they had actually tried it as an experiment, and found it to work well for the children, and to be much approved of by the parents,' the Central Board have been accused of recommending a plan the impracticability of which the evidence that came before them distinctly proved; and Mr. Fielden, after animadverting on the conduct of Ministers, in having been 'so self-sufficient as to imagine that they could protect the children without interfering with the adults,' charges the Central Board, on the authority of a letter dated 3d August, 1833, from Mr. Stuart, one of the District Commissioners, with having suppressed no less than 2000 or 3000 answers to queries, upon the very matter wherein the Government has made what Mr. Stuart is pleased to call 'its blunder,' namely, 'the relays of children.' Mr. Fielden adds, 'the reason for suppressing the evidence is clearly because it did not square with the views that they took, nor suit the recommendation that they were resolved to report and did report.' The fact, however is, that not only have those answers not been suppressed, for it appears that they were all published in the form of a supplementary report as soon as the actuary who had been specially entrusted with the care of forming statistical tables from the returns to the *printed* queries (to which the answers in question were made), could prepare the results; but that such of the answers as can be considered to bear at all upon the point are more decidedly in favour of the plan than the answers to the *vivâ voce* examinations which were published in the first report. It should seem indeed that Mr. Fielden, with all his display of research on the subject, cannot have perused the 'Supplementary Report' of the Commissioners; for if he had, it is inconceivable that he should have quoted, as believing it, such a charge. Indeed, if he had been at the trouble of reading the 'Supplementary Report,' he would have seen that the printed queries to which the 2000 or 3000 answers belong (so gratuitously asserted to have been suppressed), refer to double sets or relays, not of children properly so called, but of persons under *twenty-one* years of age;

and of course the objections on the part of the manufacturers to double sets of hands of that age, unless for night-work, would be insuperable. So far are we from viewing the evidence as affording a presumption against the practicability and expediency of the plan for the separation of children from adults, that it is rather matter of surprise to us to find so many of the manufacturers in favour of it, considering that it must obviously in its outset occasion some inconvenience and expense. Nor, even had the number of authorities quoted in the 'Supplementary Report' been smaller than it is, would it have been a valid objection to the experiment recommended by the Central Board. We all know how short-sighted is the feeling of immediate pecuniary interest; and it would have been as reasonable to have expected that the West India planters should have given their opinion in favour of Lord Stanley's plan of apprenticeships and restricted hours of work of the negroes, as that any considerable number of the manufacturers should declare themselves in favour of the employment of double sets of children.

The sympathies of the public are entirely with the Central Board in as far as they have endeavoured to devise an effectual mode of separating infant from adult labour, with a view to the protection of the physical health of the child. It is probable that by the restrictions imposed by the recent Act on the age of children admissible into factories, and on the duration of their labour, together with the powers created by the statute, to ensure the enforcement of its provisions on those points, the deterioration of the health of the children will be effectually prevented; but the grounds of its enactment, that a portion (two hours) of every day during the restricted age shall be spent in education, are still so little understood, and the securities for enforcing this vital part of the measure are so inadequate, that it may be useful to show why, in this particular case, compulsory education is expedient; why the intention of the legislature, which has declared it to be necessary, and which has attempted to enforce it, is in danger of being frustrated, and what must be done in order to prevent the law from becoming, as every legislative provision for the accomplishment of a similar object has hitherto been, a dead letter.

1. The evidence obtained under the late Commission shows that, to an extent of which no one had previously any conception, the population employed in the factories of this country is in a state of gross and barbarous ignorance.

The Commissioners state that in numerous cases the witnesses examined by them were incapable of signing their own depositions, and that, of many of the work-people who said they were able to read, there was reason to suspect that if they could really

do so at all, it was only in a very imperfect degree. This representation, made on the personal examination of the people, is borne out by the returns from the factories to the printed queries issued by the Central Board. From Dr. Mitchell's report it appears, that in consequence of the filling up of the columns in the printed forms, in which are entered one by one, whether the operative could read or not, and write or not, a large body of information on this subject has been obtained. Most of the factories which made a return as to wages made also a return as to education, but several did not. On the other hand, many more factories who did not return an account, one by one, of the wages, have given information as to writing. The result is, that, for the whole of England, there are stated to be of the work-people, able to read, 43,327, that is, 86 out of every 100; not able to read, 7,170, that is, 14 out of every 100; able to write, 21,488, that is, 43 out of every 100; not able to write, 29,009, that is 57 out of every 100: for the whole of Scotland there are returned, as able to read, 28,256, that is, 96 out of every 100; not able to read, 1,230, that is, 4 out of every 100; able to write, 15,794, that is, 53 out of every 100; not able to write, 13,692, that is, 47 out of every 100. This, it must be observed, is the account of the people themselves of their own condition; and it may be presumed that where so many do not read at all, and so very large a portion is totally unable to write, the knowledge of reading cannot in general be very perfect; and that of those who do not write, few or none are able to read writing, or know anything of accounts, or have the slightest acquaintance with the elements of geography, geometry, or drawing.

2. This is, in part, a direct consequence of the factory system. The operations of the factory have created what may be called an unnatural demand for children, the children employed in them being occupied with the business of the factory at the time when children of like age are at school. The whole of the time ordinarily devoted to education is thus occupied in factory labour; and no other time is set apart for instruction, at least no time which can be profitably spent in the acquisition of knowledge; for no child can attend to the things commonly taught in a school, after twelve or thirteen hours' labour in a factory: consequently the evening school is useless. On the other hand, one day in the week is insufficient for education, even if it were right to occupy in mental labour the only day of rest from bodily labour: consequently the Sunday School is at once inadequate and inappropriate.

3. There is danger to the community in having within it so large a body of persons who, from infancy to manhood, have passed through no mental training, and have had the advantage

of no moral discipline, and no religious instruction. From a recent parliamentary return, it appears that the total number of persons at present employed in the different factories of the kingdom is as follows:—

	Under 18 Years of Age.	Under 13 Years of Age.	Total.
Cotton	94,257	125,877	220,134
Wool	34,572	36,702	71,274
Silk	18,525	12,157	30,682
Flax	17,309	15,974	33,283
	164,663	190,710	353,373

Thus there are congregated, in dense masses, upwards of 350,000 persons, excluded from the ordinary means of obtaining the ordinary education of the lower classes in the country. This number is *rapidly increasing*. It appears that the manufacturing population has actually doubled itself within the last thirty years, and that the ratio of increase, at present, is still higher. But supposing this ratio only to continue the same, then, in the course of thirty years from the present time, the country will be in this position, that it will have within it a population of upwards of seven hundred thousand persons excluded from the ordinary means of obtaining the ordinary education given to the very lowest class in the community, not employed in factory labour, and this population still going on increasing indefinitely. The more this state of things is considered the more appalling it appears; and more especially when coupled with the fact, of which there is positive evidence, and which must indeed necessarily be the case without some counteracting influence, that the state of ignorance in which this portion of the population is involved is becoming progressively darker and darker. Meantime, the description of the actual character and habits of these people, in one of the most important of the manufacturing districts, as given by the factory inspector for that district, deserves serious attention.

'In regarding the population of what is commonly called the principal manufacturing district, we are forcibly struck with its vast importance in a national point of view; its condensation within limited spots; its consequent means of free intercommunication; the intelligence, energy, and activity of many of its members, with the coarse low habits of the general mass; from the want of sound moral and religious education, the slaves of vice, prejudice, and passion; easily excited by factious clamour as to real or supposed grievances; and formidable in all such cases, from their numerical and united strength; the bond of union between masters and servants feebly knit, and resembling more the animosity of adverse interests than the salutary influence of the one class, with satisfied subordination on the part of the other. Such is the apparent state of the manufacturing population of these parts—a population, where the vicious propensities of the many keep pace with their

augmented means of gratification (drunkenness, it is said, being greatly on the increase)—a population, therefore, peculiarly fitted to be the instruments of seditious incendiaries, and whose means of organized association are too well known to be lightly estimated. Of the state and circumstances of such a people it is of no small importance that His Majesty's Government should be at all times minutely advised; and more especially as the probability of increased commercial intercourse with the world at large, particularly with the East, justifies our confidence in a great extension of demand for the manufactures of these districts, consequently for increased numbers of the same description of working hands, and with them a wider spread and more formidable array of those habits and propensities which may render them as dangerous on the one hand to the peace of society, as their labour on the other may, under due regulation, conduce to its advantage.' * * * 'It is only by a systematic education, long and uninterruptedly continued, that the vicious habits of this population can be corrected. Restrictive laws will avail nothing. Let all the gin-shops and beer-houses of the country be hermetically sealed, as long as the propensity to drink shall be the ruling vice of the lower classes, drunkards will be sure to find liquor. The axe must be applied to the root. It is the vicious propensity that requires to be eradicated—the inward man—the heart, out of which are the issues of life, that needs correction. Education can alone accomplish it; and until the moral habits of the people be thus improved, drunkenness, with its concomitant evils, will prevail, and continue to be the characteristic reproach of our country.'—*Report of R. Rickards, Esq.*

The character of the English operative abroad is similar to that here given of him at home. Mr. James Kempson, of Philadelphia, cotton-manufacturer, in his examination by the Central Board, states, that throughout the New England states, which are considered the manufacturing states of America, it is a general rule not 'to take English workmen in the New England factories, because they are so dissipated and so discontented.'

'"Is this their general character in the United States?"—"Yes. After they have been some time in the country they are noted as the greatest drunkards we have. The wholesale price of whiskey is with us ninepence a gallon; and they appear not to be able to overcome the temptation. Our own workmen are better educated, and more intelligent, and more moral, and refrain more from sensual indulgence."

"How does the discontent of the English workmen of which you have spoken usually manifest itself?"—"In the workmen becoming masters; in strikes and demands for wages almost always ill-considered, with which the master cannot comply, and which grievously interfere with his commercial operations. Their ignorant expectations generate ill-will and hostility towards the masters."

"Are no jealousies entertained by the American workmen towards their masters?"—"In America we never hear the word master; they usually speak of the manufacturer by name, or as their employer, and view him rather as a tradesman to whom they dispose of their labour

than as a person having a hostile interest. There are no jealousies between American masters and workmen of the nature of those which appear to prevail between the English workmen and their employers."

"Are there no combinations to keep up wages in America?"—"None amongst the American cotton-manufacturers."

"Are there no combination laws?"—"None."

"To what do you attribute this state of things amongst the American workmen?"—"To their superior education, to their moral instruction, and to their temperate habits."

"Have you any national system of education?"—"We have public schools, supported partly by the state funds and partly by bequests. All children have the privilege of attending."

"Do they, in point of fact, very generally attend in the manufacturing states?"—They universally attend; and I think that information is more generally diffused through the villages and the whole community of the New England states than amongst any other community of which I have any knowledge."

"What is the general view taken of these schools by the manufacturers and persons of wealth in America?"—"From their experience, they deem them of the greatest importance to the welfare of the state. They are encouraged by the state government, and all the leading persons of the state."'

4. The education found in other countries to be thus beneficial, and admitted to be the only means of improving the moral condition of the British manufacturing population, must in this, as in other states, be 'encouraged' by the Government; must, in fact, be enforced by the Government, as it is now commanded by the law. The education of this class in Great Britain, if they be educated at all, must be compulsory, because there is no natural and powerful interest to secure it. The interest of the parent is, that the whole time of the child should be occupied in getting money; for the larger the amount of the child's wages, at whatever cost to its bodily and mental health, the greater is the immediate advantage to the parent. It is a case in which the interest of the parent is directly opposed to that of the child, and in which the intellectual and moral state of the parent offers no security that he will not sacrifice the child's interest to his own.

'I have known several instances,' says Mr. Rickards, 'of children, or young persons, being retained by their parents in mills when sickness rendered them unfit for the occupation; and on the surgeon remonstrating with the mother, and saying that death would probably ensue, receiving for answer that it signified not, for if the children could not work they must die of starvation.'

Even though it may be true that such feelings and conduct do not belong to these people as a class, still where there are some who are thus insensible to the bodily disease and suffering of their children, where the obvious and immediate interest of all is that

the child should work as long as the adult; and, where so large a proportion of the parents are themselves in a stage of gross ignorance, it is clear that the education of their children cannot be safely left to the parents.

On the other hand, the master has no direct interest in the education of the children, but the contrary. The hours of labour cannot be sufficiently curtailed to afford time for efficient instruction, without really putting the master to some trouble, inconvenience, and expense, though there is evidence that the actual amount of either would not be as great as some have represented. The advantage of having more sober, industrious, and skilled work-people, is too remote to afford a sufficient inducement to the generality of the mill-owners voluntarily to incur these immediate evils. Accordingly, since the passing of the recent Act, which enjoins the daily instruction of the children, many manufacturers have discharged all the children below the restricted age rather than be troubled with the educational clauses. There are, and there always have been, honourable exceptions; cases in which masters spare neither trouble nor expense to afford to the young work-people the means of regular and sound instruction; but the reports of the inspectors are full of statements of the discharge of the young people below the restricted age, on account of the aversion of the masters to the educational clauses.

'The advantages invariably resulting to the mill-owners themselves,' says Mr. Saunders, the Factory Inspector for the Eastern District, 'from diligent, persevering exertions, in upholding a system of high moral feeling and regular conduct among the work-people, ought to be sufficient to induce others to adopt similar plans; but experience proves great difficulty to exist in persuading persons to change their ordinary habits, especially when the least additional trouble or expense is to be first incurred for a prospective advantage, the value of which they cannot fully and correctly estimate.'

There is evidence that even in cases where the master need incur no expense, nor be put to scarcely any trouble, and where the expense to the parent would be next to nothing, the indifference of all parties to the education of the children is so great that they will not avail themselves of the means for the accomplishment of that object, although those means are ready formed for them and offered to them. From the report of T. J. Howell, Esq., Factory Inspector for the Western District, it appears, that in the town of Trowbridge, Wilts, there are several woollen-factories, which being impelled by steam, are not situated at inconvenient distances from each other, as is the case where the moving-power is water; and that in this same town there has been established, for some time, an excellent 'British School.'

'I have repeatedly visited this school,' says Mr. Howell, 'and have witnessed the examination of the children in reading, writing, mental arithmetic, geography, statistics, algebra, &c. When the Factories' Regulation Act had passed, the committee managing this establishment afforded, with great liberality, their prompt and cordial assistance for attaining the object to which the enactments of the Legislature had been directed: they supplied the ways and means of meeting the exigencies of the schooling clauses, as effectually as if the 22d section of the statute had conferred upon the inspector the substantive power and means to establish a school for the purposes of the Act.'

This will appear from the following extract from the committee's printed report for the year 1834:—

'The Legislature having provided, in the Factory Bill, that all children who work in factories under eleven years of age shall be educated, your committee have endeavoured to promote that object by admitting such children to attend half-time at half-price—namely, 1½*d.* per week; and they trust this arrangement will induce many parents, who cannot afford to lose the whole of their children's earnings, to give them some education by sacrificing a part. The particular attention of manufacturers also is called to this new plan, as, by using relays of children, they may afford an opportunity to all such as work in factories, *and whose minds have been hitherto too much neglected*, to avail themselves of the benefit of education.

'But notwithstanding the lowness of the price, the excellence of the school and its vicinity to the factories, of 435 children attending this school, only two were employed in factories: these were brothers, working with and for their father. I know not how the experiment of combining employment in a factory with attendance at a school could have been tried under more favourable circumstances than at Trowbridge; yet I am constrained to admit that there it has not succeeded.'

Here, then, benevolent individuals appeal both to parents and masters, and offer to take the charge of the young workers, *whose minds have been hitherto too much neglected,* and to instruct them in reading, writing, mental arithmetic, geography, statistics, algebra, &c., at the expense of three-halfpence per week; and this appeal is made in vain. There cannot be a more perfect demonstration that the educational part of the recent enactment will be generally and wholly neglected, unless the Government take effectual means to enforce it.

5. Had an experienced and skilful mind set itself to devise a combination of circumstances favourable to the enforcement of a compulsory and uniform plan of education, on a large portion of the working classes, it could scarcely have contrived arrangements so well adapted for that object as those which the factories spontaneously offer. The children employed in factories, forming, as a distinct class, a considerable portion of the infant population, the numbers of which are rapidly increasing, not only in propor-

tion to the increase of the population engaged in manufacturing industry, but in consequence of the tendency of improvements in machinery to throw more and more of the work upon children, to the displacement of adult labour, are assembled in large numbers, in buildings of a peculiar construction, not to be mistaken for private buildings, the entrance into, and the dismissal from, which, take place with the regularity of military discipline. These assemblages, so situated, may be easily subjected to regulation without the expense of any police, and without the inconvenience of any scrutiny into private dwellings and occupations.

6. Under circumstances so favourable to the enforcement, on so large a class, of a uniform course of instruction, there cannot be a doubt that the subject-matter taught should include a greater diversity and a wider range of subjects than is commonly contemplated. Reading, writing, and arithmetic, the only things generally attempted to be taught, are rather preliminary arts than the proper materials of knowledge. As ordinarily communicated, they are but little conducive to the development of the mental faculties, and they afford few facts and ideas on which those faculties may subsequently work. It is foreign from our present object to enter into the consideration of the subjects which might be advantageously included in a course of instruction for the working-people as a class, or for this particular portion of it; but it is obvious that such a course might embrace, for example, many of the subjects included under natural history, as minerals, plants, and animals; drawing, of which writing is but a particular and a difficult application, for the various angles exhibited by crystals, the outlines of some of the objects of botany and zoology, and more especially the figures of geometry, afford forms far more easily traced upon sand and slate than those which are produced by writing, under the name of letters and words; geometry, for the illustration of which the most familiar specimens might be employed, such as rules, pencils, slates, marbles, balls, tops, hoops, &c.; mental arithmetic; algebra; geography and history; but especially mechanics, and particularly the lever, the wheel, the pulley, the inclined plane, the screw, the steam-engine, and the applications of these mechanical powers in maximizing force and speed, and in minimizing bodily labour, constantly in operation before their eyes. In addition to all this, the female children should be taught needle-work in all the forms to which it is applicable to domestic use; economical modes of housekeeping; habits of order and cleanliness, &c.

If these and the like subjects, taught to whatever extent may be found practicable and useful, were communicated on the prin-

ciples of the British and National Schools, the efficiency of which, in teaching the preliminary arts of education, is universally admitted, and which are capable of being applied to instruction in the higher branches of human knowledge, with the utmost precision and exactness, and with a prodigious economy of time and labour, there would be exhibited in the schools of the factory the novel and beautiful spectacle of a power and skill operating on the human mind, in the communication of knowledge, analogous to that in action, in the machinery of the factory, in preparing and fabricating the materials upon which it works.

But, after all, knowledge is not conduct, yet knowledge is valuable only as it leads, by the direction and regulation of conduct, to happiness. There should, therefore, be a superadded agency in unceasing operation to direct the knowledge acquired to the best uses; the best for the individual and the community. And such an agency would, in part, be created by the very mechanism of such a school, and by the mental states induced during the reception of such knowledge as has been indicated. The habits of attention acquired, the insight gained into the properties of objects, the perception of their relations, the practice of reasoning, the discernment of the conduciveness of certain things to human happiness, and of certain other things to human misery, the mere abstraction for so large a portion of time, of the thoughts from the mechanical routine of the daily occupation, and from personal and animal gratifications, and the fixing them on the topics which form the subject-matter of instruction; all this, which is effected every minute during the actual occupation of the mind in the reception of knowledge, must induce mental states conducive, in a high degree, to correct moral feeling and right moral action. Were the two hundred thousand young persons now almost wholly neglected, for whom the recent Act provides two hours' daily instruction, thus actively employed for the space of two hours every day, in receiving into their minds all the information, on this range of subjects, which experience proves it is in the power of a national system of education to communicate, what would be their capacity to perceive their own true interests and the interests of those connected with them, and their disposition to observe the course of conduct required for the security of both, as contrasted with the want of such capacity and disposition in the great majority of this class at present! Men, who, during their infancy and youth, have had the advantage of such intellectual and moral training, would take an interest in their work, and would do it with skill and with fidelity. They would have as profound a respect for property as the most instructed minds in the community, because they would understand as well the

grounds on which the institution of property is based. Not one of these men would ever engage in unfair strikes; not one would join in unfair combinations against the masters; not one would ever become an agitator, or the supporter of an agitator: they would have too clear an understanding of their own true interests, they would have been too much accustomed to perceive the relation of means to ends, to be capable of being seduced into mischievous courses. All their names would be found enrolled in the benefit society; many of them would be often seen in the reading-room and the lecture-room of their institute, never in the ale-house or the gin-palace; their taste for mental pleasures would render intoxicating stimulants an abomination to them; they would be human beings, with rational minds and honest hopes and aims, fit to be intrusted with the privileges of citizens, because, possessing knowledge and integrity to perform their duties.

That it was the object of the framers of the recent Act not only to improve the physical condition of the factory operatives, but to work out in them this great moral change, no one can doubt who examines the provisions of the Act. It is deeply to be lamented that, during the progress of the Commission, and during the passage of the Bill founded on the report of the Central Board through its successive stages in Parliament, Lord Brougham took no interest in this matter. Pains were taken to bring the educational part of the measure under his notice, and to interest him in it. But the political objects by which he was at that time engrossed diverted his attention from a subject which could not but have excited his sympathy and secured his powerful aid, if he had but once obtained a distinct perception of the magnitude and the bearing of the purpose. Minds so preoccupied cannot be pleaded in excuse for the neglect of this subject by other members of the Legislature. Yet even these members do not appear ever to have taken an active part upon this subject: certainly the proposed measure received no assistance from their advocacy, nor did they defend it against the many, and, as the event proved, too successful attacks to which it was exposed*. Even after its defeat in the Lords they take no notice of this fresh instance of the hostility of that House to every measure conducive to the real advantage of the people. A clause had been inserted in the original Bill, and passed the Commons, which provided for raising the pecuniary means that might be neces-

* There is greater excuse for the conduct of the members referred to than the writer regards. During the first reformed Parliament the Whigs relied so entirely upon their majorities, that it was most difficult for any of those who opposed them, who were not leaders among the Tories, to gain the slightest attention to any proposition, however sound or excellent it might be.—Ed. L. and W. R.

sary to carry the measure into effect, the educational part of it, of course, among the rest. This clause, at the instance of the Marquis of Salisbury, was thrown out; nor can there be a doubt that it was advisedly done, in order to defeat this vital part of the measure. And the omission of this clause has accomplished the malificent purpose which its rejection was intended to effect. According to the Act, every child employed in a factory during the whole period of the restricted age must attend at school two hours on every working-day; and must produce to the mill-owner, every Monday morning, a certificate of such attendance during the preceding week, signed by the schoolmaster. But the Act, as it now stands, though not as it originally went from the House of Commons, makes no provision for building school-rooms where none exist, nor for the payment of schoolmasters. Unless the clause of the original Bill be re-introduced into the Act, this defect can now be remedied only by a Parliamentary grant. And surely there is no public object for the accomplishment of which a portion of the public money can be better spent; and the amount of the sum required would be trifling. We do implore the members of the Legislature, who take an interest in the real improvement of the people, to direct their attention to this subject, and to use their influence with an indifferent, if not a reluctant, Government, to induce them to afford the means to carry into full operation the existing law. We repeat, without watchfulness and exertion on their part, the present law, like the Apprentice Act, and every other legislative enactment which has had a similar object in view, will become a dead letter. For there are arrayed against it powerful interests which must defeat it, unless an agency be created adequate to enforce it. There is the interest of the parent, who, it is proved, cares only for the wages of his child, and who will do everything in his power to evade any provision made for its physical and moral improvement, if that improvement cost any portion, however small, of the child's wages. There is the interest of the workman on whom the care required, by the law, of the health and morals of the child imposes considerable trouble and some expense. There is the interest of the master to whom the strict observance of the regulations necessary to insure the proper instruction of the child must cause still more trouble and expense. There is the interest of the advocate for imposing restriction on adult labour who, in order to demonstrate that there is no true remedy for the evils of the factory system but the Ten-hour Bill, will do everything in his power to counteract the working of a measure, the direct and immediate object of which is limited to the regulation of the labour, the protection of the health, and

the security of the education of the young; that is, of those who have not the disposal of their own time, who do not receive their own wages, and who cannot instruct themselves. There is the interest of the ally, the chief active promoter of the Ten-hour project, the operative agitator, himself an operative, who avoids the necessity of labour by taking on himself the more easy employment of declaiming. This is the man who, in return for the payment he receives, assumes the command of the discontented members of the operative body in all their rash and headlong strikes; who abuses them by leading them to entertain the most extravagant and delusive expectations—for instance, that if they work shorter time they will get better wages; and from whom the more intelligent and industrious operatives, as several of these men themselves state in evidence, are ultimately induced to separate 'by woeful experience of the loss and suffering brought upon themselves and their families.' (See the evidence of Mr. Detrosier taken by the Central Board.)

Than these 'delegates of the operatives' there is no class of men who have a stronger interest in the complete failure of the recent Act.

To enforce the provisions of this Act against such powerful interests, the only machinery created by the statute consists of four inspectors for the whole of the kingdom, to whom, by the authority of the Home Office, superintendents have been added, who act under the inspectors. The sole authority for enforcing the Act is lodged in the inspectors, who are responsible to the Secretary of State for the Home Department. This agency is inadequate to enforce the uniform and strict observance of the law, among others, for the following reasons:—

1. The experience of each inspector is limited to a part of the field over the whole of which the law is to be enforced, and each is but little acquainted with the circumstances which are not prominent in his own district.

2. Each inspector is impressed the most forcibly by the representations which are made to him in his own district, and by the circumstances which he observes to be most prominent there; and it is impossible that he can have so clear an apprehension of what may be peculiar to other districts, or more prominent in the latter than in his own.

3. The consequence is, that each inspector adopts a different view, necessarily a partial, and so far an incorrect one, as to what is expedient or inexpedient, practicable or impracticable. Accordingly, the reports of the different inspectors are full of the most conflicting statements in reference to the expediency or inexpediency, the practicability or impracticability of almost all the main

provisions of the Act, which it is their duty by every means at their command to enforce. There is the like conflicting opinion as to the amendments which might render the Act more extensively useful and more uniformly and completely obeyed. Each having a view of his own has a nostrum of his own. Were all these men highly intelligent, perfectly well qualified for their office, and zealously devoted to their duty, they would be precluded, by the very occupation of their time and thoughts in the discharge of their specific functions, from the means and opportunities of discriminating and considering the circumstances common to the whole manufacturing body and those peculiar to particular localities; and they would, therefore, be incapable of forming a correct judgment of the regulations practicable and expedient for all. This can only be done by minds which see the whole, and by a body which is responsible for the working of the entire measure.

4. There is another consideration which will have weight with those who have reflected on such matters. The inspector enters the mill with no hostile intention. He merely goes to see that certain enactments are obeyed which the Legislature has ordained. It is the interest of the mill-owner to treat him with courtesy: it is equally the interest of the inspector to return the civility he receives, because he knows that his labour will be lessened by the co-operation of the mill-owner. A friendly intercourse is thus likely to arise between them, which will increase with the frequency and intimacy of their intercommunication. A bias in favour of the mill-owner will thus be apt to take possession of the inspector's mind; at all events, his sympathies will render it difficult for him rigidly to enforce what is obviously against the mill-owner's immediate interests, perhaps apparently exceedingly to his disadvantage. To such influences all men placed in such a position must be exposed: but from such interests, which are sinister interests, a central authority is free. Accordingly, when a measure is to be enforced, which is opposed to established interests, it is uniformly found that that measure is best worked by an authority which never comes into direct contact with the interests that are to be operated upon.

From the whole it follows that it is expedient to appoint a central authority to which the inspectors should report, and which should frame regulations for their guidance. The advantages of such a central control are:—

1. That whatever regulations might be issued would be founded on an accurate knowledge of *all* the circumstances which called for their enforcement. In case of doubt the central au-

thority would direct inquiry to that point, until all the circumstances were ascertained, and the consequent regulation would be strictly enforced, because the grounds of it would be fully understood.

2. Uniformity would be given to the working of the whole measure. From the beginning to the end of the examinations of the District Commissioners, and from the beginning to the end of the Reports of the Factory Inspectors, the representations of the manufacturers are uniform and decided on this point, that there should be one law for all, and that the law should be rigidly enforced on all. Not, indeed, that there should be one law in the sense of those who would restrict the adult labour of all the factories in the kingdom to that exact time which they have found it convenient to work their own mills; but one law framed on the great interests common to all. Passages without number might be cited containing the declarations of manufacturers of all grades that they would willingly sustain some present inconvenience and incur some expense, with a view to carry into effect reasonable and useful regulations, provided a general conformity to such regulations were strictly enforced: but such general conformity can be enforced only by an authority superintending and controlling the whole.

3. Responsibility would be concentrated. The factory inspector is responsible only for what takes place in his own district. No one inspector, nor all the inspectors together, are responsible for the proper working of the statute in all the districts; nor are they bound to report to a competent authority why it does not work, if it does not, and to suggest the remedies which their observation and experience may have led them to discover. Next to the Poor Law Act, there is no legislative measure opposed to so many interests as the Factory Act; but hostile as the Poor Law Act is to numerous and powerful interests, yet with the exception of those individual interests, and with the exception of paupers, the whole community has a direct pecuniary interest in its being carried into full effect: on the other hand, the Factory Act is directly advantageous only to a number of helpless children, and cannot be carried into operation without immediate disadvantage to large classes—parents, masters, operatives, the pretended friends of the operatives, and their mistaken friends. If, then, the Poor Law Act could not be worked without a central authority to frame and enforce the necessary regulations, still less can the Factory Act be carried into operation without some similar authority. For the working of the Poor Law Act, the Legislature has appointed a Central Board of Poor Law Commissioners and a body of Assistant Commis-

sioners, the duty of the latter being personally to inspect the different parishes in the kingdom, and to report to the Central Board; and the office of the former being to frame regulations which it is the part of the latter to enforce. For the working of the Factory Act, the Legislature has appointed only what is analogous to the Assistant Commissioners, and has omitted to appoint a Central Board, a superintending and controlling body.

The Commissioners did not recommend the appointment of a Central Board, because it was presumed that the Home Office would perform the duties that would devolve upon such a body; but the result has proved that this expectation was ill-founded. The Secretary of State for the Home Department is utterly incapable of superintending and controlling the working of this measure.

First, because he is already overwhelmed with such a multiplicity of affairs that he cannot possibly give to it the requisite attention.

2. Because the Factory Inspectors send him, in their different Reports, conflicting evidence; he has not leisure to investigate which is right or which is wrong; and so, not seeing any clear course before him, and unwilling to incur any more responsibility than he can help, he does nothing; but this doing nothing implies doing a vast amount of evil, in suffering a beneficent law to be violated or neglected with impunity.

3. His office is political: his parliamentary duties bring him into immediate contact with the principal master-manufacturers, many of whom have seats in the House of Commons. It may happen that some of his colleagues in office may be returned for some of the manufacturing districts, whose principal constituents may be mill-owners. In this manner, even though there may be no ground for the suspicion, yet he cannot possibly be free from the suspicion, which the functionary in question ought to be, that the interests of the mill-owners may have a disproportionate and unjust influence over both what is done and what is not done.

4. He has no interest in appointing, as inspectors, men who possess, in an eminent degree, the qualities appropriate to the office; but the appointment is likely to be an ordinary one of mere patronage. Of the appointments already made two are decidedly bad. The duty of the factory inspector is to enforce the provisions of the Factory Act. Two of the gentlemen appointed as inspectors have entered on their office with a strong, and one of them, at least, with a publicly declared conviction, that the provisions of the Factory Act are incapable of being carried into effect. Mr. Rickards, the inspector for the Manchester District, conceived that the education of the children would

be sufficiently attended to by Sunday-schooling, and was decidedly hostile to their working in double sets, the only mode which admits of the combination of the factory labour with efficient education. Accordingly his Reports to the Secretary of State, from beginning to end, are full of statements, that the double sets and the educational clauses of the Act are 'an intolerable annoyance' to the masters, a source of the greatest distress to the parents, a cause of insuperable difficulty to the work-people, and, in short, that they are '*utterly impracticable*;' that is, he yields without a struggle to the interests arrayed against the Act, the special function of his office being to enforce the observance of the Act in contravention of those interests.

But the extraordinary fact is, that on the resignation of Mr. Rickards, the Home Office appointed in his place Mr. Stuart, the very man who publicly protested against the plan recommended by the Central Board, and adopted by the Legislature; who designated the essential part of that plan the 'great blunder of the Government,' and who charged the Central Board with suppressing evidence, in order to carry, against evidence, their own favourite project. Of the qualifications of this gentleman for smoothing difficulties, conciliating prejudices, discriminating the real obstacles, and facilitating their removal, necessary on the part of an inspector in his efforts to promote the effectual working of the Act, some opinion may be formed from the language addressed by Mr. Stuart to the Central Board in the letters adverted to by Mr. Fielden; and which, not satisfied with addressing to the Central Board, Mr. Stuart caused to be published in the newspapers of the day.

'Relays of children (he says) are not practicable. To reduce the hours of labour for children below fourteen years of age to six or eight hours per day will have the effect of destroying the order of the mills altogether; for they cannot be carried on without that class of children, and a sufficient number of that class cannot be got, neither can parents maintain their children upon half wages.'—'I know well how difficult it is to convince those who in the closet have adopted a theoretical notion, in accordance with their general and preconceived views, that it is at variance with facts, and with the evidence afforded by the senses. Still I have so much faith in the candour of the gentlemen composing the Central Board as to be thoroughly satisfied that had they seen, as we did, the population of the factories, and had they thus been made aware of the lamentable effects to the younger part of it to be apprehended from effect being given to their recommendation, they would have paused in the mischievous and hazardous course they appear to me, even at this hour, to be pursuing.'—'You are, as I sincerely think, incurring a tremendous responsibility by acting on such evidence as you describe, opposed as it is, not by opinions alone, but by facts stated on

oath by the manufacturers.'—'If your views shall be carried by the force of the Government, the consequences will inevitably be to convert a considerable part of the population, called into existence by the establishment of our manufactories, into paupers, and to do irretrievable mischief by depriving great numbers of families of the means of support.'—'Such is the evidence, both in point of fact and of opinion, of the most experienced master cotton-spinner in Scotland, the managing partner of one of the greatest manufacturing establishments in that country, with reference to the scheme which the Central Board persists in recommending for the sanction of Parliament.'

The gentleman here alluded to by Mr. Stuart is Mr. Buchanan, who, misconceiving the real nature of the proposal of the Central Board, returned an answer unfavourable to it. Mr. Stuart thus describes Mr. Buchanan:

'A gentleman of the greatest respectability, the oldest cotton-spinner in Scotland, originally educated in the spinning business with Sir Richard Arkwright, and afterwards having successively had the management of the works of Ballindalloch, Deanstown, and at CATRINE. The Board will therefore judge of the value attaching to the communications received from such a quarter. Mr. Buchanan's answer is not a matter of opinion (as you, without due consideration, assert), but a matter of fact, depending on his knowledge of the population of Catrine, a population entirely connected with his own works, as I can testify after being on the spot, that a change of hands in his situation is *impracticable.*'

Such is the conviction of Mr. Stuart, and such is the mode in which he endeavoured to prevail on the Central Board not to persist in their recommendation; or, if they did persist in it, to prevent the Legislature from adopting it; but the Central Board having persisted in it, and the Legislature having adopted it, out of all the people in Great Britain, Mr. Stuart is the man, selected by the Home Office, to carry the recommendation into effect. There is indeed a report, we do not know how far it may be true, that in the present instance Mr. Stuart has been forced in on the Home Office on the shoulders of the Scotch Members. It is pretty certain that the Scotch Members have exerted themselves very earnestly in his behalf. If this be so, it is a pregnant instance of the evil of placing the appointment of such an officer in the hands of the Secretary of the Home Department.

But however this may be, Mr. Stuart is now the inspector for Scotland. Of course he will find the statute which he is appointed to enforce everywhere impracticable. The late inspector for Scotland, indeed, Mr. Horner, in his very able and instructive Report, 22d February, 1836, in enumerating the several places in Scotland where the combination of the relay system with education has had a fair trial, and been found to work well, mentions

'CATRINE, in Ayrshire, where, in May, 1835, it was pronounced, *before trial*, to be impracticable; but, in October, 1835, was found, *after trial*, to be attended with no difficulty after the first few weeks.'

But Mr. Stuart 'knows well how difficult it is to convince those who have adopted a theoretical notion in accordance with their general and preconceived views, that it is at variance with facts and with the evidence afforded by the senses.' Mr. Stuart will therefore, of course, when he next visits Catrine, report to the Government, 'that it is not a matter of opinion, but a matter of fact, depending on his knowledge of the people of Catrine, as he can testify after being on the spot, that a change of hands in that situation, and consequently that the combination of the relay system with education, is there at least impracticable.'

Mr. Horner, in the Report just adverted to, has further stated that 'the relay system has been tried, and is now in operation in sixty-two mills in Scotland, and three in Ireland, and successfully even where it was adopted with great reluctance; and that the children in those mills are thus enjoying the benefit of education which, without the Factory Act, they could not have had.' But Mr. Stuart, who is now the inspector for Scotland, will of course find in these, and in all other places in that country, that the combination of the relay system and education is 'impracticable,' and that if an attempt be made by the Government to enforce such a system, 'the consequences will inevitably be to convert a considerable part of the population, called into existence by the establishment of our manufactories, into paupers, and to do irretrievable mischief by depriving great numbers of families of the means of support.'

The appointment of persons with such impressions and opinions to carry into operation a measure requiring the conciliation of much prejudice, and the removal of many obstacles, real and imaginary, is only one among innumerable instances of the risk of failure to which the most important legislative measures are exposed from the neglect to constitute a competent authority charged with their execution. In the present instance an authority wholly removed from all political contention and influence, and responsible only to Parliament, should be constituted, to which the visiting inspectors should report, and from which they should receive their instructions. There is every reason to believe that the appointment of such functionaries, or if one should be found competent to the duty, as would probably be the case, of one such functionary, together with a provision for the erection of schools where necessary, and for the payment of schoolmasters, would ultimately accomplish, in a very complete degree, every object contemplated by the Legislature in the recent Act.

We had intended, by the collection and comparison of the evidence contained in the Reports of the inspectors, to show that the existing statute is satisfactory to the great body of the manufacturers; that it has already proved effectual in some of its main provisions; that the good effected by it is decided, and by the most competent judges is admitted and appreciated; and that the important points in which it has hitherto failed, and is likely to fail, would be easily and perfectly accomplished by the agency which we have suggested: but the space will not allow us at present to enter on these topics. We can only add, that, from the examination of the whole of this question, we are of opinion that a demonstration has been afforded, that if the great evils of the factory system be not now generally and completely cured, it will be the sole fault of the Government. A formal and solemn inquisition into the matter has decided that restriction on the labour of the children is necessary, and that care of their education is still more imperatively required, even than the curtailment of their hours of labour. A plan has been propounded, by which both objects may be accomplished at a moderate expense, and with a moderate degree of trouble. The Legislature has adopted that plan, aud has made it the law of the land: it is therefore the duty of the Government to enforce the observance of the law.

The recent Act, in the opinion of many who have acceded to it, is not a full and adequate measure.

'I ask,' says Mr. Fielden, 'for what the late Sir Robert Peel asked the House to grant in 1815; since which time the consumption of cotton has been increased from 6,000 to 18,000 bags per week, and the labour of both children and adults very much increased in intensity and depreciated in value.'—'I think that our factory system will not be what it ought to be, until the time of all be reduced to eight hours a day, with two hours for training and instruction.'

By many of those who are of opinion that it is right to place a restriction upon infant, but not upon adult, labour, it was thought that the recent Act does not carry the period of restriction high enough; but that it ought to extend further into the age of puberty, at least to the termination instead of the commencement of the fourteenth year: but both parties recognised, in the proposed measure, a certain amount of good, for the sake of obtaining which, each consented to give up its extreme opinion. The recent Act is, therefore, a compromise between persons holding widely different opinions on the subject in question, all of whom have a right to demand the strict enforcement of the existing law. The Government is in the dilemma described by Mr. Fielden:

'The Ministers stand in this position: they threw out Lord Ashley's

Ten-hour Bill, because commissioners of their own told them it did *not give protection to children*, whose labour ought to be restricted to *eight hours*. Then, as their Eight-hour Act will not work pleasantly, upon the advice of their inspectors, they want to drive us back to *twelve hours*, because *that is adequate protection*.'—'One of two things we ask for: give us a Ten-hour Bill, as proposed by Lord Ashley, or carry your own Act into full effect. PROTECT THE CHILDREN some way or another: do it wisely if you can, but do it; and do not sport with us and them, by passing an Act one day upon the authority of a set of commissioners, and by repealing it the next day upon the authority of inspectors. Recollect that you would have the commission, and that if you appointed to it men who supplied you with false information, the country has had to pay a large sum of money for volumes of falsehoods; and if it were truth that the country thus bought at your instance, the country expects that you will not suffer the men who are appointed to put in force an Act passed on grounds so well established, to shrink from the duties that they in their turn are well paid to perform, and relieve themselves from the task of protecting poverty and feebleness from the gripe of wealth and strength, merely because it is a disagreeable duty. For observe, though your inspectors call the main provisions of the Act *impracticable*, they show clearly that when taken in the letter they are not so; for they find benevolent men who adhere to the Act in its very letter. Recollect these things: *make us all comply with this Act*, or *give us the Ten-hour Bill*, for which we moved in 1833. This is what we say to the Government; and anything short of one or the other of these will not content the manufacturing people.'

Nor will it, nor ought it, to content people not manufacturing. By the existing law provision is made for the protection of the health of the children, and for securing their intellectual and moral instruction. If the Government do not avail themselves of the powers given them by the Legislature for the accomplishment of these beneficent objects, the responsibility will be wholly their own. There cannot be a question that the Legislature will grant whatever further powers and aids experience may prove to be necessary for the complete accomplishment of an object for which it has already done so much. D. S.

ART. IX.

1. *The Court and Camp of Don Carlos, being the results of a late Tour in the Basque Provinces, and parts of Catalonia, Arragon, Castile, and Estramadura.* By Michael Burke Honan. London: Macrone. 1836.
2. *Twelve Months in the British Legion.* By an Officer of the 9th Regiment. Macrone. 1836.

IF the following doctrine was in any degree applicable to the case of Greece, a country oppressed by a horde of foreign

barbarians, much more so is it to Spain at present, and to all countries suffering under civil dissension:

> Trust not for freedom to the *Franks*,
> They have a *king* who buys and sells;
> In native swords, and native ranks,
> The only hope of courage dwells.

If, in any country, one party can only subdue the other by aid from without, it is plain that the moment that aid is withdrawn, which it must be some time or other, the whole battle is to be fought over again; for, besides the *fact* that the beaten party is actually *not* beaten by their opponents among their own countrymen, there will always be rankling at bottom the *feeling* of bitterness that those opponents called in a band of foreigners to thrash them in their own country. What should we feel if a parcel of Hessians, Prussians, or Russians, were called in to heal our political dissensions? In the time of our civil wars such interference would have been not unlikely to procure for the interlopers the fate which the Scots, under Wallace, after the battle of Stirling, bestowed upon the English treasurer, Cressingham: they made girths for their horses of his skin. We have heard Englishmen say, that when reading the doings of the foreigner Prince Rupert, they felt as if they would have given a good deal for a good shot or sabre-cut at the brigand. The consequence will be, another civil war breaking out on the first opportunity, with the proportions of havoc and massacre usual on those occasions among people who are more than semi-barbarous, and who have had nothing even of the forms of free institutions to act as a safety valve, by which may escape some portion of the rancour of political opposition and the jealousy of exclusive privileges. So that, upon the whole, the amount of bloodshed and of evil is likely to be decidedly greater when there is interference than when there is none.

Mr. Michael Burke Honan, author of one of the works named at the head of this article, and bearing the somewhat catchpenny title of the 'Court and Camp of Don Carlos,' complains loudly of the conduct of the mob in the affair of the Barcelona massacre. He pours forth, on the occasion, a flood of rhetoric, which is not quite equal in quality to that of Demosthenes. He dwells upon the circumstance of the head of one of the victims having been 'kicked up and down the long and *beautiful* street by some of the demons.'—(p. 308.) Does the circumstance of the street's being a '*beautiful*' one increase the atrocity of the act described? or was Mr. Honan in want of a long word to help to round a period and eke out a line? His logic, on this occasion, is about on a par with his rhetoric. Some Constitutionalist prisoners were

sent on board two English ships-of-war, 'not,' says Mr. Honan, 'to save them from being massacred, but to prevent them being *rescued*.'—(p. 311.) And, as if to show that he had made a notable discovery, he prints the last word in italics. The sentence, by the by, is a fair specimen of Mr. Honan's English. Again, Lord Ingestrie took on board some Carlist prisoners, to prevent their being murdered by the Urbanos. Was not *safe custody* equally the object in both cases? Would any man who had ever learned to put three ideas logically together have attempted to draw a distinction between the two cases, such as to authorize him to say that the former case was making a gaol of a British man-of-war, and the latter was merely affording protection to refugees? Does the writer mean to infer that Lord Ingestrie was to let the Carlists loose, that he was not to make his ship as much a gaol as the others were? And what are we to think of a writer, who, upon the strength of so unwarranted a conclusion, deluges his readers with several pages of such rhetoric as the following: 'What! is the spirit of Old England so far reduced? Are our ships become prisons—our captains turnkeys—and the Tower of London the depôt for supplying arms to assassins?' Why, Bottom, the weaver, could have done the thing better. What will he say to such acts on the part of his favourites, the Carlists, as the following, related by an eye-witness of unexceptionable authority?—

'A sergeant and private of the Grenadiers were shot dead while advancing on a fortified house occupied by the Carlists. The company afterwards being obliged to make a hurried retreat to join the reserve, it was found impossible to carry off the bodies of these two men, and the country people brought word the next day that the Carlists cut them up into six-pound pieces, and marched into Hernani with the portions of human flesh sticking on the points of their bayonets.'—*Twelve Months in the British Legion*, p. 43.

In making the above remarks, which we have felt it our duty to do, we by no means deny all merit to Mr. Honan's book, though in general loosely written, perhaps from haste. We think his description of the Spanish bull-fights the best we have anywhere met with, though not so much from the superior style of its execution, as from its containing so many new details; and we are willing to rely on the general accuracy of his account of the condition of the hardy mountaineers who compose the strength of the Carlist cause.

It certainly appears to us, from the best evidence that we have been able to procure on the subject, that these hill-people are the *élite* of the Spaniards of the present day, retaining, with the vices, some of the virtues of hardy warlike barbarians, while the

rest of the Spaniards have lost nearly all those virtues without having obtained in their room almost any of the virtues of civilization; for, in truth, we must bear in mind, that in treating of the Spaniards, we are treating of men in a state of at least more than semi-barbarism. Mr. Honan, then, and others who do so, are wrong in making an outcry against savages for acting like savages. What is the state of the case? The privileged classes of Spain, the kings, the nobles, and the priests, have kept the mass of the population in a state of the most miserable poverty and ignorance. If you keep a man ignorant, he will be reckless. If you keep an animal of the nobler, at least of the carnivorous kind, whether beast or man, hungry, he will be ferocious. Knowing this, what can Mr. Honan and his friends mean by inveighing against the animals, and not their keepers, whose business it was to see them properly fed and instructed? If it be said that the animals may still evince a ferocious disposition, even when properly fed and instructed, we deny that the case has ever yet happened, and it will be time enough to consider it when the existence of the fact is proved.

Besides, do these gentlemen imagine, that when the kings and the Inquisition of Spain, with superior education, and without the excuse of hunger to make them ferocious, have been committing the most horrible atrocities for centuries, the people or the mob, or if they like, the beastly rabble, as some of them elegantly phrase it, should exhibit all at once superhuman forbearance and moderation? A rabble has the same animal instincts as a king, a council of nobles, or a conclave of inquisitors. If you tickle it, does it not laugh? If you prick it, does it not bleed? If you poison it, does it not die? And if you wrong it, shall it not revenge? They must not expect that kings, monks, and nobles, are to be for ever the only participators of that banquet with the gods. And, with a savage, what is revenge but the death of his enemy? But, in fact, whenever these persons speak of what Bishop Bramhall felicitously called 'that underfoot of people,' they appear quite to forget, that though the lieutenant is to be saved before the ancient, yet the ancient has a soul to be saved as well as the lieutenant. They are like children who, when they play at any game, are out of humour unless they are always on the winning side; and, in truth, they have had things their own way so long, that it is no wonder they are become spoiled children. Nevertheless, they must not expect that they are always to use daggers, and their opponents baited foils; that the 'underfoot' are to fight with pop-guns and swords of lath, and they with guns shotted to the lips, and—

'Swords of Spain—the icebrook's temper.'

As Mr. Honan's book has already received a large share of the attention of the public, we shall not enter farther into its merits; but we are enabled to lay before our readers some extracts relating more to the other side of the question, from the Journal of an Officer in the British Legion, serving in Spain, under General Evans. We gladly avail ourselves of the opportunity of making these extracts, for two reasons: first, because, from the known respectability of the writer, the son of a liberal member of Parliament, and his bearing testimony only to what he personally knows, some correct information may be afforded to the English public as to the state of the British Legion in Spain, in lieu of conflicting rumours, or rather conflicting lies; and, secondly, because the young soldier writes in an easy, spirited, and agreeable manner.

On the 10th of July, 1835, our author arrived at San Sebastian with the first division of recruits belonging to the British Legion. They were quartered in a convent at a short distance from the town. The first extract we shall make is the following graphic description of a favourite *pasco* or promenade of the ladies of San Sebastian, which was close to the convent:—

'A pretty sight enough it was, the little *paseo* of San Francisco on a bright summer's evening, with the dark figures of the women passing and repassing in groupes of three and four, while the scarlet uniforms of the British came in like the bright touches of colour in a painting, to break the general duskiness of the scene, and give variety to the whole. Here on the green-sward, to the sound of a tambourine and castanets, might be seen a knot of peasant girls and sturdy muleteers dancing a bolero, while the musician of the party accompanied the notes of an old twangling guitar with a wild and monotonous song bearing some allusion to the dance; a little farther on, a tall priest in his black robes and canoe-shaped hat, or an old friar in sackcloth and gray, with a twisted cord round his waist, walked quietly along enjoying the freshness of the evening breeze; and there again in a corner stood a couple of *alguaziles* or constables, in the chivalrous costume of former times, with a broad wide-spreading hat and love-locks, cavalier fashion; a large white lace collar and Vandyke ruffles; a short black cloak hanging over one shoulder, short-kneed breeches and black stockings, with shoes and silver buckles. Such was the striking costume of the *alguaziles* of San Sebastian, and I observed the like in no other town in Spain. I remember causing two young *señoritas* of my acquaintance to laugh excessively at my simplicity in taking off my hat to one of them, imagining him to be some high dignitary of church or state. "*No son mas que alguaziles!*"—"They are nothing but constables—Bow-street officers! and to make them a bow!"—it tickled their fancy exceedingly.'—p. 8, 9.

The following is an account of the *Chapelgorris* or Red Caps, of whom we have heard a good deal lately, and who appear to be the best Spanish troops among the Christinos:—

'A body of volunteers raised at the beginning of the civil war in the province of Guipuzcoa, they are equivalent to the *Peseteros* of Navarre, and the *Carabineros* of other parts of the country. Being mostly natives of Guipuzcoa, they possess the same knowledge of the country, with the warlike habits and activity of the Carlists themselves, by whom they are held in considerable dread. They form a battalion of between seven and eight hundred strong, officered chiefly by Basques, and for the time being are considered as a regular corps and paid accordingly, being liable to be disbanded as soon as their services are not required. A number of French, Belgians, and foreigners of different nations, are in their ranks, and in consequence of this motley assemblage, together with the rough character of the men, and the loose discipline to which they are subjected, the Chapelgorris are looked upon as people not to be trifled with, and who, if not accommodated to the utmost in matters of pay and rations, are not slack in helping themselves at the expense of their neighbours. A reputation of this sort causes them to be looked upon with great fear by the inhabitants of the villages, who infinitely prefer having a dozen of the regular troops quartered upon them to one Chapelgorri; and their known gallantry in the field and activity in skirmishing render them formidable in the eyes of the Carlists, who give no quarter to those that fall into their hands.

'The Chapelgorris are armed and accoutred in the manner best adapted for the country in which they have to act: their usual dress being a long gray capote, with a red cap or *beret* on the head; a small canvass bag slung at the back to contain a day's ration; a long ammunition-belt fastened round the waist, with a number of tin tubes in a row for separate cartridges; the bayonet hung at the side or in front, and a light Spanish musket or carbine slung over the shoulder. In full dress they wear a high cylindrical shako of the same colour as the cap, and used formerly to display a good deal of barbaric splendour in their blue jackets embroidered with yellow lace, and studded with silver bells and ornaments; but since they were attached to the Legion, they have adopted the British uniform, and are now Red-coats as well as Red-caps.'—pp. 10-12.

To this we will add an account of the behaviour of one of these men in action:—

'It was here I had an opportunity of observing the conduct of one of the Chapelgorris, and certainly the coolness and *sang froid* of the man was a sight worth seeing. He was a tall broad-chested man, dark and swarthy, and fierce with the powder that begrimed his mouth; his loose white trousers were tucked up to the knees, displaying a pair of brawny calves, and with his musket in his hand, and cartridge-belt round the waist, he stood erect in the midst of the bullets that showered around him from the opposite hill. First he took out a cartridge, bit off the end, and quietly shook a little powder into

the pan, giving the piece a knock with the palm of the hand to make the priming enter well into the touch-hole, after which he loaded, looked long and steadily in front for an object, and fired. Once his musket flashed—"*carajo!*" exclaimed he, striking the lock with vehemence; the touch-hole was cleared with a pricker, the piece re-primed, and the shot sent whistling on its errand among the heights of Santa Barbara.'—pp. 38, 39.

The following interesting account of General Jauregui, or El Pastor, as he is called, being probably better known by that name than by the other, as another Shepherd of Genius in our own country was better known as 'The Ettrick Shepherd' than by his baptismal name, indicates what is supposed by those who are well informed on the subject to be the causes of the protraction of the war:—

General Jauregui, or El Pastor, to whose division, as being their compatriot, the Chapelgorris always belonged, was in San Sebastian at the time of our arrival, and used frequently to be seen leading them into the mountainous country for a skirmish with the Carlist outposts. He is a short, punchy man, with large black whiskers, and an open, good-humoured cast of countenance, and is celebrated throughout the province for having the handsomest *querida* and the finest horse in Guipuzcoa. The former I never had the good fortune to see; but his horse, a beautiful Andalusian, was the admiration of every body as it pranced proudly in front of a battalion, tossing its crest into the air, and covering its broad and glossy chest with spots of foam. This horse was looked upon with a kind of reverence by the Chapelgorris, who were fond of relating anecdotes of its prowess and sagacity. On one occasion during a halt on a march, being tied to a tree, it contrived to get loose, and galloped through the battalion without upsetting a single pile of arms or treading upon the men, who were lying on the ground encouraging its pranks and making it gambol about in the midst of the muskets, till Jauregui himself came up, and calling to the horse, led it back to the tree.

'Gaspar de Jauregui is the son of peasants residing near Tolosa, and in his youth his employment was that of a shepherd, whence his surname of El Pastor. Having entered the army as a private soldier, he rapidly passed through the grades of corporal and sergeant, and gained his commission, after which, on account of his superior intelligence and activity, he was promoted to the rank of Brigadier General. A sincere Liberal, and an honest man, Jauregui would long since have obtained a higher command, did not the pitiful jealousy of a court in which the accidents of birth are held in greater esteem than the weight of merit, stand in his way as the son of a shepherd, and deprive him of that which it confers upon a worthless favourite. Beloved by his army, who look upon him as one of themselves, he is feared by the enemy as a man whose honesty and talents would put an end to the war, had he the sole direction of affairs; and his kindness of disposition causes him to be regarded by the peasantry of his neighbourhood as their best

friend, to whom to apply for assistance and advice. He is generally to be seen walking in the streets with three or four peasants or *boyeros* accompanying him, and seldom makes much show of power or splendour. These circumstances led the cigar-smoking dandies of Cordova's staff to look upon him as one below their notice, at the same time that they hovered about the man whose incapacity and treason were wasting the resources of one of the finest countries in the world.'—pp. 12-15.

In the civil wars of England, as long as command was give to rank rather than to merit, to Essex rather than to Cromwell, a similar result followed, and so it will ever be. Besides, the *juste milieu* sort of people, who have of late been governing Spain, might be afraid of too decided an advantage over the Carlists on account of the Constitutionalists.

The following description of the domestic habits of a Spanish family will be found interesting:—

'During my first stay at San Sebastian, I had a good opportunity of observing the domestic habits and manners of a Spanish family. I and another officer of the same regiment were lodged in the *Calle Mayor*, one of the best streets in the town, at the house of an old widow lady who had two daughters, one about twenty, and the other fifteen—both pretty and good tempered. They generally rose at about eight or nine o'clock, making a slight breakfast of toast and chocolate served up in small earthen cups little bigger than thimbles, which, without any of the form and ceremony of an English breakfast, was discussed standing or sitting, or walking from one room to another, as their business might lead them. After this the old lady retired to her room, while her daughters worked in the *sala*, embroidering a new mantilla and hearing me read aloud a page or two of Gil Blas or Don Quixote. At one, the family sat down to dinner, which was something in the French style, though perhaps more frugal; consisting chiefly of a little fish, with beans and peas cooked in divers ways; after which the embroidery and the Gil Blas were continued as before until the cool of the evening, when the girls sallied forth to the *paseo*, or the great square, in all the splendour of flowing mantillas and fluttering fans. At ten, the supper was served, being in fact a second dinner; and exactly as the clock struck eleven, the whole family rose and bid us "*Buenas noches.*"

'Such was the even tenour of their way, except on Sundays or feast-days, of which last in Spain there is often more than one in a week, when the whole family donned their best and went to mass, spending the rest of the day in making visits and taking the air out of doors.

'At the time I arrived, they happened to be in mourning for the death of a relative, and did not frequent any of the *tertulias* or soirées given in the town; but they introduced me to several people, who, being invited themselves, made no scruple in taking me with them, and presenting me to the host or hostess as a friend. This was so common a custom, and so little taken notice of, that I often availed myself of the kindness of two young *estudiantes*, who, knowing most of the families in town, offered to take me to their evening parties.

'I was present at one at the house of a wealthy inhabitant of San Sebastian, to which General Chichester, and several other superior officers, both Spanish and English, were invited. There was plenty of talking, playing on the piano, singing, and dancing quadrilles and waltzes, with a due admixture of *groseille*, *fleur d'orange*, and *eau sucrée*, after which the company took leave of the lady of the house, and retired about eleven o'clock.'—pp. 15-18.

All the late writers on Spain that we have met with speak highly of the beauty and grace of the Spanish women, skilled, as Byron long since sung of them,

'In the ogle of a roguish eye.'

Byron also, and those travellers and writers who find it easier to imitate him in his puppyhood than his genius, tell us that they are

'Ever well inclined to heal the wound;
None through their cold disdain are doom'd to die,
As moon-struck bards complain, by love's soft archery.'

Whether this be or not, present deponent saith not; but he gives us one or two very interesting sketches and anecdotes respecting them, some of which we shall give our readers when we come to them in his narrative.

While at San Sebastian our author used to breakfast at a *taberna* kept by an old Basque woman, who, speaking nothing but Basque, could scarcely be got to understand any of his wants except by signs:—

'At this old Basque woman's I continued to breakfast the whole time of our stay at San Francisco, and generally by myself, as few of the officers condescended to frequent so small a *taberna*, especially after she committed the mistake of giving us a plateful of salt for white sugar to put into some mulled wine which a party of us were concocting one night at her house. It was long before we could get her to discover her error, till making her taste a glassful of the intolerable mixture, she burst into a loud laugh, and ran to fetch double the quantity of sugar by way of corrective. All our endeavours to amend were fruitless, and the "harmony of the evening" being completely destroyed by this untoward event, most of the party took their departure, declaring that they would never come again to a place where salt was given for sugar to put into mulled wine.

'However, the old lady was so civil to me, and boiled my eggs to such a nicety, that I could not find in my heart to leave her, especially as she used to spread the table under a trellis-work of vines and luxuriant pumpkins, which formed a shade during the heat of the day. For a plentiful breakfast of eggs, wine, bread, and chocolate, with civility and good nature *à discrétion*, she used to charge somewhat less than a *peseta* (about a *franc*), and this in a town which might be said to be beleaguered by the enemy, and where a great part of the provisions were brought from Bayonne by sea.'—pp. 22-24.

The officers of the Legion responded to the civilities of the inhabitants of the town by a grand ball and supper, to which they each subscribed seventeen days' pay. But this operation was not repeated: money was too scarce in the Legion, observes our author, appropriately quoting our old friend Sancho, to spend it all in tarts and cheesecakes.

Meanwhile the troops were kept hard at work at their drill. After they had made a little progress, they were led out on long excursions into the hills. The first march they took diminished the weight of their knapsacks one-half, for it was found impossible to carry the usual number of shirts and blacking-brushes in a country so mountainous. Our young soldier naïvely observes,—

'I have often thought since, that it was more through the blessing of Providence than our own ingenuity, that we were not attacked and murdered by the Carlists on some of these expeditions, as I am sure that a hundred active mountaineers would have knocked us on the head without much difficulty. For my part I have sometimes been so much overcome by heat and fatigue on these early marches, that I should have gone like a lamb to the slaughter, rather than take the trouble either to fight or run away.'—pp. 31, 32.

We shall quote the greater part of the account of the first affair in which the British auxiliaries were engaged, more particularly as a good many conflicting statements have gone abroad respecting it, and the testimony of a trustworthy eye-witness is on that account the more valuable:—

'Early on Sunday morning, 30th August, 1835, just as I was turning out of my billet in full uniform, according to our custom on high days and holidays, I heard that a sally was expected, and that all the Spanish and English troops in San Sebastian, to the number of four or five thousand men, were about to make an attempt on Hernani. I immediately doffed my feathers and lace, and equipping myself more suitably with a havresack, canteen, and telescope, started for the esplanade outside the town, where I found the regiments formed in close column, and "something like business" going on. A small howitzer, drawn by seven or eight mules, was lumbering up the hill on the high road to Hernani, followed by a train of mules laden with barrels of ammunition, and stretchers for the wounded. The 1st, 3d, and 7th regiments (British) then commenced their march, preceded by the Chapelgorris and some Spanish troops of the line. Being Sunday, the road for a good way out of the town was lined with spectators, chiefly ladies, who fluttered their fans at us with an air of great agitation, and expressed their anxiety for some of the smooth unrazored subalterns by ejaculating the word "*pobrecito*" as they marched past. After one or two halts to rest the troops, we arrived at the foot of a hill where the Carlists were said to have erected a couple of batteries, which afterwards turned out to be mere barricades of stones, and were abandoned on the first attack.

'The Spaniards of the line and Chapelgorris pushed forward with the bayonet, and after receiving two or three heavy vollies of musketry, drove the enemy from their position and pursued them into the plain below. Crossing this hill, where, if the enemy had made a stand, a number of men would have been lost, the troops halted on a little *plateau* which afforded a good view of Hernani, situated in the midst of a plain with a small river flowing past it to the east. This, in my opinion, was the moment when the whole body of troops should have pushed forward and tumbled into the town pell-mell. The enemy were scattered among the hills playing at long shots, and did not seem aware of their danger until we approached, when battalion after battalion at the top of their speed might be seen crossing the bridge into the town—and then the chance was lost. The fact is, that our generals, and there were three of them, did not appear to have made up their minds whether they would attack the town or not, and having brought us in presence of the enemy, were irresolute whether to risk an encounter or to make the best of their way back. Of the three I am inclined to lay the blame on Alava, for Jauregui was not the man to prove slack in action, and General Evans must have been too fully impressed with the importance of making a brilliant *début* with his Legion, to risk the chances of a retreat by not pushing forward. The responsibility of leading such raw troops against the enemy was evidently great, but the arguments for and against such an attempt must surely have been weighed before he came into the field.

'At that time no part of the British Legion had been formed above two months, and the greater portion had not been a fortnight in the country; but such were their spirits, that their bayonets would probably have carried them through any obstacle that such a force as then occupied Hernani could have presented. As it was, however, the precious moments were lost through the irresolution of General Alava, who, instead of making a rush at the town, ordered the British to pile arms and lie down on the *plateau*, while skirmishing parties of Chapelgorris and other Spanish troops were thrown in advance, for what purpose save that of wasting the Queen's ammunition no one ever could divine. The Carlists keeping these troops in play, fired away with great vigour, and like a partridge decoying a boy from its nest, slowly retreated upon the hill of Santa Barbara considerably to our right of Hernani, when, finding themselves in strong ground, they turned sharply on their pursuers and held them at bay.

'Upon this our howitzer was lugged up to the top of the *plateau* and commenced firing half-a-dozen shots at the church steeple of Hernani, but at such a distance that few of them took effect. A rocket was also attempted, but mismanaged, so that instead of blowing up the Carlists, it flew back among us, wounded the artillery-man, and put the whole line in jeopardy. This was the *coup de grace* to our expedition, and frightened the old Spanish general to such a degree, that he instantly determined on a retreat.'—pp. 33-37.

The retreat, though proverbially not quite so easy as the advance, was without much difficulty accomplished. The loss,

according to our author, of Spanish troops amounted to 87, and of British to 35, killed, wounded, and missing. We quote his concluding remarks, together with his account of his reception afterwards by his hostess and her daughters:—

'Such was the action of Hernani, and great was our mortification at the "lame and impotent conclusion." The Carlists, of course, crowed immensely, and declared that they had utterly annihilated the Legion; the Tories at home circulated the falsehood; an d the *Juste Milieu* of France declared, with that pomposity which belongs to their country, that "*la Légion Britannique était entièrement décréditée:*" as if it told against the courage and discipline of the troops, that an old general had led them into the field and out again without allowing them to fight.

'Both men and officers behaved with perfect steadiness, and the following day their general expressed himself highly satisfied with their conduct, which in troops so newly raised, was the more remarkable, and called forth the loudest praises from the people of the town and the Spanish regiments in the field.

'I entered my billet late in the evening, after seeing the company safely quartered, and was received with acclamation by the old lady and her daughters. One of the girls, to be sure, quizzed us a little about our preparation for sleeping at Hernani, but the old lady, who had witnessed the storming of San Sebastian in 1813, took up our cause, and maintained that the Legion could never have been brought into actual contact with the enemy, or they would have killed and eaten every Carlist in Hernani; and, patting me on the shoulder, assured me "*poco á poco se va mejorando,*"—"little by little, things will go on better." I bid them good night, and slept like a top, after all the scampering and skirmishing of the day.'—pp. 44-46.

A few days after the skirmish of Hernani the Legion removed to Bilbao, or Bilboa, as usage spells it in English. Here our author was quartered in the convent of San Mames, on the bank of the river, a mile or two out of Bilbao, where their household comforts were so few, that, observes he, it might truly be said that they lived a life of mortification and penance, of which the following extract will convey to our readers some idea:—

'Not a bed was to be had beyond a little straw, which soon got so full of fleas that the floor was infinitely to be preferred. It was often my fate on those occasions to put in practice the old soldier's trick of pricking the boards with a fork, to find out the softest one to lie upon for the night.

'The room in which I and my captain were quartered would have presented a strange spectacle to a man suddenly transplanted from the haunts of civilized society. The walls were whitewashed, and the little square windows, which through the exertion of some interest and ingenuity we had preserved from being bricked up, boasted of nothing but a

pair of rickety window-frames, the glass of which had long since departed. At one end of the room, in a dark alcove, was our straw, and at another stood a long bench, a three-legged chair saved from the burning of the picket-fire, and a rude oaken table covered with bottles of wine, pipkins of water, and a rabble-rout of hair-brushes, shoe-brushes, tooth-brushes, tins of blacking, scraps of bread, rations of beef, and bunches of odoriferous onions for the soup. In one corner reclined a couple of loaded muskets for the benefit of the Carlists, and round the walls were hung jackets, canteens, telescopes, and pantaloons. Our *batterie de cuisine* consisted of a frying-pan, one noseless jug, and an earthen bowl that served the manifold purposes of cup and saucer, washing-basin, and soup-tureen.

'I had no idea that any European country could send forth such plagues of vermin as tormented us in this convent. Nightly, as we were dropping off to sleep, a whole battalion of Carlist fleas sallied forth from their nooks and hiding-places to lay waste and destroy the profoundest slumber, while the unhappy victims scratched and groaned, and groaned and scratched, in wretched restlessness till morning, when their limbs were found covered with white blotches as big as sixpences, which gradually subsiding into little red freckles gave the whole body an appearance of being smitten with measles or small-pox.

'It was during one of these sleepless nights, that, tormented beyond earthly patience, I jumped up in my shirt, and desperately opening a volume of Béranger, attempted by the light of a flickering candle to pass away the time till dawn. I soon found myself nodding with my nose in the book, and, walking to the window, began to muse upon the dark shadows of the broad fig-trees that filled the garden below. I had not been many minutes immersed in contemplation, when I heard a rustling among the branches: I listened attentively, and thought I could distinguish a whisper—presently another slight rustling among the leaves, and all was still. I took down a pistol that hung on the wall and challenged, but receiving no answer, and hearing no more of the rustling, I concluded that my ears had deceived me, and crept back to my straw to sleep as I best might.

'The next morning it was found that two Germans in our regiment had deserted to the enemy, making their escape through a small door below my window, which, hid by the thick foliage of a large fig-tree, had passed without suspicion or discovery. Had they not been afraid of alarming the sentries, my white night-cap, peering through the surrounding darkness, would have presented a convenient mark for a shot. As it was, however, they were too glad to steal off unmolested through the shadows of the orchard.

'To prevent further desertion, all the foreigners in the regiment were sent next day to Portugalete, and fresh sentries were posted in the garden of the convent. One of these men, a genuine specimen of an Irishman, was the cause of much merriment among the garrison of San Mames. A night or two after the desertion of the Germans he was on sentry at some distance from the convent, and thought he heard footsteps. "Who goes there?" No answer. He cha

again; still all was silent. "Divil choke you!" exclaimed the sentry, loud enough to be overheard by the officer on picquet—"D'ye know what I'm after? *It's cocking I am?*" '—pp. 54-58.

On the 11th of September the Queen's troops received a severe check. They retreated to Bilbao, closely followed by the enemy when the British Legion was called out to cover the rear, and keep the pursuers in check. A company of the 3d charged across a bridge, and drove them back with loss. '"Without this assistance (observes the journalist) hardly a man of Espartero's division would have reached the town alive.'—p. 59.

The following graphic description of Bilbao, and of the spot in its vicinity where Zumalacarregui was mortally wounded, to whom an adversary pays a well-merited compliment, will be read with interest:—

'The town of Bilbao is much larger than San Sebastian, and built in a more antique and Spanish style, with the eaves of the houses broad and overhanging, and furnished with tin spouts a yard or two long, to shoot the rain into the middle of the street. Every window has a separate balcony of iron or wood curiously carved, which, filled with ladies sewing or talking, and gazing out below, present a very novel effect from the street-end. The fine quays on each side the river, crowded with busy groups, loading and unloading the ships with bales and barrels, together with the number of passengers passing to and fro in the streets, give Bilbao the active, bustling air of a commercial town. The streets are broad and well paved, with *trottoirs* for passengers, and are kept perfectly clean and neat; a circumstance far from being common to other towns in Spain.

'There are two bridges over the river—one of stone, and the other suspended by iron chains, like the pier at Brighton. Of this bridge, as may be imagined, the inhabitants of Bilbao are not a little proud, and reckon it as one of their principal curiosities. They also boast of a beautiful *paseo* or *arenal*, shaded by lofty trees, which runs for a considerable distance along the left bank of the river, and terminates nearly opposite to San Mames. A high ridge of hills girdles and commands the town on the north-east, from the gate at the entrance of the *arenal* as far as the church of Begoña, near which Zumalacarregui was mortally wounded. A part of this ridge is included within the fortifications of the town, the trenches and breastworks of which run along the summit; but the further extremity, on which stands the Begoña church, is situated outside the town, in an easterly direction.

'It was on this position that the Carlists erected a battery, from which they poured shot and shell into the town, which was on the point of surrendering, when a random bullet, fired from behind a wall, destroyed the Carlist chieftain, and with him the hopes of his party. A small country-house near the church marks the place of his fall. He was standing in one of the balconies surveying the breach made by his cannon in the fortifications, when a shot struck one of the bars of the railing, and glancing off, inflicted a wound in the leg, of which he died. The house,

when I visited it, was a mere shell, the interior having been destroyed by fire, but the balcony still remains, with a deep dent in one of the bars, caused by the striking of the bullet. The bottom of the balcony was floored with bricks, many of them loosened and crumbling from the violence of the shot with which the house was assailed. I picked up and brought away two or three fragments of the brick which had been pressed by his foot, as memorials of a man whose courage and genius, however clouded by bigotry and intolerance, entitle him to respect as the *dernier rejeton* of the Cortezes and Pizarros of Castile.'—pp. 61-64.

The education of the Spanish women does not seem to proceed much farther than that of the antediluvian ladies described by Milton, as being bred only—

'To dance, to sing, to troule the tongue, and roll the eye,'

with the addition of the management of the fan, respecting which accomplishment, as regards the fair antediluvians, the authorities are silent. Of the extent of their literary and scientific acquirements our author furnishes us with the following most amusing sample, from which it would seem that the Spanish ladies are in no danger of the fate of being taken for 'Blues,' so dreaded by some English young ladies, as to make them take pains to conceal their more erudite acquisitions. Speaking of the daughters of his host at Bilbao, he says,—

'I was tempted in secret to accuse the young ladies of having been so far overcome of the devil as to run away with a volume of "Don Quixote," which I had left on a table in the sitting-room. On making a search, it was nowhere to be found, and the *señoritas* stoutly denied having touched it, referring me at the same time to their library for proof. Certainly, on looking over the collection, I forgave them the theft of my "Don Quixote," for "*Vidas de los Santos*," and the "Mysterious Conception of the Virgin," were the only books they had in the world.'—pp. 69-70.

The case as regards the Spanish women would seem to be that they are mere animals, though beautiful animals, like Byron's Turkish or Circassian beauties:—

'Her eye's dark charm 'twere vain to tell,
But look on that of the gazelle,
It will assist thy fancy well;
As large, as languishingly dark,
But soul beams forth in every spark.'

Such soul as beams forth from the eye of a gazelle, or an eagle—a soul largely animalized. In fact, the eye, we think, is to be considered as an index rather of the animal than the intellectual qualities of the frame; the forehead and mouth are much more indicative of the latter. But as far as the idea of mind, of intellect, and all that amount of refined and elevated sentiment

dependent upon and associated with that idea enters into the idea of soul, the term is to them inapplicable, whose love is a mere animal impulse, and, like such, variable and fleeting, and though perhaps somewhat tempestuous, by no means very strong. If we may be allowed to use a figure by way of illustration, their character may bear the same relation to that of a refined educated Englishwoman, that a noisy but shallow brook does to a deep and mighty river. Of that complex bundle of emotions, which among human beings somewhat educated goes under the name of love, they know and they can know nothing.

The Legion left Bilbao about the end of October, and arrived at Vitoria towards the conclusion of the following month. Our author was not with his regiment during this march, being, to his annoyance, ordered to take a detachment of invalids and soldiers' wives, by sea, to Santander.

He was pestered with the eternal complaints and squabbles of the soldiers' wives, of whom he gives the following sketch:—

'The specimens of the British "fair sex" brought over by the Legion were certainly not calculated to impress the Spaniards with high notions of our female beauty, and their tattered appearance, with dirty straw bonnets and blowsy mob-caps, was enough to astonish the trim *señoras*, and put into their mouths the often-repeated question, "Whether all women in England were like these?"

'The tribes of shoeless Moll Flaggons from the Green Isle, who came over with our Irish regiments, are past all description; and the figure they cut in the rear of a battalion on the march, with a pyramid of babes on their backs, and a couple trotting on each side, was singularly marvellous in the eyes of the natives, who at last looked upon them as a regular and necessary adjunct to the British Legion, or as a supernumerary company of wives and washerwomen to each regiment. How the numbers that came up with the convoy contrived to subsist on the march I never could divine; for as their presence with the troops at that period was contrary to orders, they were allowed no rations; and were totally without money, having had no opportunity of receiving any from their husbands for the last six weeks; and yet they trudged along through dust and mire, in fair weather and in foul, for many a weary league, with light hearts and red cheeks, bidding defiance alike to the orders of the general and the accumulating hardships of the road, until they had the satisfaction of passing the gates of Vitoria. Of a truth, when Ireland loses her men, her women may stand up and fight in the good cause of their country's freedom, against the tyranny that proclaims them "aliens in blood—aliens in religion!"'—pp. 114-16.

While in Vitoria the Legion suffered greatly from sickness. He says,—

'The company to which I belonged, when it first landed at San Sebastian, was above a hundred strong on parade; six weeks after its

arrival at Vitoria, the utmost that it could muster was fifteen files, or thirty men. The regiment in like manner, which originally was between seven and eight hundred strong, dwindled down, in the space of two months after the fever broke out, to not more than four hundred. All the other regiments, with the exception of the Irish, were cut up in like manner; and two of them, the 2d English and 5th Scotch, were so nearly annihilated, that they were broken up, and the miserable residue drafted into other regiments. The Irish Brigade, on the contrary, suffered little or nothing from disease, although it was not better off for provisions or quarters than the rest of the force; and the 7th, 9th, and 10th, to the very last, retained their superiority in numbers without receiving a single recruit from the disbanded regiments. Had the whole of the Legion been composed of Irish, instead of losing nearly a thousand men at Vitoria, we might not have lost a hundred. In spite of all their hardships, the severity of the winter, the badness of rations, the total want of pay, the Irish lived, thrived, and grew fat, as if in the midst of clover—such are the advantages of misery and starvation at home!'—pp. 123-4.

He describes the weather as being colder than he ever felt it in England. It seems to have been altogether a miserable time for them. During the winter the neighbouring hills were infested by small bodies of Carlists, chiefly lancers.

'The British and Chapelgorris (he says) who fell into their hands were mercilessly put to death, *sometimes by means of tortures worthy of the North American Indians;* but the Spanish troops of the line were saved by virtue, I believe, of the Eliot treaty.'—p. 129.

It was about this time that the following affair took place between some British Lancers and a party of the enemy's cavalry:—

'Lieutenant Inman, of the 1st Lancers, with five or six men, attacked an equal number of Carlists that were in the habit of coming down in the grey of the morning to fire upon our sentries, and after giving chase for a considerable distance, came up with them on a hill-side, where they killed them all with the exception of the trumpeter, who was taken prisoner, and the officer, who escaped through the swiftness of his horse. The party returned to Vitoria with the captured horses, and paraded in the great square with the red caps of the discomfited Carlists on the points of their lances. For this act of individual gallantry, Lieutenant Inman received the thanks of both the generals, together with the cross of the military order of San Fernando.'—p. 131.

About the middle of January the Legion again commenced active operations. The Carlists do not seem to have relished the points of the English bayonets, even though, according to some of the Tory prints, levelled to the charge by cats-meat-men. Here are one or two examples out of many such:—

'After marching about five miles along the high-road, and being in sight of the ancient castle of Guevara, mounted on its apparently

inaccessible hill, the 1st Regiment struck off to the left towards the little village of Mendijur, which was in possession of the enemy, and our light company, gallantly led on by Lieutenant Scarman, fixed bayonets, and tumbled into the place, driving the garrison out into a wood at the bottom of the hill, on the Guevara side of the village.'—p. 134.

Again :—

'Upon this we gave a loud hurrah, and, fixing bayonets, charged down the lane, and pursued them back to the wood, which we entered pell-mell among all the skirmishers, who seeing us come down upon them with cold steel, and that another British regiment (the 3d) was taking them in flank, retired somewhat precipitately, and left us masters of the position. We pelted after them for a considerable distance, until the bugle, to our great sorrow, sounded the recal, upon which we fell back on the village, and as it was now getting dark, the troops collected together, and marched quietly back to their old quarters at Ilarraza.'—p. 138.

We quote the following account of the behaviour of Cordova on this occasion, which shows that, notwithstanding the adage, queens can sometimes make as bad a choice of ministers and generals as the weakest and most vicious kings :—

'In the meanwhile Cordova, with the whole of the Spanish army, attacked the Carlists on the morning of the 17th, and heavy discharges of musketry continued to be heard, with slight intermissions, until the evening of the next day, when the firing ceased. By his own account, the Christino general appears to have been pretty successful the first day in his attempt to dislodge the enemy; but the following morning, even from what he says himself in his bombastic despatches, and aided as he was by the French Legion, all that can be gathered is, that he was not beaten. Be the case as it may, we waited three days bivouacking on the hill-top, seeing nothing of Cordova or the Carlists, and hearing little beyond vague rumours of their operations, when suddenly, on the morning of the 20th, the news came that the commander-in-chief had retreated to Vitoria, leaving us single-handed to cope with the enemy, and to effect a difficult retreat of many miles over a rough and broken ground, in face of a hostile force of twenty thousand men that had shown itself superior to the attacks of the whole Spanish army! Some said that he was not defeated, but had merely miscalculated the resistance made by the enemy—a fact incontrovertible from the results; others declared that his commissariat had failed him, and that the troops could get no beef; others again laid the blame on the cold weather and the fog; but the long and the short of the matter came to this—that there was a screw loose *somewhere*, and that failing to do what was required, he let down the whole business, and spoilt the plan of the prettiest little *bataille rangée* since the manœuvring at Ligny and Waterloo.

'The Legion, in consequence, was obliged to retire, which it fortunately was able to do before the enemy became aware of its critical situation, and, falling back in the direction of Vitoria, took up its old positions at Matauco and Ilarraza.

'And thus concluded the deeds of prowess of the Queen's army at Azua, in commemoration of which Cordova, it is said, has subsequently applied for and obtained the sonorous title of *Count of Arlaban*. Such flagrant folly carries its own reward; and we exclaim, with Persian emphasis, "May his grave be sat upon by jackasses!" '—pp. 146-9.

We have already expressed our opinion as to the question of interference; but whatever that opinion may be, what are we to think of a government that could invite foreigners to risk life and health (making the very lowest supposition, for the most virulent Tory will not deny that these are prized even by dogs-meat-men and footpads) in their cause, and then treat them in the following manner? We are disposed to consider 'hanging too good for them:'—

'Money there was none, and the badness of the wine and rations added not a little to the sickness that prevailed. I have frequently had my own scanty pound of beef brought on the point of a bayonet, tough as an old shoe, and reeking from the carcass of some wretched beast that had been slain the moment before; the bread, made of blighted corn, so soft and pasty that it would adhere like putty to the wall it was flung against; and the wine the filthiest compound of vinegar, pitch, and logwood, that could be offered to a Christian man to swallow.

'The result of such diet was dysentery, and those who were not carried off by the fever were wasted to skeletons by the weakening effects of the disease. Our regiment, as it fell in every morning for parade, was more like an assembly of ghosts than a battalion of the full-fed, substantial-looking personages usually called British soldiers. Their spirit, however, was unbroken, and grumble as they might at the harsh and unfeeling conduct of a miserable government whose existence depended solely on the efficiency of the Legion, no sooner was there talk of an action than their eyes brightened with energy, and the ticking of locks and snapping of gun-flints told of the warm reception in preparation for the enemy. Ragged and shoeless, destitute as they were of everything like comfort, both in quarters and in the field, the arms were kept in a state that showed, that though the good faith of their allies might be suspected, and the treachery of the Spanish commander-in-chief put beyond a doubt, in their muskets and bayonets they still had friends that would not fail them in the hour of need, and to which they could trust with implicit confidence to extricate them from any situation in which the course of events or the perversity of men might place them.'—pp. 154-6.

The sufferings of the British were the more striking, from the contrast afforded by the Spanish troops, who were well paid, well fed, well clothed, and consequently in good health. Our author thus replies to the Tory version of the sickness of the Legion:—

'Those who were not aware of the causes of the sickness so prev[illegible] in the Legion, or who were too idle to inquire into them, decla[illegible] "drunken dragoons," "diseased invalids," and the "scum of the

had been brought over to perish from mere want of strength and stamina to resist the effects of the climate. That we had a number of men who came under the foregoing classes is not to be denied; but to say that the whole of the Legion was composed of them is a falsehood only to be swallowed by those whose interests blind them to every sense of justice and fair dealing. Many were healthy countrymen taken from the plough-tail; many were bog-trotting Irishmen, whose rosy looks gave evidence of their health and soundness of constitution; many were stalwart veterans of the British army, who had purchased their discharges, or had gone through the usual term of service without injury to health or strength; many were Pedroites, who had conquered Portugal from one extremity to the other—and now, taking these different classes of men together, is it probable that an army composed of such materials would perish *needlessly* at Vitoria—that men who were originally strong and healthy, and in good spirits, would lie down and die like sheep *without a cause?* How comes it that at San Sebastian, at Santander, and at Bilbao there was no disease? that for five months after the landing of the Legion there was no disease? that during a long and harassing march from Bilbao to Vitoria there was no disease? but that at Vitoria, in quarters, and with nothing to do, the fever and dysentery should break out, and, after affecting the whole of the Legion, should carry off ten hundred of our men? Are we to ascribe this sudden mortality to the broken-down constitutions of the soldiers, or to the bad effects of bad food, bad pay, and bad treatment?'—pp. 156-8.

Our next extract shall be a passage which, besides a portrait of Cordova, contains a lively picture of the weak and profligate *juste-milieu* government of Spain with the '*strange woman*' at its pad, and some of the base creatures by whom she is surrounded:—

'It was during our stay at Ilarraza that I had an opportunity of seeing Cordova, who frequently rode through the village with his staff to visit the outposts and reconnoitre the country. On one occasion he dismounted for a quarter of an hour in front of the *Palacio*, and, curious to have a closer view of the Spanish god of war, I mingled in the crowd of officers standing a few paces apart, and beheld the victor of Arlaban. He was a small, slightly-made man, stooping somewhat in the shoulders, and with a face expressive of nothing save a look of languid discontent, to which a sharp twinkling eye gave the characteristic air of a Jew clothes-dealer. His gait and manners were slow and sauntering, and impressed the spectator with the idea of a man shattered with disease, or enervated by dissipation. His dress on the three occasions that I happened to view him minutely was uncouth and slovenly, consisting of a long brown *redingote* that, by its want of shape and fit, reminded me of Paganini's, and a scarlet cloth waistcoat closely buttoned to the chin by a single row of gilt buttons; a small cocked-hat stuck on one side of the head with a cockade expressive of the loyalty wanting in his heart; and a pair of worsted hose, or leggings, strapped below the knee, with large silver spurs buckled on the heels.

'When I first saw him at Ilarraza, he wore a regulation sword of the

British Legion, but afterwards used one of different manufacture. The red waistcoat, however, seemed to be a great favourite, as he seldom appeared without it, even on grand occasions. He wears no beard or whiskers, but indulges in a pair of stunted mustachios on the upper lip, which adds to the expression of languid *nonchalance* predominant in his countenance. In word, see Luis Fernandez de Cordova in a crowd, without knowing him to be Duke of Mendigorria and Count of Arlaban, and he would be taken for a sickly attorney or a discontented tailor.

'Profligate in his manners, and destitute of talents as a soldier, he possesses no one moral quality except a restless ambition, backed by a species of intriguing cunning in which any diplomatic *attaché* would be his match. Hated by most of his generals, who upbraid him with the want of mere personal courage, he is looked upon by the army as a man who, to gain his own dirty ends, is ready to betray them into the hands of the enemy; and who, by virtue of his rank and exalted position, is carrying on a traffic in the flesh and blood of his soldiers, to make an accommodation with the enemies of his sovereign, and preserve his rank and influence in the country. The command that he possesses over the weak and misguided woman at the head of the government is so great, that he is frequently spoken of as the successor of Muñoz, whenever God or an assassin please to take him from the world; and his known hostility to Liberalism points him out as not without influence in the ranks of the Carlist party. Thus, let affairs turn out as they may, it is a matter of small concern to the hero of Mendigorria who plays the cards of each party, and laughs at both.

'The opinions here put forward on the character and honesty of Cordova are shared by nine-tenths of the honest Liberals in Spain. Let his conduct since his appointment to the chief command be examined, and no man possessed of a grain of common sense can acquit him either of treachery or incapacity. Has he met the enemy on equal terms—a retreat has been the consequence. Has an advantage been gained—he has refused to follow it up. His first advance upon Arlaban was signalized by a retreat which appeared to have no object but to betray the Legion into the hands of the enemy. His second, in which he appears to have beaten the enemy on several points, was suddenly terminated by an invitation to a ball at Madrid, and that at a time when the success of the Auxiliaries in the North required a push to be made on all sides to improve the advantage. Returned from Madrid, his first object was to set on foot a marriage between the young Queen and the son of Don Carlos—a proposal which, when it was rejected by the winning party, has vainly been attempted to be passed off as a false report. The only ministry which was calculated to benefit the country he has contrived to upset; and now he and Isturitz go hand in hand in the task of securing the regeneration of Spain.'—pp. 158-162.

The author adds some remarks, of which recent events have proved the truth:—

'Who that witnesses these scenes of intrigue and profligacy at M
can feel concerned if *un beau matin* the Carlists were to march

the capital, and annihilate the government which has so long possessed the power, but wanted the courage, to put an end to the war. "*La poire n'est pas encore mûre*," as Napoleon was fond of saying; but its maturity will certainly be hastened if such an event as has just been alluded to should take place. As the fear of a foreign or domestic enemy was more or less strong during the times of the French republic, so did the number fluctuate of heads that fell on the scaffold in Paris; and when the successes of the Vendeans threatened the safety of the capital, then was the hatred of the ancient government in France at its highest pitch. Who shall say, that what occurred in France shall not take place in Spain? Who shall prophesy that the events which led to the French republic shall not be productive of a revolution as deep, as universal, and as lasting, in the Peninsula?'—pp. 162, 163.

Our author having been promoted to a company in the 9th Regiment (Irish), which was quartered at Arriaga, within a mile of Vitoria, joined on the 13th of March. He was much struck by the healthy appearance of the men, as compared with the English regiments at Treviño. The Irish appear to have formed the most efficient troops in the Legion. On the 24th of April they returned to San Sebastian. The contrast was great between their present and their former reception there:—

'Everybody was in the highest spirits; for, besides the expectation of a general action immediately on landing, the delights and hospitality of San Sebastian still dwelt in our memories; and we beheld the well-known castle and lighthouse standing up in the distance like warm friends to greet us on our return. But far different was the aspect of the town from that which greeted us in July last year: no salute from the castle—no ringing of bells—no *vivas* from the assembled multitude on the batteries; nothing but now and then a shrill cry, accompanied by a pattering shot from the white-capped Carlists on the distant lines, as they beheld the barges landing the "*Ingleses.*" The quays were heaped up with turf, through which the cannons grimly peeped in their embrasures; the streets were filled with barricades, which certain reminiscences of 1830 told me were *à la Parisienne;* half the shops were shut and deserted, and most of the glass windows, shivered by the explosion of shells, were patched up with brown paper, or filled with an old petticoat fluttering mournfully in the breeze. The Plaza Nueva was deserted by all but lounging soldiers; and the serenading of bands and guitars had given place to the booming of guns on the battery, as they opened on the enemy's lines. The greater part of the inhabitants had fled to St. Jean de Luz and Bayonne, and with them vanished the flowing mantilla and the sparkling eye. My ancient billet was tenantless, and a great hole in the roof marked the entrance of a Carlist bomb into my former bedroom. The glory of San Sebastian had departed.'

Chapter VIII. of our author's journal opens with an account of the relative position of the town of San Sebastian and the Carlist lines, for which we, however, have not room. We there-

fore proceed to lay before our readers as much as our limits will admit of his spirited and very interesting account of the action of the 5th of May, in which he was severely wounded, and escaped almost miraculously the horrible death which the tender mercies of the Carlists bestow upon those who are past resistance. We must premise that the force of the enemy was calculated at about three thousand men, exclusive of those on the other side of the river, and that they held positions which rendered them equal to many times that number; that the British who were present at the opening of the attack amounted to somewhat less than five thousand; and that the only body of Spanish troops to be depended on were six or seven hundred Chapelgorris.

At three o'clock in the morning of the 5th of May the whole of the Irish brigade, consisting of the 7th, 9th, and 10th, was drawn up in the square, when Brigadier-General Shaw called the officers together, and briefly explained the plan of attack. Arrived at San Bartolomé, they halted for a quarter of an hour, while their light company was sent on in front, to clear a few straggling houses occupied by the enemy. The author thus describes the commencement of the action :—

'Passing the Lieutenant-General, who was on horseback with his staff, giving orders in his cool and collected manner, which struck me the more forcibly from the tumult of thoughts tumbling through my own brain, we struck off the main road to our right, and crossing a deep valley or ravine, made for the windmill already in possession of the 7th. As we mounted the steep and slippery ascent with fixed bayonets, the booming of the shot told us that the enemy had opened their battery; but so badly were the guns served and pointed, that it was not till we saw the shot ploughing up the ground in an adjacent field that the impression was removed of our marching to the attack under cover of the batteries from the Castle.

'On the hill-side the companies began to get loose and disjointed from the difficulty of the ascent; and by the time I had collected my men into close order, and marched them to the walls of the mill, I found that the grenadiers and the first three companies of the regiment were already detached and in action. Obeying the orders given me, to remain under shelter till sent for, I placed my company as securely as possible behind the mill, and took a survey of the surrounding scene. At my feet was a deep valley, covered with grass, and patched over here and there with cabbage-gardens and orchards of apple-trees; along the opposite ridge, and on a level with ourselves, ran the enemy's second breastwork, above which the dawning light disclosed the white caps of the Carlists, as they poured their vollies upon the exposed ranks of the advancing columns. Intersected by the fortifications of the mill, and running on each side of it, in a parallel direction with the second line, was a deep lane, forming the first defence carried by the British, who were keeping up a perpetual blaze of musketry on the enemy.

"'The shot flew about on both sides in abundance—no less than five in a cluster struck the wall of a house near which I was standing, within the circumference of a soup-plate, and some of the wounds that were inflicted were ghastly to behold. Several officers of my acquaintance were struck, and carried to the rear. Quartermaster Warner, of the 7th regiment, was shot dead and fell at my feet, with the blue, compressed lips and "all-white eye" that characterize death by gun-shot wounds. In less than five minutes the lane was crowded with dead and dying, who hardly left room to keep the men steady and in line.'

In this situation they remained for some time, when an adjutant galloped up and said, 'you are ordered by the Lieutenant-General to take the next breastwork at the point of the bayonet.' How the order was obeyed the author will best explain in his own words; and the reader is requested to note the uncandid use that has been made by some of the Tory prints of the circumstance of *one-half* of his company *not* following him, converting that into a proof of pusillanimity which was the result of pure accident: the fact being that the whole of the Legion, almost uniformly, displayed the utmost gallantry.

'The word was given, "Form two deep—double!" but the din of the musketry was such, that only those about me heard the command, and one half of the company, who were hid from sight by an angle in the lane, remained stationary with the lieutenant—to whom, however, they stuck throughout the action, and behaved gallantly in charging the redoubt. Rattling down the hill-side, I passed the Lieutenant-General on foot, with several of his staff: he was standing exposed to the fire, and waving his sword to cheer on the men. As I was passing, Colonel Considine and Mr. Alcock were wounded, and led off the field.

'Arrived at the bottom of the valley, I was considerably nonplussed at finding myself with not more than half my company at my heels, and the remainder shot, or lost, or flown into the clouds—"the gods knew how!" It did not strike me at the moment, that in the hurry the rear had parted from the front, and had remained with the lieutenant at the mill. At this juncture, as I was considering what to do, General Shaw came up, who ordered me to follow the course of the ravine for some distance, and then make the best of my way up the hill under cover of an orchard, and storm a fortified house in the enemy's line, which was discernible from where we stood. Ordering the men to keep close to me, I proceeded in double quick time down the valley, and skirting the apple-trees, pushed up the hill. Half way up the ascent, I fell in with Colonel Swan, of the 7th, whose regiment, like my company, was somewhat curtailed of its fair proportions, in consequence of the roughness of the ground, which, in spite of every endeavour to overcome the difficulty, broke the column into detached parties, and, once separated, scattered them over the field. Putting myself under his directions, we continued the ascent, the enemy firing at us as they caught glimpses of our red coats among the trees, the twigs and blossoms of which, cut by the shot, flew about in all directions, and gave token of the nearness of the fire.

'It was here that I saw poor Captain Mould, of the 10th, lying on the ground mortally wounded, and vomiting blood from a musket-shot in the chest. He raised himself up as we passed, and exclaimed, "Oh! water—water!" but not a drop was procurable nearer than the town; and though mine was not willingly a deaf ear to the entreaty, I turned away in silence from the spectacle of the dying man, and hurried on to the summit of the ridge. The troops had already penetrated the breast-work to our right, and the enemy, afraid of being taken in flank, had fallen back upon their third and last line, where they made a stand, and fired in heavier vollies than before. Here we halted a moment to take breath. Between Colonel Swan's and my own, there were not more than forty or fifty men, and the house was to be defended at all hazards. The enemy, perceiving us congregated near the building, sent a detachment by a covered way to dislodge us with the bayonet. Twice we brought our small force up to the charge, and twice were driven back by the White Caps bearing down with the bayonet. We were on the point of drawing off, when Captain Cotter came up with the remnants of his gallant light company, which had suffered severely in the early part of the day, and in conjunction with us, finally drove the enemy from the contested house.

'At this moment, as we were collecting and arranging the men, we beheld a number of Spaniards rapidly advancing towards us from the hill already in our possession. We thought at first that the enemy had taken us in rear, but on near approach they proved to be a company of the Segovia regiment—*the only portion of the Spanish troops I saw under fire during the whole of the action.* The captain, whose name unfortunately I never could learn, was as brave and reckless a fellow as ever drew a blade. With a small red flag in his hand, he leapt the parapet that was before us, and rushing into the middle of the ploughed field, he waved his sword for us to advance, crying out in French, "*En avant! en avant!*" We advanced, and the moment the head of our small column, composed of Spanish and British intermingled, rounded the corner of the house, it was swept back by a shower of bullets. Three times we attempted to charge, and as often were driven back. It was in vain that the officers cheered them on—it was in vain that we traversed the ground between the house and the brave Spaniard, who stood like a tower in the midst of the storm—it was in vain that we expended upon them our most endearing epithets of "Irishmen!" "Bogtrotters!" "Ragamuffins!" "Re*pale*rs!" "O'Connellites!"—they stood stock-still, with not a single responsive cheer; and the Spanish officer, seeing that he was not joined, sprang over the hedge into an orchard, which was covered from the fire.

'One by one several officers came up, each with a party of ten or twenty men, and the force behind the house was beginning to swell to a respectable volume. General Shaw was the first to arrive, and after him Colonel Fitzgerald, with two or three companies of the 9th. This was the first time we met during the action, and I had a short colloquy with him on the state of affairs. "Where's Major Cannan?"—"Wounded." "Mackie?"—"Killed." "Wright?"—"Shot dead." "Where's so-and-so, and so-and-so, and so-and-so?"—"Killed; wounded; dead;

missing." Such was the state of our regiment at eight o'clock in the morning.

'In the mean time, General Shaw had been collecting the scattered parties, and putting them in order for the charge. Coming up to me, he laid his hand on my shoulder, and in his cool, syllabic manner, as if we had been in the most indifferent situation in the world, begged me to run along the breastwork as far as General Chichester's brigade, and ask him to send up as many men as he could spare to help us. I instantly took to my heels down a deep and narrow lane, running parallel with the breastwork, which partially sheltered me from the shot, and found myself at every step sinking deeper and deeper in the mud. After several efforts to extricate myself, I went up to the knees, and was thrown forward my whole length in the mire. My own company, which had been watching the event of the mission, thought that I was shot, but recovering my feet, I got upon a narrow bank or causeway, where the ground was firm, and continued my course towards the 1st brigade. Plastered with mud from head to heel, I presented myself before the general and delivered my message: he instantly dispatched two companies, with whom I returned to our former position near the house.

'This was the last time I saw Captain Knight, General Chichester's aide-de-camp. He was standing with his tall military figure exposed to the shot; and as I appeared before him in the ill-favoured guise already described, his eye lighted smilingly on my muddy accoutrements, and a friendly nod of recognition was all that passed between us. A few minutes after he fell, in attempting to storm the redoubt at the head of a mere handful of men, and his body was found after the action cruelly mangled by the enemy, with three bayonet wounds in the body and one in the eye.'

He brings up the reinforcement; in the charge that immediately followed, was put *hors de combat;* and so closed his first essay in soldiership.

'On rejoining General Shaw with the reinforcement, I found the remnant of the 7th drawn up in close column behind the house, and as much of the 9th as could be collected standing a few yards distant, covered partly by the apple-trees, and partly by the breastwork that ran in front. Colonel Fitzgerald was at the head of his men; and at the signal from the Brigadier to charge, sprang over the parapet, and advanced alone, with nothing but a riding-whip in his hand, in the face of the most tremendous fire I had witnessed during the whole of the action. The bullets poured upon the ploughed field as thick as hail, and the clods of earth might be seen knocked up in little clouds of dust, like the "wine-glasses" on a fish-pond during a shower of rain. The men hesitated: "Irishmen!" somebody exclaimed, "will you see your old colonel shot, and not move on to save him?" The hot blood of Ireland was stirred, and with a cry of "*More power* to the Colonel!" they cleared the breastwork, and advanced with levelled bayonets against the opposite line. I had just reached the colonel's side, and was crossing the field at the top of my speed, when a shot struck me on the left hip,

and with a stunning shock my heels flew up into the air, at the same time that the charging regiment passed over me, and I was left alone, extended on my back, in the middle of the plain.

'I rose on my feet, but fell down as if pinned to the earth by a tent-peg. I looked at the wound, and saw a neat round hole on the seam of the trousers, from which a few drops of blood were slowly trickling out. The field was bare, and not a soul in sight except the white-headed Carlists, as they rose to fire over the parapet, while the splashes of mud that sprinkled over my face told of the vollies that fell around. I gave a roll towards the breastwork I had quitted, and saw my sword, which had flown out of my hand with the violence of the shock, lying at some distance. With difficulty I crawled back to the spot, and had just gained possession of the hilt, when a second bullet struck my right hand, and passing through the fleshy part of the thumb, lodged next to the skin on the other side. The pain was not acute—it felt like a benumbing shock of electricity. A Spanish serjeant passed over my body towards some shelter. I hailed him in Spanish, *por amor de Dios*, to raise me on my legs, but, leaping the parapet, he left me to my fate. It was now evident that there was nothing to hope for from others, and with a sort of feeling of uncertainty, like that of a man hanging over a precipice by a single thread, I commenced rolling towards the breastwork, on which I lifted myself with considerable pain and difficulty, and, swinging my legs over the top, tumbled into the muddy lane below. I was aware of the danger of sticking fast in the mud; and making a plunge across the path, I seated myself on the causeway on the other side, when, being under cover, I paused a moment to rest, and consider what was to be done.'

He escapes by little short of a miracle from some of those cut-throat Carlists, who delighted in killing and mutilating the wounded.

'The whole extent of the breastwork appeared to be deserted, the troops having left it to attack the next line; and a couple of dead bodies drenched in blood were the only human forms that met my sight. The house which had been so often taken and retaken was about fifty yards on my left, and to it I directed my eyes, in hopes of succour, when a rustling among the bushes in the neighbourhood attracted my attention, and a blue-capped head was thrust round the corner of the house, eying me intently. Presently another was poked through one of the windows as if reconnoitring the ground, and immediately the two Carlists fixed bayonets, and advanced cautiously, with the purpose of running me through. It was a fortunate circumstance that the two dead bodies were lying near them, for they paused a little while to search their pockets, thereby giving me time to resume my rotatory motion down the hill, in the direction of the 1st brigade. A small bank intervened, and down it I plunged with desperate resolution, falling upon a dying man at the bottom, who groaned heavily as I passed. The idea occurred to me to hide myself under the body, but it was useless, as the Carlists had seen me move, and were now in full pursuit. I continued my course, sometimes rolling, and sometimes scrambling on all fours with the blood

gushing from my hands, and was on the point of rising on my knees to make a last effort in defence of my life, when I espied a soldier of the 9th in the distance, to whom I waved my sword to come to my rescue. The Carlists, on his approach, hung back, and commenced loading their pieces; the man hesitated whether to stand or run away. It was a critical moment, when, most fortunately, three of my own company came up, who fixed their bayonets over my body, and dared the Carlists to advance. I turned my head towards the house, and saw that my enemies had fled!

'Placing me on three firelocks, my men hurried along under cover of the breastwork towards the shores of the bay. In our way we passed the 10th regiment drawn up in close column, with Colonel O'Connell at their head. Part of my old regiment, the 1st, was there, and I nodded to several officers of my acquaintance as I was rapidly borne along. Presently after we were joined by my servant, who had heard that I was killed. He threw a cloak over me, the warmth of which was very acceptable, for the transition from violent exertion, and the wet clothes, had brought on a fit of shivering. The ground, in every part we passed over, was stained with drops of blood, that showed the smartness of the action. The firing still continued heavily in the direction of the enemy's left, and I exhorted the men to redouble their speed, in case of a retrograde movement. In sight of the bay, we saw the Phœnix steamer anchored close in shore, and flinging her bombs over our heads into the enemy's redoubt. "The blue-jackets are taking them in tow—hurrah!" and the men pushed forward towards the sands of the beach. Arrived at the bottom of the hill, near the convent of La Antigua, I met Colonel Swan wounded in the thigh, and Captain Fitzgerald of the 10th, son of our Colonel, with his arm broken. All three of us directed our course along the sands towards the town, at a short distance from which a stretcher was procured to carry me to the hospital.'

Among the slain, on the part of the Carlists, he mentions a priest, who—

'Dressed in full canonicals, with a crucifix in his hand, had been seen to head many of the charges, and to encourage the slaughter of the helpless and the wounded. This worthy apostle was found with a musket-shot in his forehead, his hand still grasping the symbol of pardon and redemption, which had been desecrated in so blood-thirsty a calling.'

Our author states the loss of the Carlists in killed and wounded to have been not less than six or seven hundred; of the British, seventy-eight officers and eight hundred rank and file. The peasants brought in word next day that the Carlists had not only fallen back upon Hernani, but had abandoned that town, leaving their stores and wounded at the mercy of the Legion. We conclude our extracts with the following remarks :—

'Had General Evans possessed force sufficient, Hernani would probably have been taken without firing a shot; but, in his situation, with the troops exhausted with fatigue, and encumbered with wounded, the

utmost that could be done was to level the lines, and maintain his position on the conquered heights. The Spaniards, instead of pouring an army of twenty or thirty thousand men into San Sebastian to improve the advantage, displayed their usual irresolution and delay; and the traitor Cordova, loitering in his bed at Vitoria, contented himself with writing a letter of congratulation to General Evans, in which the jumble of hypocrisy is clothed in the customary garb of bombast.

'By degrees the Carlists recovered from their alarm, and, cautiously approaching the British lines, planted their outposts within musket-shot of our picquets, filling Hernani with fresh troops, and, in consequence of Cordova's inactivity, directing their whole force against the handful of British. Twice they have attempted to regain their former positions, and been repulsed with loss. The crossing of the Urumea and the taking of Passages have borne out the reputation which the British Legion established on the heights of San Sebastian; and all that was required—all that was expected of the Spanish army—was, that a helping hand should be stretched out from the south to enable the Legion to advance from the foot of the Pyrenees to the Carlist head-quarters at Oñate.

'Instead of this, the Spanish Commander-in-Chief retreated a second time from Arlaban without striking a blow, abandoned his army at Vitoria, and for twelve days was dancing quadrilles with the Queen at Madrid; since when, nothing good, bad, or indifferent, has been heard of him north of the Ebro. His boasted plan of *blockade*—the *laissez faire* system of a *juste-milieu* general, has fallen to the ground, and the insurrection which originally existed only in Guipuzcoa and Navarre has extended to Galicia, Arragon, Catalonia, and to Castile itself. Six thousand British, the only body of troops that has done the Queen service during the campaign, are left cooped up in San Sebastian, without pay, without stores, and hardly with the rations to keep body and soul together, while the road to Madrid is left open to Don Carlos. Of a truth, one is at a loss which most to admire—the baseness of the General—the folly of the Queen—or the degeneracy of the people which submits to the misery of either.'

But what other result could any reasonable man expect from the congregation of rogues, fools, pimps, and harlots, which has too long swayed the destinies of Spain?

We cannot conclude without a sincere expression of thanks to the author of 'Twelve Months in the British Legion' for the amusement and information which his journal has afforded us. While it betrays a few indications that the writer is a very young man, it exhibits not a little of the clearness, simplicity, and spirit which, from the days of him who conquered the ancient world, and who wrote with the same spirit with which he fought, have been considered as the characteristics that ought to distinguish a soldier's narrative; and it contains by far the best account of the scenes it professes to describe which it has yet been our fortune to meet with.

Art. X.

ENDOWMENT AND THE VOLUNTARY PRINCIPLE: SEPARATION OF CHURCH AND STATE.

1. *The British Magazine for June and July*, 1836. London. Rivington.
2. *Lectures on Church Establishments, under the Patronage of the Glasgow Voluntary Church Society.* Glasgow, 1835.
3. *Papers relating to the Ecclesiastical Establishments of Prussia.* Presented to both Houses of Parliament by command of His Majesty. 1836.

WE propose to take advantage of the opportunity afforded to us, by the appearance of two articles in the British Magazine, in answer to our remarks on the Irish Church question, of returning to the discussion of this subject, which has obtained so much importance in the party politics of the day, and which really involves all the great principles of civil legislation in ecclesiastical affairs. The British Magazine is, as most of our readers probably know, one of the chief organs of the English High Church party; and if it had on this occasion attempted to settle the question with the ordinary High Church weapons of personal vituperation and appeal to authority, we should certainly not have encumbered our pages with the refutation of such worthless sophistry. But the author of these critiques has adopted a tone of fair discussion, stating, with respect to our article, that being desirous of 'grappling with the Irish Church question,' he had 'met with no fuller development of the views of mere worldly politicians, and no more plausible statement of them.'

In returning to the consideration of the policy to be adopted by this country with respect to the ecclesiastical state of Ireland, we shall therefore advert to this writer's remarks for two reasons; because he has treated the question on argumentative grounds, and because he may be considered as a favourable representative of the party whose opinions and interests are advocated by the British Magazine, and has furnished (what is so difficult to obtain), a distinct statement of the principles on which the High Church policy is founded.

Before, however, we proceed to the examination of the immediate question at issue, we wish to make some general remarks on endowment and the voluntary principle, on the conflicting claims of which the ecclesiastical settlement of Ireland mainly depends.

The subject of ecclesiastical endowments is only a part of a much larger question, as to *the extent of the applicability of the*

principle of public endowment, in matters within the scope of civil government.

By *public endowment* we mean the purchase of any commodity or service by a government, for the benefit, real or supposed, of the community. In this general sense we shall speak of the building of a bridge, or the support of a manufacture, as well as of the maintenance of an army, a judicial establishment, a clergy, or a body of teachers, by public endowment.

Private endowment, in fact, differs only in *degree* from the voluntary principle. Instead of giving a sum to meet current expenses, the private endower gives a capital sum yielding interest, or land yielding rent. The Irish peasant who subscribes a few shillings annually for the maintenance of his clergyman does an act similar in kind to those of the founders of Guy's Hospital and Dulwich College.

The chief difference between private endowment and the ordinary working of the voluntary principle consists in its *permanence.* The proceeds of a large subscription might indeed be invested, and the interest alone be spent: a fund created in this manner would differ from an ordinary private endowment only in the *number* of the persons by whom the gift was made. But, in general, sums collected by subscription are given absolutely to individuals who do not account for them; and very frequently they are destined to defray current expenses. An endowment, on the other hand, continues in existence after the death of the founder, and its proceeds accrue regularly to the donees without the uncertainty which belongs to revenues collected upon the voluntary principle. Hence it is that *private* obtain a resemblance to *public* endowments; and hence the State is justified in diverting funds arising from private endowment to purposes different from those prescribed by the donors, where those purposes are not beneficial, on the ground, that no testator ought to be allowed to create perpetuities. We do not now intend to discuss the policy of allowing the creation of perpetuities for (what are termed) charitable purposes; but we will only remark that after a certain period the influence of the donor over the property bequeathed must be considered as at an end, and the endowment ought to be viewed as having passed into the guardianship of the State. Old private endowments are, in fact, national property. In the following remarks, whenever we speak of *endowment* simply, we wish to be understood as referring to *public,* and not to *private* endowment.

The important problem of ascertaining generally how far the State ought to interfere in respect of payment is, it may be observed, altogether independent of *forms of government.* For

example, if it is desirable on the whole to maintain a fleet or a judicial establishment, or to relieve the poor, by public endowment, it is equally desirable under a monarchy and under a republic. No legislative theory, indeed, is universally applicable in practice without reference to circumstances; as theories are formed by leaving out of consideration all those extraordinary and exceptional facts, which, in any given case, may be sufficiently important to necessitate a peculiar line of policy. Of the circumstances to be thus taken into account in applying to practice the theory of endowment, the form of government is doubtless *one*; so likewise is the religious persuasion of the people, the tenure of landed property, the population of the country, its relations to foreign states; but there is nothing in the problem we are about to consider which limits it to political institutions of a particular character.

We have no thought of attempting to give a complete solution of the problem in question, which would indeed furnish materials for a work of considerable magnitude. But in order simply to mark out the province of the inquiry, it is necessary to take a wide survey of times and countries, avoiding all bigoted and exclusive attention to our own age and nation; and to trace the different manners in which the same want has been provided for by different communities, whether monarchical, aristocratical, or democratical, whether Pagan or Christian, whether Catholic or Protestant, whether European, Asiatic, or American.

There are two principles to which a government may trust for the production of a commodity or the hiring of a service*, viz., compulsion and payment. The payment may be of two kinds; either it may proceed from the government, in which case it is a public endowment, or it may proceed from individuals, in which case it is said to be made on the voluntary principle. In every case, therefore, where any commodity or service is to be produced or performed, the government may ensure its production or performance by *compulsion* or by *endowment*; or it may forbear to interfere, and may rely for the attainment of its end on the spontaneous operation of the *voluntary principle*.

In general it may be said that the interference of the government, either by payment or compulsion, is not beneficial, in matters where a *profit* can be obtained, where there is a direct pecuniary return on capital laid out. Such is the case with trade, with agriculture, with mining, with manufactures, and with fisheries. The writings of Adam Smith and his followers have

* On the distinction between *commodities* and *services*, see the very able explanation of Mr. Senior, in his 'Treatise on Political Economy,' recently published in the 'Encyclopædia Metropolitana.'

now convinced the rational part of mankind that these ought to be the almost exclusive province of the voluntary principle. It is however scarcely necessary for us to say that most extensive encroachments upon these domains have been made at various times and places by the rival principles of compulsion and endowment. In the ancient states all industry, whether agricultural, manufacturing, or mining, was carried on by slaves; and even to this day slavery prevails over a large portion of the globe—not confined to half-barbarous communities, but subsisting in the colonies, and even in the territory of some of the most highly civilized nations*. The compulsion of slavery of course equally proceeds from the supreme government, whether exercised directly or through the person of the master. Slavery implies property, property implies a legal sanction, and a legal sanction implies the authority of the State. The interference of governments with the production or transport of commodities by means of endowment, though less extensive and important than that by imposing the obligation of labour on the majority of the population, has nevertheless been manifested in some very remarkable instances. In trade, there is the case of the English East India Company, who were at once sovereigns and merchants; and of the Spanish galleons, which were freighted to South America chiefly at the expense and for the profit of the State. The gold and silver mines of America were worked by the Spanish and Portuguese governments before the independence of their colonies; mines of other metals are now worked in many parts of the European continent on the public account. Manufactures have been frequently carried on by public endowment: the preparation of salt, of gunpowder, and of tobacco, are still national monopolies in most of the states of continental Europe, as indeed they were in England on several occasions before the reign of Charles II.† Manufactures of certain articles, in which particular skill is required, have been in several instances conducted at the public expense, as the Gobelins

* 'On entend dire tous les jours qu'il seroit bon que parmi nous il y eût des esclaves,' says Montesquieu, Esprit des Lois, xv. 9.

† Monopolies of manufactures have been established from five different motives: 1. Where the manufacture has been carried on for the benefit of the public revenue. 2. Where monopolies have been sold by the government, in order to raise money. 3. Where monopolies have been granted in order to reward services or to favour individuals. 4. Where they have been granted to certain places and bodies of men, with an intention of encouraging industry, or securing the goodness of the material. 5. Where they have been granted to inventors, in order to secure to them the benefit of their inventions (patents). It may be observed that the carrying on of any manufacture by *public endowment* does not necessarily imply a *monopoly*, as we see in the manufacture of the Dresden china; but in general the government, if it did not protect itself by exclusion, would be driven out of the field by private competitors. Moreover it commonly avails itself of the monopoly in order to impose a heavy tax on the article, which might be often evaded if the manufacture was thrown open.

tapestry, and the Dresden and Sèvre porcelain. The fabrication of blocks for the British navy, and the casting of cannon and cannon-shot at the national cost, are likewise founded on the same motive. The system of bounties on the production and exportation of certain commodities likewise affords an example of the attempt to encourage manufactures by public endowment. Bounties have in particular been applied to the encouragement of sea-fisheries: the bounty on the English herring-fishery lasted till 1830, and that on the whale-fishery till 1824.

Agriculture has, in general, either been carried on by the forced labour of slaves or has been left to the simple operation of private interest; the cultivation of the soil consisting of a great variety of processes spread over a wide surface, and recurring at uncertain intervals, could not easily admit the principle of endowment, which implies the superintendence of public officers. Nevertheless there have been instances in which governments have interfered in the cultivation of the soil. The growth of opium in Hindostan, for the benefit of the East India Company, is an example; as also that of cinnamon in Ceylon, now abolished. A more remarkable instance, which fortunately has not hitherto been reduced into practice, is furnished by the recent recommendations of the Irish Poor Commissioners, who have proposed that a government board should be appointed with compulsory powers for improving all the landed property of Ireland.

The cases which we have just mentioned of the introduction of the principle of public endowment into the regions of trade and industry are, with few exceptions, either decidedly mischievous, or, at the most, of very questionable policy. In other departments, however, of the same province, the applicability of this principle has been generally recognised. The chief of these are, the construction of roads and other public works; the transport of letters and money. Letters appear to be conveyed at the public cost in all civilized countries; the conveyance of passengers by post is likewise provided for in all the European states except England by public endowment; and in Prussia the conveyance of heavy goods by land is provided for in the same manner. The task of supplying the community with a medium of exchange is in most countries performed by the Government; in England, coined money alone is supplied by public endowment, and paper money is supplied by the voluntary principle; in Austria and Prussia the Government issues both coin and paper money, and prohibits all private banks of issue; in most other states there is no paper money, public or private, and the currency consists only of coin stamped by the state. The printing of documents for the use of members of the supreme legislative body is likewise in free states

usually executed at the public expense: assistance is likewise in civilized countries often given by the Government towards the preparation and publication of expensive books, particularly such as contain documents and other materials for illustrating the national history. In some of these cases (as in the last mentioned) the end could not be attained without a loss being incurred somewhere; but this loss might be incurred by voluntary associations of private individuals, as we see in Bible societies, the Roxburgh Club, &c. In others, the public incurs a loss, but voluntarily, as the loss might be avoided by a different management. Thus, in England, the public annually sacrifices not only the interest on the amount of gold in circulation, but also the expenses of minting: by taking a seignorage it might reimburse itself for the latter expense*. In other cases, as in that of the post-office, it not only covers its expenses, but also levies a considerable sum on the public in the shape of duty.

For the most part, governments have perceived (with the important exception of slavery) that where a profit was to be obtained, it is preferable to leave the field open to the voluntary principle. There is, however, a large class of cases in which the community requires *services*, producing no direct pecuniary return. In these cases there has been, as in the other class already mentioned, a variety of practice in different ages and countries; but upon the whole, the tendency has been to provide for them, either by compulsion or endowment.

The most remarkable of these services may be reduced under the following heads:—

1. Supreme Legislature.
2. Administrative Offices.
3. Judicial Establishment and Police.
4. Army and Navy.
5. Sacerdotal order, or Clergy.
6. Teachers.
7. Lawyers.
8. Physicians.
9. Artists, Actors, Public Amusements, &c.

We will now briefly point out how these several services have, in different cases, been obtained by each of the three means above mentioned.

1. *Supreme Legislature.*—In governments of *one*, the monarch

* 'Those who contend that the state ought to defray the expenses of the coinage of gold and silver might, with equal cogency of reasoning, contend that it ought also to defray the cost of manufacturing gold and silver teapots, vases, &c.'—M'Culloch, Notes to Smith's Wealth of Nations, vol. iv. p. 211

has usually made an ample provision for himself by public endowment. In governments of *many*, the sharers of the legislative power have in most cases abstained from ordering any direct payment to themselves out of the national funds. They have, however, in aristocratic republics, been often able to indemnify themselves for this forbearance by indirect advantages. This practice has been somewhat diminished in England by the Reform Act; but it still prevails to a considerable extent, as it does in France and other countries. In democratic republics, the members of the supreme legislature and other deliberative bodies have often been paid directly: instances are afforded by the wages of the Attic ecclesiasts, the pay of the assemblies of the sections in the French Revolution introduced by Danton*, and of the federal and state legislatures of the United States. The pay of the English members of the Commons' House of Parliament in former times was also of a democratic character; so likewise is the allowance now proposed to be given to the members of the French Chamber of Deputies.

In many states of society the voluntary principle may be relied on with so much confidence for supplying legislative services, that persons will even (as in England) incur enormous and often ruinous expenses, in order to secure a place in the legislature. Though many of these persons may have in view the indirect advantages above alluded to, many, nevertheless, are actuated by motives quite distinct from the hope of money for themselves or friends—as the love of doing good, of power, of notoriety, of occupation.

It is observable that the principle of *compulsion* does not apply in the case of the supreme legislature, inasmuch as those who wield the sovereign power are themselves the compellers.

2. The next class is that of *Administrative Officers*—a term not very precise, but (we believe) sufficiently clear and intelligible for our present purpose.

In the ancient republics of Greece and Italy, the high officers of the state, such as general, ephor, consul, dictator, ambassador, &c., were all unpaid. It was only the inferior offices, such as those of clerks, criers, &c., which were paid †.

This system of not paying public men for their services produced in Greece many important effects, of which we will notice some of the most striking. First, as the leaders of the people and the chief orators were not paid by their own government, they were tempted to take bribes from foreign governments;

* See Thiers, Hist. de la Révolution, tom. v. p. 295, tom. vii. p. 29. The pay was 40 sous a head. It was abolished after the re-action of Thermidor.

† See Boeckh's Public Economy of Athens, book ii. ch. 16 (vol. i. p. 320, Eng. tr.)

and, even where they had not taken bribes, they were often accused or suspected of taking them. Thus Cleon is described by Thucydides as charging Diodotus with receiving gifts in order to plead the cause of the Mytilenæans; on the other hand, Aristophanes, in the Knights, repeatedly attacks Cleon for his rapacity and corruption; and the speeches of Demosthenes and Æschines for the Crown are full of criminations and recriminations of this kind. Demosthenes in several places asserts, as a matter of notoriety, the general corruption of public men throughout Greece by Philip's gold*. Commanders of troops and fleets were likewise tempted, from their want of pay, to neglect the main object of their expedition, and to employ their forces in subordinate and privateering excursions, by which they were enabled to make prize-money †. It seems likewise to have been a universal practice for the Athenians who had command of ships to exact presents from the islanders and the Greeks of Asia Minor, as a recompense for protecting their merchants and merchant-vessels ‡. Another consequence of the practice of not paying the public men of Athens was, the necessity of rewarding them by *laudatory decrees*—such as that which forms the subject of Demosthenes' speech for the Crown §. These barren marks of public approbation acknowledged the debt of the state to the individual, without discharging it: they likewise produced the bad effect of affording a triumph to a statesman, and of mortifying his opponents. The discussion of a long course of policy founded on the giving of a public reward was also inconvenient, as coming long after the events ||. A third and more important consequence was, that the want of pay discouraged persons from devoting an undivided attention to public affairs. There was no person whose appointed duty it was to watch over the national interests, to provide money for emergencies, to detect and frustrate the hostile plans of rival states: hence the neglect and indifference to the common weal of which Demosthenes so much complains in the Athenians; but which must always be expected when the supply of ministers of state is left to the voluntary principle.

In the centralized governments of the continent the administrative system is based exclusively on endowment. From the highest minister of state to the lowest agent of police, every public functionary is appointed by the king, is paid for his

* See Demosth. de Corona, p. 240, ext. p. 245; 15; p. 394, ed. Reiske; comp. Philipp. I. p. 45, 5; de Pace, p. 60, 2.

† Demosth. Olynth. II., p. 26, 5.

‡ Demosth. Cherson., p. 95, 29.

§ See another, Dem. de Cor., p. 253.

|| Dem. de Cor., p. 303, 3.

services, and is removable in case of misconduct. In England the same system prevails for the chief offices of state and their establishments. The inferior local administration is, however, mainly carried on by unpaid functionaries elected for a certain period, and liable to punishment for neglect or contravention of their duty: such are mayors and aldermen, vestrymen, headboroughs, constables, churchwardens, overseers of the poor, &c. This system was derived from England to her North American colonies; and it now prevails throughout the United States in a more strongly marked form than even in the mother country. 'As,' says M. de Tocqueville, 'there is no administrative gradation of ranks, and as the public functionaries are elected and irrevocable, it has been necessary to introduce the influence of the courts of law into the administration. Hence the system of fines, by means of which the secondary bodies and their representatives are constrained to obey the laws. This system prevails from one end of the Union to the other *.'

3. *Judicial establishments and police* properly fall under the general head of administrative officers, but may, for the sake of convenience, be here considered separately.

At Athens the popular courts of justice were, as well as the sovereign assembly, originally unpaid; afterwards each citizen who attended the courts received a small remuneration for his loss of time†. In the middle ages the popular tribunals of the Germanic institutions were composed of persons who received no pay; the king's judges, on the other hand, received a salary. This distinction is still preserved in England and other countries which employ the trial by jury; the judge is paid, but the jurors are compelled to serve without fee or reward. The English justices of the peace, as well in their individual capacity, as assembled in petty and quarter sessions, are also unpaid; but, unlike jurors, they are not compellable to act. The English judge, juror, and justice of the peace, therefore, afford instances of endowment, compulsion, and the voluntary principle, as applied to judicature.

The same three principles may likewise be perceived in the English system of police. The common-law constables and the paid policemen exhibit the two first, while private watchmen and societies for the prosecution of criminals show the working of

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* Démocratie en Amérique, tom. i. p. 109. See his able explanation of the characteristics of this system of administration, ib. p. 93-112.

† See Thirlwall's Hist. of Greece, vol. iii. p. 67. We cannot agree with Mr. Thirlwall in calling the members of the Athenian courts *jurors;* at least, if he means to use the word in its ordinary signification. The Athenian judges decided on the law as well as on the fact; and they determined the quantum of punishment. Their sentence was not a *verdict*, as we use the word.

the voluntary principle. Part of the expense of prosecutions also in general falls on the prosecutor.

The remarks made above with respect to legislative functions apply also to administrative and judicial offices, viz., that payment has a democratic, and non-payment an aristocratic, tendency. The ancient politicians seem to have been better aware of this fact than the moderns. Aristotle, in his Politics, repeatedly remarks that paid magistracies are democratic, which appears to have been an axiom among Greek statesmen. In general, whenever an unpaid office is sought after, it is aristocratical: it gives power, for the sake of which the individual can afford to surrender his time, and thereby to make a pecuniary sacrifice. This is the case with the justices of the peace in England and Ireland. It is otherwise where the office confers little or no power: in these cases it is avoided, and is undertaken only from the fear of punishment, or the hope of some indirect dishonest gain: the office of overseer of the poor affords an example of the latter. The origin of this political consequence of unpaid offices is, that the mass of mankind are too much occupied with their own concerns to be able to devote much attention to affairs of state; the duties of a man's own calling, the necessary occupations of buying and selling, of managing household affairs, and of providing for wife and children, leave little time for following the trade of a politician. People in general are like the Romans: they care only for *panem et Circenses**—for the business which brings them money and for their amusements; and hence, if the public service, being unpaid, cannot be followed as a profession, it is abandoned to those persons who are rich enough to be able, and ambitious or public-spirited enough to be willing, to exchange unpaid occupation for power.

4. *Army and Navy.* The citizens of Athens and Rome, in early times, received, as is well known, no pay when on service. The pay of the Roman troops was introduced at the siege of Veji, to

* Juvenal's character of the Romans is, that after they had ceased to make money by their votes, they lost all interest in public affairs.

> 'Ex quo suffragia nulli
> Vendimus, effudit curas: nam qui dabat olim.
> Imperium, fasces, legiones, omnia, nunc se
> Continet atque duas tantum res anxius optat
> Panem et Circenses.'

Tacitus also speaks of their indifference to everything except their daily bread: 'Vulgus alimenta in dies mercari solitum, *cui una ex re publica annonæ cura*,' &c. Hist. iv. 38. After all that has been said of the turbulence and discontent of the populace, we suspect that it is more difficult, in a state of tolerable security, to make men pay enough, than too much, attention to public affairs. This is, in fact, the true *Conservative* principle.

the great joy of the plebeians *; and it cannot be doubted that the use of paid native soldiers was, if not the main cause, at least a necessary condition of the perfection of the military system and the extension of the military power of the Romans. In the Greek republics the practice of paying the citizens when in the field was gradually introduced, but in no state, except Macedonia during the reigns of Philip and Alexander, was a native army kept constantly on foot. The nearest approach to a regular army was the use of foreign mercenaries, introduced after the Peloponnesian war; this practice, however, led to as great evils in Greece as it did in Italy in the middle ages. That the Carthaginians employed mercenaries for foreign service we know from the account of the African war, which arose from the inability of the state to discharge the arrears of pay due to the soldiers who had served against the Romans in Sicily †.

The principle of compulsion was continued longer in the naval than in the military service of Athens. The trierarchy was a public service imposed successively on different wealthy citizens, by which they were bound to equip and man a ship of war furnished by the state. The trierarch usually commanded his vessel in person.

By the feudal system every tenant of a knight's fee was bound to attend his lord in war at his own expense for a fixed term (usually forty days in the year). The English *trinoda necessitas*, to which every freeholder was subject, likewise included the obligation to defend the country in case of invasion. Gradually, however, the common interest both of the kings and the vassals led to the commutation of military service for a payment in money, and to the introduction of paid troops. A similar change, produced by similar motives, likewise took place in the Italian republics ‡. This practice has continued to the present time, although in the great continental states compulsory levy of troops, by conscription, is also resorted to. The impressment of sailors in Great Britain is likewise a mode of providing for the naval service by compulsion. In these latter instances the government employs both compulsion and endowment; as the soldier raised by conscription, and the sailor raised by impressment, are both paid.

* 'Nihil acceptum unquam a plebe tanto gaudio traditur,' says Livy, iv. 59, 60; and see Niebuhr, vol. ii.

† On the evils arising from the use of foreign mercenaries, see the remarks of Ralegh, Hist. of the World, Book v. ch. 3.

‡ See Hallam's 'Middle Ages,' vol. i. pp. 178, 310, 490. The substitution of regular paid troops for the feudal militia was equally popular (though for a different reason) with the introduction of pay in the Roman army. 'Perhaps few measures (says Mr. Hallam) have ever been more popular, as few certainly have been more politic, than the establishment of regular companies of troops by Charles VII. in 1444.' Ibid. p. 316.

The armed force has in general been provided by the government, either by compulsion or payment. Governments, having in most cases been founded on fear, have in great measure depended for their existence upon the soldiery: moreover, an armed force was too powerful an instrument to leave in the hands of others; hence the prohibition to bear arms, and to assemble in armed bodies, which exists in a greater or less degree in all countries. The only instances of the voluntary principle in military affairs which we are aware of, have occurred at seasons when patriotism was warmly excited by foreign oppression or the dread of invasion; such as the contributions in Prussia and the guerilla forces in Spain during the French occupation, and the volunteer regiments of England during the alarm of a French invasion. The Athenian trierarchies also were sometimes in part self-imposed burdens, as at the time of the Sicilian expedition.

5. In those ancient states in which there was a sacerdotal caste, the *priests* appear to have lived upon the income arising from sacred lands. In the Hellenic commonwealths of Greece, Asia Minor, and Italy, there was no sacerdotal order distinguished from the rest of the community; there were no holy books in the exclusive custody of the priests; there were no religious doctrines or tenets *. The assertion so frequently made as to the revelation of sacred doctrines at the Greek mysteries is utterly unfounded; the initiated at Eleusis or Samothrace learned no more than a person admitted to the secrets of freemasonry. The religion of Greece and Rome was purely ritual: it consisted simply in the performance of certain bodily acts—as the offering of victims, the sprinkling of water, the purification of polluted places or persons, the chanting of hymns, or other sacred formulæ. The persons who performed these functions were not necessarily excluded from other occupations, nor do they appear to have been very numerous: the number of temples in a Grecian state must have been far smaller in proportion to the population than that of churches in a Christian state. The slaves, who composed the bulk of the community, do not appear to have had any participation in sacred rites, which was always considered by the Greeks

* 'As for the pagan priests (says Archbishop Whately), their business was rather to conceal than to explain the mysteries of their religion—to keep the people in darkness than to enlighten them. Accordingly the moral improvement of the people among the ancients seems to have been considered as the proper care of the legislator, whose laws and systems of public legislation generally had this object in view. To these, and to the public disputations of philosophers, but by no means to the priests of their religion, they appear to have looked for instruction in their duty.' Bampton Lectures and Sermons, p. 422. It is true that the ancient Greeks and Romans did not look to their priests for moral instruction; but the reason was not that the priests concealed the doctrines of the religion from the uninitiated, but that the religion had no doctrines to conceal.

as a *privilege*, not as a *duty*. Hence the difficulty of providing for the support of the priests was not great, nor was anything heard, in the Greek and Italian republics, of the various important questions which have arisen in modern times with respect to the revenues of the clergy. The voluntary offerings made by pious individuals to the temples, the victims contributed for sacrifices, and the produce of the consecrated lands, furnished their maintenance.

As soon as Christianity began to be preached out of the country where it originated, the necessity of providing for its ministers began to be felt. The Apostle Paul, in his First Epistle to the Corinthians, argues at some length, in answer to an objection which had been made, that the preachers of the Gospel must be paid for their services; though he disclaims any desire of a reward for himself. 'Do ye not know,' he says, in allusion to the heathen priests and sacrificers of Greece, 'that they who minister about holy things live of the things of the temple; and they who wait at the altar are partakers with the altar? Even so hath the Lord ordained that they who preach the Gospel should live of the Gospel *.' This obvious necessity led to the payment of the Christian clergy by the free-will oblations of the members of each congregation, which were at first in kind, and given monthly. The offerings for the maintenance of the clergy were likewise in some degree confounded with the collections for the poor, and like them passed through the hands of the deacons; whence arose the division of the entire proceeds of the oblations into three parts—one for the bishop, one for the rest of the clergy, and one for the poor of the congregation—which received the sanction of law in the fourth century †. After the legal establishment of Christianity, the endowment of the clergy with lands, both by private individuals and by the state, was carried to a great length, and the revenues thus arising constituted their chief wealth for many centuries. About the same time, likewise, the payment of tithes began to be recommended as a sacred duty, after the example of the Jewish custom; but it did not acquire a legal obligation in any part of Europe till the time of Charlemagne. The division of parishes, and the apportionment of tithes to the parochial cler-

* 1 Cor. ix. 13-4. St. Paul says, in v. 7, τίς στρατεύεται ἰδίοις ὀψωνίοις ποτέ; 'who goeth a warfare any time at his own charges?' which shows how completely the old system of serving in war without pay had become obsolete in his time.

† See Planck's 'Geschichte der Christlichen Gesellschafts Verfassung,' vol. i. pp. 193-205. The gifts continued to be voluntary in Tertullian's time, who says, in his 'Apologeticus' (written about the beginning of the third century), 'Modicam unusquisque stipem menstrua die, vel cum velit, et si modo possit, apponit: nam nemo compellitur, sed sponte offert.' In some churches the division was fourfold, viz., for the three purposes mentioned in the text, and for the maintenance and furniture of the places of worship (fabrica ecclesiæ).—Planck, Ibid. p. 387.

gyman, are of still later introduction*. The payment of the Christian clergy by endowment was universal in Europe at the time of the Reformation; but the division of the Western Church into different sects, which was the consequence of this great event, and the interference of the state in spiritual affairs, have subsequently occasioned in certain countries a partial return to the practice of the early Church. Thus the Huguenots of France, the Protestant Dissenters of Great Britain, the Roman Catholics of Holland and Ireland, and all persuasions in the United States, have supported their clergy by voluntary offerings.

6. In no country, as far as we are aware, has any compulsory provision been made by the government for the *instruction of the people*. In general the state has afforded some assistance to universities and places of higher instruction by endowment; and in most civilized countries, as in Prussia, Saxony, Austria, Bavaria, and other German kingdoms, in France and in the United States, there is also an endowed provision for popular instruction. In other countries, as in England, the education of youth is left almost exclusively to the voluntary principle.

7. The remuneration of the services of *lawyers*, in civil business, has never been supplied from public funds. A sort of compulsory duty to assist clients has however been sometimes established by custom; as, in England, that of pleading for a person suing *in formâ pauperis*. In criminal proceedings, the state, as being the prosecutor, has usually defrayed the chief part of the expenses, including those of the services of lawyers.

8. The services of *medical men* have been abandoned to the voluntary principle, except where they have been supplied to the poor on charitable grounds: such are, for example, hospitals supported by public endowment; and the medical relief provided by parishes and counties in England and Ireland.

9. There remain to be mentioned the services of artists, actors, and other persons contributing to the gratification of taste, and the expenses of amusements intended for the public at large.

In Attica and other Greek states, individuals were compelled to defray the costs of the theatrical exhibitions and certain public games. Aristotle says that it is expedient to prevent persons, even if willing, from serving expensive but useless liturgies, such as the choregia and the gymnasiarchy; it may, however, be doubted whether the admirable productions of the Attic drama would ever have existed if the expenses of the chorus had not been provided for by a fixed legal obligation. The English sheriff can now scarcely be considered as a judicial officer: his duties seem

* Hallam's Middle Ages, vol. i. p. 199-207.

to be nearly confined to furnishing a pageant for the judges at the assize-town. The splendid shows and combats of wild beasts exhibited at Rome by rich and powerful individuals, for the purpose of gaining popularity, are instances of public amusements supplied by what may be termed private endowment. The assistance given by the Roman emperors to theatrical exhibitions and fights of gladiators, and the contributions to the expenses of the theatres in France, Prussia, Austria, and other continental states, afford examples of the provisions of this branch of expense by public endowment. Under this head we may likewise mention collections of works of art, of books, of specimens of natural history, and public walks in the neighbourhood of large towns, provided at the public cost. In England, the remuneration of artists, as well as of actors, has been exclusively left to the voluntary principle.

Lastly, the state may seek neither to produce a commodity, nor to obtain a service, but to provide for *the relief of the destitute*. This also may be done in either of the three ways above pointed out, viz., by compelling individuals to support them (as the parish apprentices in England); by public endowment, or by a poor-law; or, thirdly, the state may leave their support to the voluntary principle, as in Ireland.

Having thus separately exemplified the application of the three methods of compulsion, endowment, and the voluntary principle, to the chief wants of a community, we will now contrast their advantages and disadvantages, so far as their general character is concerned.

The obtaining of services by *compulsion* is unjust and harsh in its operation, and has usually been the earliest resource of poor governments in unsettled and barbarous states of society. With an empty treasury it is natural that a government should force its subjects to render the services which it is unable to obtain by purchase. Financial difficulties necessarily lead to the adoption of this coarse expedient. In modern times we know little of the utter want of means under which even the most civilized states of antiquity laboured when public credit was unknown: thus we are told that there were occasions when Athens and other Greek states were unable to raise a few talents *. In France, indeed, at the fall of the Directory, the ruin of the public finances was so complete, that Bourrienne affirms that the treasury did not contain funds sufficient to pay the expenses of a courier to Italy†.

* See Boeckh's Economy of Athens, Book IV. ch. xvii. (vol. ii., p. 373, English transl.)

† 'Mais ne parlons plus du gouvernement directorial: quelle administration! dans quel état se trouvaient les finances de la France! Pourra-t-on le croire? Dès

When a government is destitute of money and of credit, it can only provide for the discharge of its necessary functions by compelling the performance of them. War, likewise, which is the ordinary state of societies at a low degree of civilization, gives birth to *slavery*; so that the services required by individuals, as well as those required by the state, are equally obtained by the compulsory principle, when general insecurity prevents the accumulation of wealth. In general, as it appears to us, the advance of civilization tends to supplant compulsory by paid services. Hence, we think, in opposition to M. de Tocqueville, that the French and Prussian plan of local administration by paid officers, liable to discharge for misconduct, is preferable to the English and American plan of local administration by unpaid officers, liable to punishment for misconduct. It is possible (as M. de Tocqueville himself remarks*) to punish a public officer for neglecting or violating his duty, but it is not possible to punish him for doing his duty ill. To avoid punishment a man need only comply with the bare letter of the law. Moreover, even if a positive breach of official duty has been committed, it seems hard to fine a man who has been pressed against his will into the service of the state without payment. Hence penalties for official misconduct are rarely inflicted. We know this to be the case in England, and M. de Tocqueville admits it to be the case in America†. This non-intervention of the law arises not from the rarity of official transgression, but from its impunity. It is far easier to discharge a public officer than to punish him. There is a vast difference between withdrawing a boon from a person who has violated a duty voluntarily undertaken, and inflicting a positive evil on a person who has violated a duty forced upon him. Hence in England the recent course of improvement has been to substitute salaried and removable for unpaid and irremovable officers; thus policemen have taken the place of the common-law constables, and the relieving-officer of the overseer of the poor. A man who unwillingly undertakes to work for the state, being urged to the discharge of his duties by the fear of punishment, is, in fact, a *public slave*; the motive which induces a negro in Carolina to cultivate sugar is precisely the same as that which induces an English overseer of the poor to keep the parish accounts, or to make a list of the voters under the Reform Act. The abandonment of the penal principle, wherever payment has been intro-

le second jour de son consulat, Bonaparte voulut envoyer un courrier au Général Championnet, commandant-en-chef l'armée d'Italie; eh bien! on ne trouva pas dans le trésor *douze cents francs* [48*l.*] disponibles pour donner au courrier!'—Mémoires de Bourrienne, tom. iii. p. 115.

* Démocratie en Amérique, tom. i. p. 99.

† Ibid., p. 148. See also the North American Review, Part 92, p. 200.

duced, is of itself a sufficient proof of the superiority of the check afforded by the fear of discharge; for there is no reason why paid officers should not be liable to punishment for the neglect or violation of their duties, as we see in the case of the paid ministers of state in England, who are subject to impeachment *.

On the whole we think that the compulsory principle of service, whether applied to the public administration or to the wants of private individuals in the form of slavery, is, at the best, a rude and inefficient contrivance, which is destined to yield to the advance of civilization. As employed for recruiting an army or navy, it may now in certain countries be indispensable; but this necessity will cease when nations become less rapacious and jealous, and consequently less warlike.

In the most advanced countries, the system of compulsion is so little employed, that a greater importance belongs to a comparison of endowment and the voluntary principle. The characteristic advantages of *endowment* are regularity, certainty, system, uniformity, and singleness of management. Hence its applicability to the administration of the laws, or to the education of youth, as these admit of being carried on according to fixed rules. In those cases, too, where the subject-matter is sufficiently unvarying to afford a favourable field for endowment, it is likewise more economical than the voluntary principle. Its characteristic disadvantage is its want of pliability and of the power of adapting itself to circumstances: it is deficient in enterprise, vigilance, and boldness; it allows favourable opportunities to slip by; it has not the faculty of rapid decision and rapid action; it does not shrink and expand according to the exigencies of the moment; its movements are apt to be slow, heavy, and reluctant. Hence its unfitness for the operations of trade, agriculture, and manufactures, which are perpetually shifting, which depend on minute inspection, and which require a wide discretion for their management.

Where public services are to be paid for, the method of endowment is more equitable, inasmuch as it distributes the burden over the entire community. The avaricious, the ignorant, the unreasoning, the indifferent, the selfish, minors, the distant, the sick, the strong, are reached by it; and are thus forced to contribute equally with others towards an object by which they themselves, as members of the community, are also benefited. On the other hand, the voluntary principle is unfair and capri-

* M. de Tocqueville seems to think that paid administrative officers inevitably lead to too great *centralization*, of which the mischievous effects must be visible to every reflecting Frenchman. We do not concur in this opinion, for reasons which we may perhaps explain more fully on some future occasion.

cious: it spares the classes just named, and falls with undue weight on the generous, the long-sighted, the reasoning, the near, the accessible, and the weak. These effects are well exemplified by the relief of the destitute poor in countries where there is no public provision for this purpose. If in any such case the number of indigent persons is considerable, they wander about the country in search of alms; and as the houses of the rich are surrounded by walls and fences, and are difficult of approach, the mendicants chiefly rely on the bounty of the small farmers and cottiers for their food, and especially for their night's lodging. In Ireland the poor vagrants are now almost entirely relieved by a class only one degree above themselves; the same likewise was the case in the Scotch Highlands about a century ago*. The support of the Roman Catholic clergy of Ireland also falls (as we observed formerly) in great part on the poor. The subscriptions in England for the relief of the Irish poor, and of the Irish Protestant clergy, are also instances of the burden, under the voluntary principle, falling in the wrong place.

In general it may be said, that where the results are remote, obscure, uncertain, negative, unprofitable, or unpopular, the system of public endowment is best: where vigilance, activity, promptitude of decision, personal superintendence, and flexibility of design are required, the voluntary principle is best. A vast administrative machine, like that of Prussia, could not be worked by officers paid by voluntary subscriptions. A vast manufacturing system, like the English cotton manufacture, could not be carried on by a government.

But in each individual question there are considerations pecu-

* 'Besides these ill-minded people among the clans, there are some stragglers in the hills who, like our gipsies, have no certain habitation, only they do not stroll about in numbers like them. These go singly; and, though perfectly unknown, do not beg at the door, but, without invitation or formal leave, go into a hut, and sit themselves down by the fire, expecting to be supplied with oatmeal for their present food. When bed-time comes, they wrap themselves up in their plaids, or beg the use of a blanket, if any to be spared, for their covering, and then lay themselves down upon the ground in some corner of the hut. Thus the man and wife are often deprived of the freedom of their own habitation, and cannot be alone together. But the inhabitants are in little danger of being pilfered by these guests; nor, indeed, do they seem to be apprehensive of it; for not only is there generally little to be stolen, but, if they took some small matter, it would be of no use to the thief for want of a receiver; and, besides, they would be pursued and easily taken. The people say themselves, if it were not for this connivance of theirs, by a kind of customary hospitality, these wanderers would soon be starved, having no money wherewith to purchase sustenance. But I have heard great complaint of this custom from a Highland farmer, of more than ordinary substance, at whose dwelling I happened to see an instance of this intrusion, it being very near the place where I resided for a time; and he told me he should think himself happy if he was taxed at any kind of reasonable rate, to be freed from this great inconvenience.'—Burt's Letters on the Highlands in 1726, vol. ii. p. 145, ed. Jamieson

liar to itself. We will now proceed to examine those peculiar to the *maintenance of a clergy*, especially with reference to the Irish Church question. For this purpose we will briefly re-state the principles laid down in our former article ; and will explain more fully those parts which seem to require further development. keeping at the same time in view the remarks of the British Magazine.

The clergy of any Christian church may be supported either by public endowment, or by the voluntary payments of their congregations. In the former case, a clergy may either be simply endowed, like the Presbyterian clergy of Ireland, and like the clergies of all persuasions in France, Belgium, and Prussia ; or they and the religious communion to which they belong may receive, in addition to the endowment, certain civil privileges from the state. A church so favoured is called an established or national church ; and it is said to be in alliance or connection with the state.

The connection which the persons possessed of the sovereign power have established with their own church has been founded on two distinct sets of motives. In some cases the magistrate has considered it his duty to use all human means for the propagation of the orthodox—that is, his own—creed ; and for the extinction of all heterodox or heretical creeds ; that is, creeds different from his own. In other cases the magistrate has thought that the members of his own communion could alone be relied on for supporting his rule, and that the members of all other persuasions would be dangerous subjects, either from theological hatred, or from the bad moral consequences of their religion. The former motive prevailed in the age of the Reformation among all religious parties ; and at that period it generally led to active persecution, which is indeed its necessary logical consequence. It is now chiefly confined to clergymen. or to persons of strong religious feelings, although it is not unfrequently advanced in a covert shape by lay statesmen. The latter motive is of more recent growth, and is that which in general actuates mere politicians : it leads rather to favouring the orthodox than to persecuting the heterodox churches ; and it is the plea now commonly put forward in defence of religious inequality.

The connection of Church and State is founded on the maxim that the magistrate is to decide on religious truth for the people : it also imports, as its necessary condition, the existence of religious inequality.

We have already stated our opinion that no religious harmony in this or any other country can be expected to exist, so long as there is any inequality in the civil rights of the different religious

persuasions, and so long as the government sets itself up as judge of religious truth for the community. Great objection is however taken to these positions, and it is said that a government which does not decide on the truth of creeds is atheistical; that legislators cannot divest themselves of their religious character; and that they are bound to advance religious truth in their public as well as in their private capacity.

'We must not take leave of this subject for the present,' says the British Magazine, 'without adverting to the Christian view of the duties of a legislator. The Christian legislator is bound to guide his public and his private conduct by the same rule, and to maintain by his public influence that form of Christianity which he believes the word of God has sanctioned as truth, and which as a private individual he would labour to advance.' (No. 55, p. 97.)

All these notions appear to us to have arisen from a confusion of the purposes of civil and ecclesiastical societies. The end of a state is to ensure men's happiness in this life: the end of a church is to ensure men's happiness in the life to come. 'The commonwealth,' says Locke, in his first Letter on Toleration, 'seems to me to be a society of men constituted only for the procuring, preserving, and advancing their own civil interests. Civil interests I call life, liberty, health and indolency of body; and the possession of outward things, such as money, lands, houses, furniture, and the like.' 'A church,' he afterwards says, 'I take to be a voluntary society of men, joining themselves together of their own accord, in order to the public worshipping of God in such a manner as they judge acceptable to him and effectual to the salvation of their souls.' If men associate together in a state for the promotion of their temporal interests, it is clear that the magistrate has no concern with their spiritual interests: that in legislating for the salvation of men's souls, he as much outsteps his proper province, as the managers of an astronomical society would in employing its funds for anatomical or antiquarian researches. We do not understand how any rational man, still less any man of religious feelings, can maintain that the state has the care of souls: and if it has not, we defy any body to escape from the conclusion which we have just stated. The inference, indeed, seems to us so obvious as not to require illustration or enforcement more than the first proposition of Euclid.

If a legislator is bound to regulate his public conduct by his religious opinions, why is not a judge? Suppose that in the late case of Lady Hewley's charity, the counsel had addressed Lord Lyndhurst thus:—'Let me implore your Lordship to be mindful of your religious opinions, and not to overlook the sacred duty of a judge to advance by every means in his power

the interests of the orthodox faith. The Unitarians deny the holy mystery of the Trinity—a doctrine which is part and parcel of the law of the land: they refuse to partake in the benefits of the national church, which the state has provided for them: they are scarcely Christians, living under a Christian government: they are aliens in religion. I call upon the court, therefore, not to make itself accessary to the encouragement and diffusion of this baneful heresy." If arguments of this kind had been addressed to Lord Lyndhurst, when sitting as Lord Chancellor, we conceive that he would have stopped the counsel, by saying that in his judicial capacity he had no religious opinions. In like manner, we affirm that a legislator, in his legislative capacity, has no religious opinions: he views creeds not with reference to their truth or falsehood, not with reference to their tendency to promote the salvation of men's souls, but solely with reference to their temporal effects. It is vain to say that there is a difference between the cases of a legislator and a judge, inasmuch as the former makes laws and the latter only administers them; for, after all, a considerable discretion must be left to a judge, and if it is the duty of the legislator to be partial, so also is it the duty of the judge. Moreover, if the judge is to carry into effect the intentions of the legislature, and if the intention of the legislature is to favour the orthodox faith, the judge ought to do the same.

Those persons who say that it is the duty of a legislator to promote his own creed in his public capacity appear to us to act a very weak and inconsistent part, if they stop short of the most rigorous persecution. They can only object to this course on two grounds: 1. that persecution is a self-counteracting policy, and favours the creed which it is intended to extinguish; and 2. (which is the ground adopted by the British Magazine), that the temporal consequences of persecution are so bad that the legislator ought to content himself with favouring his own church without punishing dissenters from it. With regard to the first of these excuses for abstaining from persecution, we beg leave to say that it is founded upon an utter mistake: a religious creed is clearly one of those things which admit of being completely extirpated from a country. We sometimes hear of extermination, where the exterminating process is not applicable. Thus it is said that thieves may be got rid of by transportation; which is a simple impossibility, as transportation removes only the actual, not the possible thieves. In the case of ordinary criminals, there is a constant succession of crops, and when one has been gathered in, another is ready for the sickle.

> Uno avulso non deficit alter
> Aureus, et simili frondescit virga metallo.

But a religious sect admits of being exterminated, inasmuch as it is a limited and definite body, and (religion being in general transmitted from father to son) there is scarcely any tendency in the rest of the community to adopt the proscribed faith. If a government gives a religious body three alternatives, viz., conformity with a certain creed, exile, or death, and if the law is carried into effect with determination, it is clear that the faith of the community can be made to square with the appointed standard. If any body doubts of the possibility of thus regulating the religious opinions of a people, let him read Dr. M'Crie's Histories of the Reformation in Italy and Spain; let him consider the fate of the Protestants in Austria, Bohemia, Flanders, and France; of the Moors in Spain; and of the Christians in Northern Africa, China, and Japan. Let him moreover study the history of Ireland since the Reformation, and convince himself that the persecution of the Catholics in that country only failed of its purpose because it was not sufficiently severe. A person who holds that a Christian legislator ought to turn the powers of the government to the diffusion of his own peculiar form of Christianity, cannot, therefore, refuse to persecute on the ground that persecution is not likely to be successful. He may, however, resort to the other ground above mentioned, viz., 'the civil and religious disorders' which would arise from persecution (to use the words of the British Magazine).* It is difficult to believe that this argument proceeds from a writer who talks of 'the Christian view of the duties of a legislator,' and calls those who disapprove of the interference of the state in spiritual affairs 'mere worldly politicians.' If the magistrate, as such, ought to propagate his own religious faith, it is manifest that in so doing he ought to disregard all temporal consequences, except those which may thwart the operation of his measures. The ill effects of persecution in this life shrink into nothing when compared with the ill effects of a false creed in the world to come. The temporal sufferings of a single generation are, indeed, a trifling price for the spiritual bliss of many generations through all eternity. No sincerely religious man, who wishes to see his faith promoted by the government, can, in our opinion, admit for a moment that measures for the furtherance of human salvation are to be retarded by any views of mere worldly expediency.

The English High Churchmen of our day, however, and their advocates both in Parliament and in the public press, are much too timid, mean-spirited, and temporizing, to avow such doctrines

* No. 54, p. 688.

as these, or to follow out their principles to their legitimate conclusion. We are far, indeed, from approving the policy of the persecuting princes of the sixteenth century; but we confess that in many cases we entertain the highest respect for their characters. Such men as Philip II. and Paul IV. may be called cruel and tyrannical; but they felt strongly the duty of sovereign princes to propagate their own and exterminate all other creeds, and they dared to act on their conviction. They were restrained by no weakness, or fear, or affection, by no regard of temporal disadvantage, from carrying out what they conceived to be the great religious principle of civil government. They convulsed all civilized Europe, and broke up the foundations of society, to advance what they considered to be truth, and to stem the progress of what they considered to be error. It is impossible not to see how high these mighty persecutors tower above the peddling High Churchmen of our day. In the age of the Reformation, the very existence of a religious community was at stake: it is now a mere dispute about money. What was formerly a *spiritual* has now become an *economical* question. If one of the religious champions of the sixteenth century could be raised from the dead, what would be his surprise, after having been told that the 'Destruction of the Protestant Church' was at issue, to hear it debated whether the incomes of the clergy should be 5 per cent. more or less, or out of what fund church-rates should be paid? While he was thinking of the vindication of religious truth against the arms of the flesh, and the protection of an entire religious community against brute violence, he would find that the modern advocates of the Protestant cause were thinking not about the church, but about the clergy; not about religious tenets, but about pounds sterling.

Nobody can be more alive than we are to the service rendered to humanity by the Reformation, in establishing the principles of free discussion and of the supremacy of reason over authority. But if the system of the Roman church is hateful to all who wish well to the progress of mankind, it satisfies our reason by the stern consistency of its logical scheme, and captivates the imagination by the vastness of its conceptions, and the magnificence of its ritual. The system of Protestantism established by law in England, is doubtless far more compatible with the improvement of the community than that of the church of Rome; but it does not recommend itself so strongly either to the reason or to the imagination. It is in fact a truncated Catholicism. It adopts the Catholic principles, but fears to follow them out to their conclusions. It speaks of the authority of the church, but does not profess to be infallible; the difference being, as Steele expressed

it, that the church of Rome *cannot* err, while the church of England *does* not err. It prescribes the faith to be held by every Christian, and at the same time professes to admit the right of private judgment. It implicitly maintains the tenet of exclusive salvation, but reviles the Roman Catholics for avowing it. As in religion, so it is in politics. It is consistent in no one ecclesiastical theory. It clings to the persecuting principles, but is afraid to act on them: it repudiates the doctrines of religious equality, though it shrinks from denying the maxims on which they are founded.

We should, however, do an injustice to the church of England, if we did not admit that other Protestant denominations, and even some of the most liberal in their tenets, likewise confound the functions of the civil ruler and the religionist, as will appear from the following extract from a lecture delivered by Dr. Heugh, under the patronage of the Glasgow Voluntary Church Society:

'There are two forms in which civil establishments of religion may be conceived to exist. They may equally sanction and support the various denominations of religionists existing within the nation; or they may be limited to one denomination, or to more than one, excluding others. Something approaching to the first form existed in America and exists in France; the second is the form in which they appear in this country, and in the European states generally. As I believe our opponents unite with us in condemning the first, *and as it is on obvious grounds so utterly indefensible, inasmuch as it affords the sanction and influence of the nation to the encouragement and support of the very worst equally with the very best forms of religion*, I shall confine myself in the observations that follow to the second, that is, to institutions commonly denominated exclusive civil establishments of religion.'

We have given this passage at full length, because we believe that the sentiments which it expresses are shared by many of the Protestant Dissenters of this country. Nevertheless, we think, that although the church policy recommended by this lecturer is preferable to that which he condemns, he nevertheless here adopts the most objectionable of the principles of his antagonists. If an endowment of the clergies of all religious persuasions by the state implies that the state sanctions and encourages any one form of faith, it is clear that no legislator can consent to bestowing public money on any persuasion except his own. But if no clergy is endowed, this can only be the result of an unprincipled compromise from worldly motives. Every individual in the legislature ought evidently to strive to secure the mastery to his own persuasion; and having secured it, not only to establish and endow his own creed, but to persecute all dissenters from it. Even the 'British Magazine' is forced to admit that, according to its doctrine of the accountability of the legislator for maintaining

falsehood instead of truth, the Roman Catholic members of Parliament would be bound to do their best for the subversion of the established Protestant church, if they were not obliged by an oath not to use their powers for this purpose (No. 55, p. 23). But what is the justice of denying to the Roman Catholic members, as against the Protestant church, that power which the Protestant members assume as against the Roman Catholic church? How monstrous to tell a legislator that it is his sacred duty to follow a certain course, and then to force him to swear not to follow it!

Many persons would doubtless attempt to escape from the conclusion which we have pointed out as necessarily following from the doctrine that the state is judge of the truth of creeds, by saying that persecution is unchristian, and that a Christian legislator ought to do nothing more than favour his own creed, without persecuting dissenters from it. If the right of private judgment is admitted, not in words but in reality, and if no merit or demerit is attached to any particular form of Christian faith, we agree that persecution is unchristian: but if the possibility of heterodoxy or heresy is allowed, entailing the most perilous consequences to the soul in a future state, we cannot admit persecution to be unchristian; on the contrary, we conceive it to be the most truly humane and charitable course for a sincere believer to adopt. Whoever holds the doctrine of exclusive salvation in respect of any given creed shows no more humanity in sparing dissenters from that creed than he would in sparing murderers or robbers. The persons actually punished may be irreclaimable, but their punishment will save the rest of the community and future generations from perdition. In this respect Locke seems to us to have fallen into an error. 'It will be very difficult (he says, in his first letter on Toleration) to persuade men of sense that he who with dry eyes and satisfaction of mind can deliver his brother unto the executioner to be burnt alive, does sincerely and heartily concern himself to save that brother from the flames of hell in the world to come.' It is not, as we conceive, at all necessary that the benevolent persecutor should hope to reclaim the individuals operated upon. He hopes that their *example* may deter others from falling into like errors; just as a criminal is not punished for his own benefit, but to prevent others from committing like offences. However, even if persecution is allowed to be unchristian, on the ground that persuasion is the only arm of the faith, this would equally exclude the use of government influence to propagate the creeds of the governors. If it is unchristian to punish, it is also unchristian to bribe—if it is unchristian to persecute for thinking wrong, it is also unchristian to offer

pecuniary rewards for thinking right. Persuasion is equally out of the question, whether a man's belief is determined by the fear of punishment or by the hope of reward.

Others, however, repudiate altogether the notion that civil governors, as such, have any concern with religious truth, but approve of the connection of Church and State on the ground of its *temporal expediency*. At the head of these is Bishop Warburton, who, in his celebrated treatise on the alliance between Church and State, has disavowed, in the strongest manner, all *religious* ground for the privileges of an established church, and rests its defence solely on *civil utility*. With regard to the province of the ruler, he says, 'we have shown it was the care of the bodies, not the souls of men, that the magistrate undertook to give account of. Whatever, therefore, refers to the body is in his jurisdiction; whatever to the soul is not' (b. i. c.4). His reasons for establishing a particular church are given as follows:—

'In these latter ages every sect, thinking itself alone the true church, or at least the most perfect, is naturally pushed on to advance its own scheme upon the ruins of the rest; and where argument fails, civil power is made to come in, as soon as ever a party can be formed in the public administration; and we find they have been but too successful in persuading the magistrate that his interests are much concerned in these religious differences. Now the most effectual remedy to those dangerous and strong convulsions, into which states are so frequently thrown by these struggles, is an alliance which establishes one church, and gives a full toleration to the rest, only keeping sectaries out of the public administration, from a heedless admission into which these disorders have arisen' (b. ii. c. 2).

These two passages contain the substance of Warburton's views on this subject. Burke differs from Warburton, both as to his notions on the alliance of Church and State and on the duties of a legislator, but agrees with him in defending religious establishments solely on account of their *temporal advantages*:—

'An alliance between Church and State in a Christian commonwealth (he says) is, in my opinion, an idle and fanciful speculation. An alliance is between two things that are in their nature distinct and independent, such as between two sovereign states; but in a Christian commonwealth the Church and State are one and the same thing, being different integral parts of the same whole; for the church has been always divided into two parts—the clergy and the laity, of which the laity is as much an essential integral part, and has as much its duties and privileges as the clerical member, and in the rule, order, and government of the church has its share. Religion is so far in my opinion from being out of the province or duty of a Christian magistrate, that it is and ought to be not only his care, but the principal thing in his care; *because it is one of the great bonds of human society, and its object the supreme good, the ultimate end and object of man himself**.'

* Speech on the Petition of the Unitarians, Works, vol. x. p. 43-4. By the 'supreme

Now, though it may be true that *religion* is one of the great bonds of human society, it does not follow that *sectarianism* is one of the great bonds of human society; and though it may be right for a government to encourage religion *generally*, on account of its good moral effects, it ought not therefore, by giving civil privileges to a *particular persuasion*, to aggravate the evils of religious discord which it is proposed to diminish. The *political* evils of an exclusive ecclesiastical system are so apparent in this country, but especially in Ireland (as we showed in our former article), that he would be a bold arguer now who would rest the case of an established church solely on its good temporal effects. Accordingly this defence has now been generally abandoned; and the present advocates of the established church for the most part rely either on the *religious* argument, or on the absurd ground of *property*. Nevertheless the *political* dislike to Catholics and Protestant Dissenters, as a party in the state, is doubtless the motive which actuates most of the parliamentary advocates of the High Church system, and not a wish to further their salvation. This feeling, however, is not often put forward as a reason, and it only breaks out on occasions when religious truth is not strictly in question, as in Lord Lyndhurst's celebrated denunciation of the Irish Catholics for their want of sympathy with England in the debates on the Irish Municipal Bill.

The British Magazine is unable to understand why the same person is precluded from resorting to both the religious and the civil ground for religious privilege, and ventures upon some facetious remarks about a man not being allowed to stand on both his legs. If this frivolous objection had not been made, we should have thought it unnecessary to observe that there is a difference between adducing *different reasons* for the same conclusion, and adopting *different lines of argument*. Two courses of reasoning which tend to the same conclusion may be wholly inconsistent with one another. It might be expedient for an army to offer battle because its numbers were either greatly superior or greatly inferior to those of the enemy. In the case before us, the two sets of arguments are equally destructive of each other. If the *religious* ground is adopted, it follows that the orthodox faith should be promoted by the magistrate, not only where the temporal consequences of such favour are neither good nor bad, but even where they are in the highest degree pernicious. If the *civil* ground is adopted, it is obvious that no government could contend for religious truth without regard to the consequences of its policy in this world. In the former case no compromise is admissible,

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good,' Burke here means not the bliss of salvation, but the *summum bonum* of man in this life.

and a conscientious man has only the straight path of persecution open to him. In the latter case any policy may be pursued which expediency may dictate.

Besides the civil and religious grounds alleged in defence of a church establishment, there is likewise the doctrine that the endowment of the clergy is their *property*, which the legislature ought to respect as much as the property of private individuals; that the legal superiority accorded to a certain religious persuasion is a *fact*, for which the legislature is no more responsible than for the existence of a drought or an epidemic disease. One of the false positions formerly assumed by us (according to the British Magazine) is 'the notion that the legislature is now called upon to make a state provision for the Irish church; and another is the opinion that the state has selected one sect as the object of its favour to the exclusion of the rest.' We had remarked that the general dispersion of the episcopalian Protestants in Ireland increases the difficulty of making a state provision for their worship. 'This (says the British Magazine) would look as if they were asking a boon from the state, when the utmost they ask is *not to be plundered of that which is theirs by law*, and to which their opponents have repeatedly acknowledged their claims' (No. 54, p. 687). Persons who use language of this kind forget that the state is no more justified in upholding an unjust law already in existence than in suffering an unjust law to be passed. They forget the ever-active omnipotence of the sovereign legislature, which perpetually maintains that which it originally enacted; just as the Power which made the universe preserves it in its pre-appointed order. A law is virtually re-enacted every moment that it is kept in vigour; indeed, at one period of our history, the legislature used sometimes formally to re-enact existing laws. It is, therefore, no defence of an unjust law to say that the injustice is of old standing; it is no answer to the allegation that the state selects one sect as the object of its favour, to say that the selection was made long ago: old or new, the rule exists, and the legislature upholds it. In accounting for the origin of political evil, the benevolence of the legislature cannot be reconciled with its omnipotence. As to the empty declamation that the legislature has no *right* to interfere with the clergy endowment—that in so doing it is guilty of robbery, plunder, sacrilege, &c.—it is sufficient to say, that if by *right* is meant *power*, the proposition is obviously false. The legislature has merely to speak in order to be obeyed :—

Vuolsi così colà dove si pote
Quel che si vuole.

If by *right* is meant *justice*, and it is implied that it would be *unjust* for the state to regulate the clergy endowment, this is the question at issue between the two parties, which neither can be permitted to assume without proof. Need we say, for the hundredth time, that no one proposes to interfere with the rights of existing incumbents, and that in regulating the rights of future incumbents no harm is done, inasmuch as no expectations are disappointed; which would be the case with persons who could dispose of their property by will, or from whom, in case of intestacy, it would descend according to a certain legal course.

The *toleration* of the present day is (as Mr. Dick observes, in his 'Essay on Church Polity') a transition state between persecution and entire religious equality. The present principle in this country is to favour the strong sect as much as the public sense of equity will bear. In the age of the Reformation public opinion sanctioned the extirpation of heretics; each religious persuasion, as it obtained the upper hand, persecuted the wrong believers: thus in Scotland, before the Reformation, a heretic meant a Protestant; after the Reformation, it meant a Catholic. Now, public opinion has advanced at least as far as the system of favour to the strong, and toleration to the weak sects. A few years before the passing of the Catholic Relief Bill, Sir Robert Peel argued that disqualification from offices and Parliament is not persecution; forgetting that deprivation of civil rights was one of the most frequent punishments at Athens and Rome; forgetting the *mort civile* of the French law; and forgetting that disqualification from sitting in Parliament is even, according to our law, the punishment for bribery. The Protestant majority have since that time been dislodged from this last hold of persecution, though they professedly abandoned it only through the fear of civil war. With the exception of the disabilities of the Jews, and the closing of the English universities to Dissenters, religious inequality has now in this country been driven down to favouring one denomination and neglecting all others. The High Church party yield nothing except to pressure, and that strong and unremitting. They are like a spring, which is pressed down by a weight, but is always ready to fly up if the weight is diminished or removed. As it is, however, we can discern a manifest unwillingness among lay politicians to advance any High Church doctrines which appear to lead to oppression of Dissenters, without numerous limitations and exceptions. For example, Sir John Walsh, in his pamphlet reviewed in our last Number, lays down the present opinions of the moderate Tories, with respect to the Established Church, in the following see-saw and mincing phrases:—

'A Protestant government, the head of a great Protestant empire,

however it may act upon the *wise and beneficent* principles of toleration, cannot, and ought not, to push them so far as to regard the two religions with *absolute indifference*. The interests, the support, the extension of the Protestant faith, ought to be *more precious* to it than that of the Catholic. It should not *oppress* or *injure* the latter, but it ought to *foster, protect*, and *encourage* the former. A *certain degree of partiality*, where it is confined to *proper limits*, where it does not go the length of *injustice*, where it *merely* shows itself in a *desire* to promote the diffusion of that mode of worship *which is professed by the empire*, is a natural result of sincerity in the belief of its superiority.'—p. 138.

It must be owned that the advocates of religious inequality in this country appear to be driven into very narrow straits, when they find it prudent to use such language as this. Nevertheless, under this soft and silken covering there lies hidden the sharp sword of persecution, ready to be drawn out if a favourable opportunity should present itself. The doctrines which justify the 'certain degree of partiality, confined to proper limits,' would equally justify an uncertain degree of oppression, confined by no limits at all, if there was the power as well as the will to advance the interests of the religion 'professed by the empire;' in other words, of that particular persuasion which has a majority in both houses of Parliament.

We conceive that a civil legislature ought to view all forms of religious faith with 'absolute indifference,' so far as their effects on a future state are concerned. In its eyes there is no religious truth or religious error. A legislator is not only not bound to encourage his own, or to discourage other modes of belief, but he is not justified in doing so. In deciding on the truth of creeds he encroaches on the province of ecclesiastical society. By leaving the clergy of all sects to be supported on the voluntary principle he violates no duty to his own persuasion. By endowing the clergy of all sects he gives no sanction to that which he believes to be error.

If, however, it is granted that the utmost religious equality ought to prevail, and that the clergy of every persuasion ought to be wholly unconnected with the state, still the question remains, whether it is desirable that every clergy should be maintained, and the costs of every form of worship be defrayed, by the voluntary principle or by public endowment?

From the example of the more advanced and settled parts of the United States, we entertain no doubt that a respectable clergy may be amply provided for by the voluntary payments of their congregations. In the British isles there is no instance of the voluntary principle working under circumstances favourable to the support of a clergy, and the erection and maintenance of places of worship. In England and Scotland the Protestant

Dissenters are a minority, consisting almost exclusively of the middle and poorer classes; while the religious wants of the bulk of the population, including nearly all the rich, are supplied by the established church; in Ireland, again, the Catholics, although a large majority, are nevertheless for the most part poor peasants, and poor to a degree unexampled in other European countries. If there was no public endowment for any church in these islands, we might then be able to judge more fairly of the operation of the voluntary principle. The recent subscriptions for the Irish Protestant clergy, and for the metropolitan churches, show the strength of this principle even in the face of an endowed establishment, when the religious faith of the upper classes is in question. We have recently seen a paragraph in the newspapers, stating that the present Duke of Northumberland has, at his own expense, built fourteen churches and chapels. The endowments of Catholic times could scarcely exceed this munificence; but how much more frequent would such gifts become, if the state did not undertake to provide a supply of places of worship! We are quite confident that the fees on ecclesiastical rites, pew-rents, and voluntary offerings of the congregation, would afford a sufficient income to clergymen in this country, if all public endowment was withdrawn from them. It is therefore absurd to confound the deprivation of the Protestant clergy of their present means of support with 'the destruction of the Protestant Church:' as if the church meant the clergy, and as if the clergy would be discharged as useless unless they were maintained by the state.

The disadvantage of the voluntary principle for the support of religious worship is, that, by making each clergyman dependent on his congregation, it deprives him of the self-reliance and freedom of speech which ought to belong to the moral and religious teacher; that by inducing the clergyman to avoid giving offence to his hearers, it encourages him to address himself as little as possible to their reason, and either to cultivate a superstitious ritual, or to indulge in flights of fanaticism and enthusiasm. A clergyman who relies on the free gifts of his congregation, must frequently be tempted to diverge from the straight path of his duty by the desire to gain popularity or to avoid unpopularity. We illustrated this point so fully in our former article, that we need now only refer to what we said on that occasion.

The main advantage of the voluntary principle for the support of religious worship is alleged to be, that a clergy thus maintained is free from all *political character;* that it is not a party in the state, as well as an ecclesiastical body; and that it thus does not occasion the religious discord, or exercise the undue political influence, which are inseparable from an endowed and established

church. No one can estimate more highly than we do the benefits just detailed—no one can be more desirous to see an entire dissociation of the church and state. It appears to us, however, that the evils which the voluntary principle is affirmed to avert in ecclesiastical affairs arise rather from the civil privileges of the favoured church than from the mode of payment of its clergy—rather from *establishment* than from *endowment*. A church may be wholly independent of the state; it may arrange its own form of government, appoint its own ministers, regulate its own discipline, forms of worship, and standard of faith; and yet its clergy may be supported, either wholly or in part, by public endowment. This is the case with the Presbyterian church of Ireland, the ministers of which receive a regular payment from the public purse, although it is, according to the proper meaning of the term, wholly unconnected with the state*. There is likewise a small annual grant for the benefit of certain Congregationalist

* The following account of the influence exercised by the Crown over the Presbyterian church of Ireland, and of the effects produced by the *regium donum*, was given by the Rev. H. Cooke, Moderator of the Synod of Ulster, to the Commons' Committee on Ireland in 1825:—

'Has the Crown any control over the appointment of Presbyterian ministers?—None at all; the minister, when ordained, sends his memorial to the Lord Lieutenant, with a copy of his oath of allegiance, and the certificate of the moderator of the synod to the fact of the ordination. This is the entire process. The Crown exercises no control.

'Is the transmission of his stipend from the Crown to him a matter of course, after he has sent up that certificate?—Perfectly a matter of course.

'Is it revocable at the pleasure of the Crown?—Not except the Government were to revoke the entire grant to the body: it is not revocable from an individual, but is from the body.

'Is it in the power of the Crown to revoke the grant from the whole body?—It is an annual grant voted by Parliament.

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'Is this dependence of the ministers upon the Crown for part of their payment viewed with any jealousy by the Presbyterian congregations?—At the time of the original settlement, the minds of some of the people were perhaps a little given to undue freedom in politics, and there were a few congregations that objected; but since the matter has been understood, since the system has been seen to be no attempt at undue influence upon the part of government, it has been in the highest degree satisfactory to the people, and I think they have generally looked upon it with as much gratitude as the ministers have. * * * * In order to make it understood why some of the congregations objected at first, I should mention that there were pamphlets published upon the subject, the object of which was to show that it was an attempt of the government to acquire patronage and power in our church; some of the people were even persuaded that our ministers were to adopt all the forms of the established church, which they generally do not approve. Many of our people would have objections even to the ministers wearing black gowns. To rouse their prejudices, it was said that our ministers were to put on gowns and other clerical habits, read their sermons and prayers, which the people do not generally approve. These things made some impression upon the minds of the lower orders of the people, and they objected to the system of royal bounty; but, with a few exceptions, I conceive they went off like a cloud in the space of a year or two, and that the benefit of the system has uniformly since been felt and acknowledged both by ministers and people.'—p. 348–9.

ministers in England, which, so far as it goes, is a public endowment. If this grant was increased, so as to allow of a small stipend to each minister, the Congregationalist clergy would be endowed, without their church being connected with the state. The grant to Maynooth College is likewise a limited public endowment of the Roman Catholic clergy of Ireland. The principle of endowment without civil privilege is likewise acted upon with respect to the Protestant and Catholic churches in Prussia, though with a greater encroachment on their ecclesiastical independence than seems to us desirable.

It is highly important to sever the question of the mode of payment for a clergy from all other considerations, such as the form of church government, the mode of appointing to cures of souls, the enjoyment of civil privileges. It is only by thus considering the question nakedly, and apart from all concomitants, that we can hope to form a well-grounded opinion on the best policy to be pursued with regard to it. Viewing it in this light, we entertain little doubt that as the general course of civilization is to systematize what is irregular, and to reduce to certainty what is accidental, so, with respect to the maintenance of a clergy, the method of endowment will be found, in the long run, preferable to the voluntary principle.

With regard to the ecclesiastical state of Ireland, we must repeat with undiminished confidence the opinion which we expressed in our former article, that an exclusive Protestant system cannot be permanently upheld in that country. People may go on proving that the burden of tithes does not fall on the Catholics, and Parliament may commute the tithe into a land-tax; but the Catholics will still continue to feel that there is a large fund for ecclesiastical purposes at the disposition of the state, which the state persists in appropriating to the uses of that religious persuasion which stands least in need of it; viz., the rich minority. The course of events will inevitably prove, even to those who are now weak and short-sighted enough to put their faith in Commissioners of Rebellion, that there are only two alternatives in Ireland; either to endow all persuasions, or none. It is the *destination*, not the *source*, of the present payment to the Episcopalian Protestant clergy which the Catholics object to: the question with them is not whence it comes, but whither it goes. Does any one suppose, when Dr. Doyle uttered his memorable prayer to his fellow-religionists, that 'their hatred of tithes would be as lasting as their love of justice,' that he would have objected to the payment of tithes in a Catholic country to a Catholic priesthood? The Irish Catholics do not denounce the principle of tithes on scientific or economical grounds. Any

direct tax levied on the community at large, and similarly applied, would be similarly objected to. It is the application of tithes, not their origin, which has made them so bitterly unpopular in Ireland; and which will continue to be objected to, under whatever disguise they may be clothed by the ingenuity of statesmen unwilling to admit the fact that the present exclusive system must be abandoned.

The smallness of the majority in the Commons for the Irish Church Bill in the last session, as compared with that for the Irish Municipal Bill, proves to us that the half-measure introduced by the Government does not give satisfaction to the Liberal party, while it is resisted by the Lords with the same pertinacity as if it went far enough to make a settlement of the question. That a measure for endowing the Roman Catholic clergy of Ireland would be carried in the present state of theological excitement in this country, we do not affirm: but it would, at least, not be less successful than the appropriation clause; and it is clear that if a measure is not brought forward, it can never succeed. Boldness and a good cause will do much in politics, even where the obstacles appear most formidable. In the long run, it is a great advantage to have reason on your side, and to be able to defend your measure with apt, consistent, and strong arguments. Such is not the case with the Irish Church Bill adopted by the present Government: it sanctions a principle, which is barren in the hands of its proposers, which exposes them in debate to all the objections applicable to a thorough-going measure, but which, without a wider and more consistent application, leaves the main practical difficulty of the subject untouched.

C. C.