THE

LONDON REVIEW.

APRIL—JULY,

1835.

'Legitimæ inquisitionis 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 Under.*

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THE

LONDON REVIEW.

Art. I.

THE STATE OF THE NATION.

THE use of placing before us a view of the present state of the country respects the future. We may derive from it two advantages: First, a more sure anticipation of the train of events, which time is about to bring forth; Secondly, a more distinct perception of the means which we may employ, for accelerating and improving the results of a beneficial kind,—for mitigating, or altogether preventing, the results of an opposite kind, which the mixed nature of the causes now in operation is tending to produce.

The most remarkable circumstance, in the state of our country at the present moment, is the strength of the spirit of reform. The evidence of this strength is very singular. A set of men, whose pride and vanity, whose boast and glory, it has been, throughout their lives, that they were the general enemies of reform, and who, of course, found their account in it, that is, found this profession in accord with the opinion of a sufficient section of the public to obtain emolument and honour by its means—have been compelled to profess themselves the general friends of reform: of course, because no sufficient section of the public mind remained in such a state, as to hold out either support or reward to those who professed themselves of a different sentiment.

This fact is decisive. The predominant section of the public, those with whom the preponderance of influence—intellect and property taken together—in forming public opinion, resides, are proved to be reformers. This is not denied by the new converts: they lay it as the ground of their conversion. They say, that no men, not bereft of their reason, can now hope to carry on the government of this country, in a spirit opposed to the spirit of reform;—they justify their change of policy by saying, that a clear and steady manifestation of public opinion renders that expedient in government, which otherwise would not have been expedient; and as nothing in government is good, to which the public mind is permanently opposed, anti-reform therefore is not good, in the present circumstances of this country.

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We accept this apology, as a justification, so far. But, if all reform is bad, the public opinion, however strongly manifested, will not make it good. If public opinion call for changes, and all changes lead to a balance of evil, the public opinion may be too strong to be resisted; but every good man will lend his utmost endeavour to effect a change in it, and in the mean time to make the innovations to which he gives way as insignificant as possible. But, on the other hand, if public opinion is right—and that question, as regards our own country, we shall presently search to the bottom—then the men who are only reformers by compulsion, and who submit to it as a necessary evil, are very unfit to have the guidance of public affairs;—that is, to have the power put into their hands of preventing, as far as possible, every increase of the public good.

To see the force of that evidence of the spirit of reform which we are now contemplating, it is necessary to consider it in its elements.

The Tory party, heretofore the proud boasters of anti-reform passions—men whose nurture, from the cradle upwards, whose conversation all their lives, and whose substantial interests, all tended to give them an abhorrence of reform, and of all the men who sought to promote it—have latterly changed their language, and their name. Instead of enemies of reform, which they boasted of as their distinction and glory, they now assure us that they are true reformers;—instead of Tories, a name synonymous with attachment to all the abuses by which the state is afflicted, and with all the infirmities of intellect by which old women are distinguished, they call themselves *Conservatives*—a name, the import of which we shall examine thoroughly by-and-by.

Counting upon a majority, in the late House of Commons, of persons imbued with the spirit of reform, this party tried an experiment upon the country, for which we thank them. The spirit manifested during the last general election is satisfactory in the highest degree: it has shown that the reforming mind is more widely diffused, and has taken a more firm hold of the most numerous class of the men who possess influence with their fellow-citizens, than otherwise we should have had ground for believing.

When we consider to what an extent the influence of all the property, held in large masses, was exerted, to procure the return of supporters to the present ministry—and when we further consider the advantages under which that influence was exerted—that, under the imperfections of the present law of election, (an important *item*, by-the-by, in the state of the country, and

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which must not long be permitted to remain as it is,) the power of intimidation, and the power of bribery, possessed by the owners of large property, have full scope to exert themselves, and were exerted to an extraordinary degree in the last election; and when we reflect on the result, that all this power was balanced, and more than balanced, by the combined influence of the men of small property,—we are led to the inevitable conclusion, that the middle classes, which of necessity lead the inferior, are almost wholly gained by the spirit of reform, and that to such a degree as to ensure on their part the utmost vigour of action, and to create such a tide of public opinion as will be sure to carry along with it, and that speedily, all the more enlightened and generous among those by whom the property in large masses is possessed. The ascendancy of the spirit of reform is now out of danger, and even of dispute.

The next thing, upon which we have to reflect with wonder, is the shortness of the time in which the spirit of reform in this nation has grown to such a degree of strength. This is perhaps the circumstance of the present period on which the future historian will dwell with the greatest astonishment. How small a time is it to look back upon, since a sentiment tending to reform could not be uttered in genteel society;—when only men of the firmest nerves dared to appear as reformers;—when Sir Francis Burdett, with all his claims to indulgence, was actually expelled from aristocratic society, and all but hooted down in the House of Commons, and when aristocratical men and aristocratical women generally boasted of having cut his acquaintance;—when to be called a Benthamite was a mark of reproach, and men who courted aristocratical society affected to pass an acquaintance of that description in the street.

When we reflect upon the smallness of the interval—from the time when not only all the honours and emoluments of the state, and all the powers of government, were appropriated and secured to the sworn enemies of reform, but even when the spirit of anti-reform was so preponderant as to create a proscription in society against every man who allowed it to appear that his mind had a leaning that way—to the time when now the spirit of reform has grown to such a height that it has the ascendancy everywhere, except in the House of Lords, and the court of the King: when the King's ministers, though inveterate, thorough-bred enemies of reform, are obliged to profess that they will govern in the spirit of reform, and cannot govern otherwise;—and when even the ballot, that bugbear of the Aristocracy, can be advocated in good company without opprobrium; we are entitled to conclude that the interval will

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not be long before that ascendancy will manifest itself in some material results.

One of the things which most deserves our attention, in reflecting on this astonishing progress of the spirit of reform, is the little encouragement under which it has grown up to this power, in this wonderfully short space of time. It is indeed to be remarked, that it has grown up almost entirely in circles where the prospect of the honours and emoluments of the state had little effect, or even the smiles and caresses of aristocratic society—all carefully reserved for people of another sort; but what one asks with some astonishment is, how did they come by the ideas? Reading is the principal source of information in those circles; and undoubtedly they must have profited by their reading. But how little reading, calculated to be useful to them, has been put in their way? The newspapers, on this subject, have hitherto been very unsteady and imperfect instructors. It is, indeed, but of yesterday that any newspaper of influence has dared firmly and plainly to advocate the principles of reform. A newspaper also is compelled rather to assume results, than explain them; and rather to enforce the topic of the day, than to insinuate a new idea into a mind which is only beginning to inquire.

The other periodical publications, which have flourished during the interval we speak of, were not even calculated to help forward the spirit of reform in the middle classes. They were addressed not to those who were beginning political reading, but to those who were hackneyed in it. They as little thought of teaching in the elementary method as the newspapers. In fact, their discussions were of the nature of newspaper discussions, and so much the worse, as they were more wordy. The principal among them also were addressed to the aristocratical classes, and either harangued perpetually against reform, or touched it as 'cats touch mustard.'

It does appear that the spirit of reform must have grown up in the circles of the middle order, chiefly from their own reflections; from observing, with their own good sense, the turn which was habitually given to things in parliament; how regularly every proposition which tended to the good of the Many was thrown out; how regularly every abusive institution which yielded emolument to the ruling Few was clung to and preserved. To this course of reflection we have no doubt that the exertions of Mr. Hume have rendered the most important service. The perseverance with which he showed up from day to day gross instances of the misapplication of the property of the people; the parallel perseverance with which the House of Commons

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protected the misapplications—in time produced a powerful conviction, that the House of Commons was not so constituted as to be an instrument for the good of the people. These were matters which men in their shops, and in their fields, even at their looms, and their anvils, could understand without much reading. And we do in our consciences believe, that Mr. Hume has done more to rouse the spirit of reform, and carry it to its present state of ascendancy, than any man living, or than any aggregate of men which we can name. Even the ill usage which he so long sustained in the House of Commons, and from all the parties which it then contained, is one of the memorable circumstances in the history of parliamentary reform, and adds to the debt of gratitude which the nation owes to this its truest and most undaunted friend.

Having seen how rapid has been the growth of the spirit of reform, and how great the strength which it has now acquired, we have still to answer some other questions before we can fix its relative importance as an article in the present state of the country.

First of all, what is to be said of its permanency? May we prophecy that it is a casual fever of the public mind, destined to have its period, and then to die away? or must we look upon it as a permanent affection, which not only never can be eradicated, but of which the power must go on increasing?

That this is an important question every one will immediately see; and what the answer to it must depend upon will also be seen, as soon as it is mentioned. The permanence or fugacity of the spirit of reform must depend upon its tendency to produce good or evil. There is no need of apprehending that the public will ever grow tired of making additions to its good. This is an appetite which grows by what it feeds on. Whatever the amount of previous additions, that does not in the least abate the relish of something more, or take from its value. The last addition may be of as much importance as any of those which preceded it, and worthy of as eager a pursuit. But reverse the supposition; assume that this pursuit of good will always terminate, not merely in disappointment, but calamity—then we may conclude, with certainty, that it will not be of long duration.

This, then, is the question which awaits us,—Does the pursuit of reform tend to good, or to evil?

This is a question, the very terms of which appear to supply its answer.

The pursuit of anything means a tendency towards the attainment of it. The pursuit of good, therefore, is a tendency towards the attainment of it. The talk we usually hear, in

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reply to this observation, is from the purpose. This pursuit, they say, is liable to be ill-directed. True; men may mistake their way; but they more frequently find it, and arrive safe at the place they intended. And another thing,—when they find out a mistake they have once committed, they are seldom in any danger of committing it another time. Great errors were committed in the first voyage round the world, which now are with certainty avoided.

We think, therefore, it is a clear case, that the pursuit of political good—which is what we mean when we name the spirit of reform—has a tendency towards the attainment of it, and that it only needs to be well directed to ensure that end. We thence conclude, and with an assurance approaching to certainty, that the men who, instead of giving directions for avoiding the mistakes liable to be committed by the people in the pursuit of political good, (which would be the certain course of honest men fearing those mistakes,) labour to beat down and destroy that pursuit; whose constant endeavour it is to defame it; to represent it as the purpose of none but the most wicked of men, of those whose desire it is to destroy all those securities which human beings have set up to defend them from the violence and injustice of one another, and thus to effect the ruin of all that is good for mankind—are men to whom the attainment of political good is unwelcome. That can arise from one cause only—that their interest is opposed to it. In other words, the people's good is their evil; therefore, they hate the people's good, and leave nothing undone to make the pursuit of it be thought odious—the horrid mother of everything which most strongly excites the terror of mankind.

To understand this unhappy position of a portion of our fellow-citizens, we must call to mind the division which philosophers have made of men placed in society. They are divided into two classes, *Ceux qui pillent,—et Ceux qui sont pillés;* and we must consider with some care what this division, the correctness of which has not been disputed, implies.

The first class, *Ceux qui pillent,* are the small number. They are the ruling Few. The second class, *Ceux qui sont pillés,* are the great number. They are the subject Many.

It is obvious that, to enable the Few to carry on their appropriate work, a complicated system of devices was required, otherwise they would not succeed; the Many, who are the stronger party, would not submit to the operation. The system they have contrived is a curious compound of force and fraud:—force in sufficient quantity to put down partial risings of the people, and, by the punishments inflicted, to strike terror into the rest;

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fraud, to make them believe that the results of the process were all for their good.

First, the Many were frightened with the danger of invasion and ravage, by foreign enemies; that so they might believe a large military force in the hands of the Few to be necessary for their protection; while it was ready to be employed in their coercion, and to silence their complaints of anything by which they might find themselves aggrieved.

Next, the use of all the circumstances calculated to dazzle the eyes, and work upon the imaginations of men, was artfully adopted by the class of whom we speak. They dwelt in great and splendid houses; they covered themselves with robes of a peculiar kind; they made themselves be called by names, all importing respect, which other men were not permitted to use; they were constantly followed and surrounded by numbers of people, whose interest they made it to treat them with a submission and a reverence approaching adoration; even their followers, and the horses on which they rode, were adorned with trappings which were gazed upon with admiration by all those who considered them as things placed beyond their reach.

And this was not all, nor nearly so. There were not only dangers from human foes; there were invisible powers from whom good or evil might proceed to an inconceivable amount. If the opinion could be generated, that there were men who had an influence over the occurrence of this good or evil, so as to bring on the good, or avert the evil, it is obvious that an advantage was gained of prodigious importance; an instrument was found, the power of which over the wills and actions of men was irresistible.

Ceux qui pillent have in all ages understood well the importance of this instrument to the successful prosecution of their trade. Hence the Union of Church and State; and the huge applauses with which so useful a contrivance has been attended. Hence the complicated tissue of priestly formalities, artfully contrived to impose upon the senses and imaginations of men—the peculiar garb—the peculiar names—the peculiar gait and countenance of the performers—the enormous temples devoted to their ceremonies—the enormous revenues subservient to the temporal power and pleasures of the men who pretended to stand between their fellow-creatures and the evils to which they were perpetually exposed, by the will of Him whom they called their perfectly good and wise and benevolent God.

If, besides the power which the priestly class were thus enabled to exercise over the minds of adult men, they were also permitted to engross the business of education—that is, to create such

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habits of mind in the rising generation, as were subservient to their purposes, and to prevent the formation of all such habits as were opposed to them—the chains they had placed on the human mind would appear to have been complete: the prostration of the understanding and the will—the perpetual object of their wishes and endeavours down to the present hour—to have been secured for ever.

The alliance of the men, who wielded the priestly power, was, in these circumstances, a matter of great importance to those who wielded the political power; and the confederacy of the two was of signal service to the general end of both—the maintenance of that old and valuable relation—the relation between Those *qui pillent*, and Those *qui sont pillés*.

There was another instrument—not, indeed, of so great, but of no mean potency. We allude to the lawyers. Men speedily discovered how much they were exposed to injury from one another, even in the state of social union, and found how greatly they were dependent on the protection which was afforded them against such injuries. They greatly valued that protection, and respected greatly the men who were its more immediate instruments. These men naturally thought of serving themselves by the advantageous situation in which they were placed. They wished to make the dependence upon them of the other members of the community as great as possible. This was to be done mainly by rendering the mode in which they yielded that protection mysterious and obscure. Obscurity, especially in the less instructed states of the human mind, is a powerful cause of that kind of reverence which is mixed with fear. Nobody knows what may be in a thing which is obscurely seen It is almost always swelled into something of vast dimensions and pregnant with good or evil according to the frame in which the imagination of the half-observer may be at the time. More than this: when law was obscure, nobody could obtain the benefit of it but by means of the lawyers, because by them alone was it understood. This created a state of profound dependence on the part of all the rest of the community. It proved, of course, to the lawyers, a fertile source both of riches and power The alliance of the men of law with the men of the state and the men of the altar, became thence a matter of importance to the trade of all; and the union of Law and State has not been less real, though less talked about, than the union of Church and State. It is unfortunate that it never obtained a name, and therefore is more frequently overlooked.

A threefold cord is not easily broken. The doom of mankind might now have appeared to be sealed. The shackles on the

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mind secured the shackles on the body; and the division of mankind into *ceux qui pillent, et ceux qui sont pillés*, might have been thought to be established for ever.*

There was, however, in the womb of time, a small event, which was destined to give a turn to the tide of human affairs. A German tradesman, not one of the high classes, not one of those *qui pillent*, but one of those *qui sont pillés*, invented a method of stamping written characters on paper, and, by that means, of multiplying the copies of a writing to any extent. At that moment the voice of Heaven went forth—*Let there be light!* and the voice was heard in Erebus—in the deepest cells, and strongest holds of the friends of darkness.

Of this light the effects were visible, first, in the affairs of the church. The grossness of the priestly frauds and delusions had been not only observed, but remarked upon, sometimes with scorn, sometimes with indignation, by the prime spirits of the age, before the appearance of Luther—the most heroic of the sons of men, and the greatest earthly benefactor, beyond compare, of the species to which he belonged.

When the human mind had burst the shackles imposed upon it by one class of those who desired to hold it in bondage, and refused to take the word of priests for the standard of what was good and evil for human nature, it could not forbear examining the shackles of all other kinds with which it was loaded, and the use to which they were converted. The acts of those who wielded the powers of government began to be scanned, and to be tried by the test of their conduciveness to the weal or ill of those over whom, and in whose behalf, they were exercised.

That criticism, that examining, and testing, has been going on from that day to this. It has been going on, indeed, under the greatest disadvantages, and its progress has been slow. The advance has, notwithstanding, been unintermitted. The movement has been irresistibly, and unchangeably, forward; and latterly, as we have seen, it has been wonderfully accelerated.

The artifices by which it has been resisted have always been very similar. Such manifestations of it as could be punished were repressed by violence and cruelty. This expedient was at first extensively used. Still there were operations which could not be combated in this way. These were to be attacked by defamation.

The history of reform, from its first page to its last, is hardly

* 'Tyranny and oppression never wanted either a plea or an advocate for whatever they did: for the majority of the lawyers, the divines, and all quæstuary professions, will be sure to run over to the stronger side, where will passes for law, and rapine for Providence.'—*L'Estrange, Fab.* 483.

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anything but a repetition of the same imputations. Read the History, by Father Paul, of the Council of Trent, assembled for the express purpose of arresting the progress of the Reformation, and putting an end at once both to Luther and his doctrines. The reformation of religion was to produce exactly the same effects as the reformation of government is to produce at present. The people were altogether unfit to judge what was good for them in religion. If they were left to themselves to try, the consequences would be horrible. All sorts of monstrous doctrines would be propagated. Every man, or small number of men, would have a different creed, and society would be torn to pieces by the contentions of the different sects. Nor would this be all. From religion they would quickly pass to government. No form of government would content them, and property and government would expire together in general confusion.

There is wonderful uniformity in human nature under all the appearances of diversity. They who had an interest in keeping bad things as they were, behaved in the same way then as they do now. They represented themselves as *Conservatives*, and those who desired removal of the bad things, *Destructives*. And conservative they were, but of what things?—the bad. The others were destructive, no doubt, but of those things only which it was good to destroy; that is, the causes of suffering and degradation to the most numerous portion of the species. This explanation, however, of the meaning of the two words they carefully avoided then as now. They designed, and they effected, fraud. Religion, Government, were the two generical terms. They left it to be understood, that when they called themselves *Conservatives*, they were labouring for the conservation of religion and government; that the men whom they called *Destructives* were labouring for the destruction of religion and government. Now it is certain that religion and government never were in any danger. Religion and government never had in the world any but friends.

What, then, was the object of those who imputed the destruction of religion and government to those who desired the reformation of them? We cannot be mistaken in the answer. They hated the Reformation, and hoped to be able to render it odious by misrepresenting it—by affirming of it that which was not true. They did their utmost to make it be believed, that reformation and destruction were synonymous terms—that they who desired to take from government whatever made it work ill for the people, and supply to it whatever would make it work well, laboured only for its destruction—that they who desired to

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strip religion of all the hurtful ingredients which the interest of priests had incorporated with it, or fastened upon it, and to reap the good of it pure from evil, laboured in like manner for the destruction of religion.

The wonder is—not that these artifices, supported as they were with all the factitious power and authority of the times, were long deplorably successful—but that even now there are men who have the audacity to make use of them. There are men—a class of them—even now, who think they have answered us, or try to make other men believe they have answered us, when we desire to make those changes in government and religion, which are necessary to prevent them from being instruments in the hands of *ceux qui pillent* and to make them instruments of good to *ceux qui sont pillés*, by calling us *Destructives*, and telling the public that we ought to be put down.

This is a species of arguing, which is never perseveringly applied in behalf of a good cause. The reason is sure. A good cause has always better means of defence. The good things which are in it can be shown. The ill things in that which is opposed to it can also be shown; and when this is done, all question is at an end.

He who, in opposition to a plan of improvement, has nothing to offer but a vague picture of distant consequences, of a horrible nature, proves only one thing, with whatever assurance, or even fury, he may vent his prophecies: that he has his reasons, whatever they may be, for hating the plan, and doing what he can to prevent the realization of it. The use of this expedient, therefore, is always to be taken as the sign of a bad cause. It is the 'hay on the horn,'—*hunc tu, Romane, caveto.*

There were formerly two sets of people who were glib in the use of this argument; the anti-reformers, and the half-and-half reformers. The former of the two classes is now extinct; they are incorporated with the half-and-half men. But in their junction they have not relinquished the old mode of warfare.

There is a class of reformers,—namely, all those who desire any changes which the class in question do not desire, some desiring more and some less,—whom they have been calling radicals; and endeavouring by that name to class with all that is most despicable in the community, till the name at last began to acquire respect; and then they changed it to that of destructives. Under that name, it is given out, that all those who desire any greater reforms, than those which are desired by the half-and-half men, are men who desire the destruction of religion and government, or who are stupid enough not to see that what

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they desire is the same thing; and then follows the endeavour to hunt them down by clamour and abuse.*

The force of the weapon, however, is nearly spent. Those who desire to take but a crumb of reform and leave the rest are daily losing ground against those who desire to go on reforming, so long as there is anything to reform. Why should rational beings stop short in lessening the number of things which hurt them? Why should they cease adding to the number and efficiency of the things which do them good?

The enemies of reform,—we mean the enemies of all but the crumb,—may be assured, that the public now see far too clearly the reason of the case, to be stayed by the pretence, that seeking good they will catch evil. They ask themselves, and have gone too far ever to cease asking, 'Why should not we be as good judges of what is beneficial, what hurtful, as the men who never yet were found to offer us any advice, except on matters which concern themselves.' Whensoever we, the portion of the community *qui sont pillés*, seek an atom more of protection to ourselves against those *qui pillent*, they are in an uproar; the evils, which are not only threatened, but certain, are the most horrible

* The nature of these resources was well understood by Chillingworth: 'It is an argument of a despairing and lost cause to support itself with these impetuous outcries and clamours, the faint refuges of those that want better arguments; like that stoic in Lucian who cried, *ὦ κατάρατε, oh, damned villain!* when he could say nothing else.' —*Relig. of Prot., Ep. Ded.* Again,—'Men are engaged to act this tragical part only to fright the simple and ignorant, as we do little children, by telling them, *that bites*, which we would not have them meddle with.'—Ibid.

'Sir, I am always inclined to suspect a man who endeavours rather to terrify than persuade. Exaggeration and hyperboles are seldom made use of by him who has any real arguments to produce.'—*Dr. Johnson's Parliamentary Debates*, vol. ii., p. 39. 'Sir, to discourage good designs, by representations of the danger of attempting and the difficulty of executing them, has been at all times the practice of those whose interest has been threatened by them.'—Ibid. p. 42. In illustration of this comprehensive proposition take the following instance:—'This was the famous act (2 Hen. c. 7) against the Lollards, upon which many of those people suffered. In the preamble they are loaded with the imputation of state crimes, as a pretence to delude the people into a concurrence with the churchmen in their persecution. They are said to be united in confederacies to destroy the king, and all other estates of the realm, both lay and spiritual,—and all manner of policy,—and finally the laws of the land.'—*Reeves' Hist. of English Law*, vol. iii. p. 260. He further says, (Ibid. p. 235,) speaking of the first law which was made against the Lollards (2 Hen. IV. c. 15)—'The meetings of heretics in their conventicles and schools are stigmatized in this act with the name of confederacies to stir up sedition and insurrection; the very pretence that had been made use of by the Romans against the primitive Christians, and which had been adopted by the Romish Church ever since to suppress all opposition or inquiry into its errors.'—We see who were the *Conservatives*, and who the *Destructives*, of those days. Our *Conservatives* are a little milder in their ways. Why? Because they are less able. Make them once more as powerful as they were in those days, and we shall soon see they have found the short and easy way with the *Destructives*. 'The wisdom of ancestors' would be produced, as the encouragement, and justification of the energetic methods.—There is nothing, for making people good and merciful, like taking away from them the power of being mischievous and cruel.

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which can be presented to the imagination. On the other hand, whatever is done to take from our protection, and add to the facilities with which the trade of those *qui pillent* is carried on, is done with the utmost coolness. Never any forebodings of danger from that source.—The public have learned to suspect such advisers. They say, and they say with a witness,—'When we look at the body to which we belong, and the body to which they belong, not only is the greater wisdom with us, but there is no wisdom to be found anywhere else. Look at the body *qui pillent*; how small the number among them who are good for anything; to whom any other man would confide the management of his ordinary affairs; who have an understanding comparable to that of an ordinary tradesman! * And even among those who stand foremost in the class, there is not one that passes mediocrity. A wit among lords is, proverbially, only a lord among wits. On the other hand, all that is great and powerful in intellect,—all that excels in any of its walks,—all the men from whose minds anything signally beneficial has proceeded in former times, or can now be expected to proceed, have been, are, and ever will be found in the class to which we belong. Why then should we not trust to our own wisdom as much as to theirs.'

Of what use is it to point to the lowest class among us, and ask if they are fit to judge what is good or bad in political or ecclesiastical institutions? We point to the majority in the class who defame us, and ask in our turn, if they are qualified to judge what is or is not good in such matters, or any other matters of the smallest importance? If we are told, that we are not to look to the less wise, but the more wise in the class in question, because the less wise are governed by the more wise, we claim the benefit of the observation for ourselves. The less wise, in our class, are and ever have been governed by the more wise; and in our body the more wise are infinitely superior in wisdom to the wisest portion of theirs. Why then should we not follow our own reason, in preference to theirs, in matters which so deeply concern us? At the same time, we are far from being unwilling to discuss with them the questions between us. We indeed reject defamation as discussion, and content ourselves with exposing it. When the public is assured, by those who wish to discredit us and our cause, that our labours tend to the destruction of go-

* 'Et tamen, mi Attice, auguria quoque me incitant, quadam spe non dubia, non hæc collegii nostri ab Appio, sed illa Platonis de tyrannis, ... si ii provincias, si rempublicam regent, quorum nemo duas menses potuit patrimonium suum gubernare.'—*Cic. ad Att.*, lib. x. ep. 8.—The high classes in Rome were better educated, and better employed, than the high classes in England.

vernment and religion, we say that we intend the preservation of both; and we ask, if government is less government when it is rendered true to its ends, than when it is to a great degree perverted from them; if religion is less religion, when it is purged of the pollutions with which the selfish interests of men have defiled it, than it is when mired and merged in these impurities? The question, then, between us is not as to our professed ends, —they are the same,—the preservation of government and religion, purged, both of them, of their abuses. We differ about two things: what are the abuses, and what the proper remedies for them. And these we allow to be fair subjects of discussion; provided always the discussion be fair. We grant, also, that they never ought to be decided without discussion, and that continued, till it has become obvious to the majority of disinterested and competent judges, that all the reason is on the one side, and only the renitency of custom, or self-interest, on the other.

As an instance of our differences of opinion about abuses, we may point to what we consider the master abuse, the want of sufficient power in the people to choose their representatives. We say, that the means exist, even under the Reform Act, of taking away the power of choice from the people, to the extent of a majority of the whole number. Our opponents say that this is no abuse, but an advantage. They have talked loudly about the Reform Act as a *final* measure. Sir Robert Peel has lately grounded his accession to it on his belief, a declaration which gives the measure of the man, that it was an arrangement for ever,—a new 'original compact,' of everlasting and indefeasible obligation.

We can state, in narrow compass, the reasons on which we consider any defalcation in the power of the people to choose their representatives, as a master evil.

We go upon the postulate, that the power, by which the class *qui pillent* succeed in carrying on their vocation, is an evil; and ought to be abated. This postulate, indeed, has been refused, and with cries of great indignation; but we have not time at present to examine them.

We assume, then, that this power ought to be taken away; and we say, that we know but one way of accomplishing our object, which is, to grant to the people the entire and complete choice of their representatives.

This has ever been the great problem of Government. The powers of Government are of necessity placed in some hands; they who are intrusted with them have infinite temptations to abuse them, and will never cease abusing them, if they are not prevented. How are they to be prevented? The people must

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appoint watchmen. But *quis custodiet ipsos custodes?* Who are to watch the watchmen?—The people themselves. There is no other resource; and without this ultimate safeguard, the ruling Few will be for ever the scourge and oppression of the subject Many.

'All free governments must consist of a Senate and People. The People, as Harrington observes, would want wisdom without the Senate; the Senate without the People would want honesty.' —*Hume's Idea of a Perfect Commonwealth.*

The representatives are the watchmen of the people; and two things only are wanting to make the people very perfect watchmen of the representatives; First, the perfect power of choice, which implies the power of speedy removal; Secondly, the full benefit of the press, which gives them the necessary knowledge of the behaviour of the representative. So circumstanced, the representatives will have a paramount interest in consulting the interest of the people, and in resisting every exercise of power which would trench upon it. And we reformers, till we have brought the state of the representation to this state of perfection, will not cease to have a grievance, which our best exertions will be strenuously and incessantly employed to remove.

So much as to an instance of what we deem an abuse. Now for a specimen of our remedies. The power of taking away from the people the choice of their representatives is all derived from two sources,—the publicity of the vote—and the want of power to displace a representative whose conduct does not give satisfaction. We desire, therefore, two things—we desire secret voting, and we desire short parliaments.

We know the goodness of these remedies is disputed. As what will not be disputed by those who have an interest that the question should be determined in a different way from the right one? But by what is it disputed? Not by reason and argument, by examining and showing the impotence to good, the potency to evil, of the remedies we propose, refuting all that we can urge in their behalf;—not by this, but by the stale, hackneyed resource of a bad cause, defamation—the imputation of all the vague, general consequences, which men are accustomed to dread, the loss of morals, the loss of government, the loss of religion: consequences regularly imputed to every project of change by which the good of mankind is to be greatly promoted. However, the discussion of these remedies is on foot; and the enemies of them may rest assured that it never will cease, till the public mind is thoroughly enlightened on the subject; and then they well know what will be the result.

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We should now go on, and point out the reforms which we think are wanted in the other great provinces of abuse—Law and Religion; but we have been led on so far in illustrating the spirit of reform, that we have not space for these particular subjects, and must allot to them separate articles in future numbers of our publication.

After having shown how the community, as a whole, are divided into reformers and anti-reformers—for we account all those anti-reformers who cut off a slice of reform for us, and say, 'There, content yourselves with this, for you will get no more'—we proceed now to the next grand item in the catalogue of things which compose the state of the nation,—the mode in which public men, the men wielding any portion of the powers of government, are distinguished and classed.

Among them there are now no anti-reformers. Those who formerly professed anti-reform, now profess moderate reform; and they who formerly professed moderate reform, profess it still. The grand division, then, has come to be two-fold—that of the men who profess *moderate* reform, and that of the men who profess *complete* reform, which their antagonists call *radical* reform: a very good name, which they who apply it in scorn are working into repute.

There is a distinction between the new Moderates, and the old: they both, indeed, cut us off slices of reform, and, like Lord Peter, with the slices of his brown loaf, damn us to the lowest pit of hell, if we are not contented with what they give us; but the old Moderates, we believe, are willing to cut us the larger slice, and for that reason we give them the preference.

At the same time we do not conceal from ourselves, that there is a stronger affinity between the two, than between any of them and the men who say that they, for their parts, consider reform to be then only at an end, when there is no removeable cause of evil which is not removed, and no attainable cause of good which is not attained.

We consider, that the House of Lords is divided between the new Moderates and the old, the new, in much the larger proportion; and that if there be anything like a complete reformer in the House, the proportion is too small to be of any weight.

The House of Commons, too, is, in far the greater part, composed of the new Moderates and the old, with a preponderance, we think, in favour of the new. Of the House of Commons, however, there is a portion who deserve the name of *Complete* Reformers. A few years back there was no such thing. If one individual or two betrayed any symptoms of that unnatural

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propensity, he was a marked man; the rest lolled out the tongue of scorn against him. Now, they are not a great proportion, but a considerable body, to which time is daily making additions, and to which the future time will doubtless make them rapidly.

It is of immense importance how this little band conduct themselves. They are in a position in which the good they may render—not to their country only, but to mankind—is beyond all calculation; and little are they on a level with the high vocation to which they are called, if their minds are not fired with the contemplation of it, and filled with the sacred ambition which it is calculated to inspire.

Till a higher station in the great council of the nation is prepared for them, it is impossible for them to hope that the powers of government will be put in their hands—or, at least, that they could employ them successfully, for the furtherance of the benevolent objects they have in view. If any remarkable combination of circumstances, not without the bounds of possibility, should place the powers of government within their reach, the fate of them and their reforms would resemble precisely the fate of Turgot and Malesherbes. They would, after a few ineffectual struggles, be dismissed; and the restoration of their enemies would only put the realization of their plans of improvement farther off than before.

There is only one thing which we deprecate more than this, and that is, a partial union with either of the parties of the Moderates. The time is not quite come for that; but it is impossible to say how soon it may become the interest of either of them to seek an accession of strength, by admitting a portion of the complete reformers to the offices of state along with them.

We consider that this would be the death-blow to the influence of the complete reformers. Of course, the most soft-tempered and flexible of the party would alone be chosen for the association in question, who would not convert their friends the moderates, but be converted by them. The body of complete reformers would not only be weakened but broken up and discredited in the eyes of the nation.

If this important little phalanx understand their own position, they will take care to make clear what their purpose is with regard to place. Their business is to make it understood, beyond cavil or doubt, that they will not accept of place, and for what reason? that they are more powerful to aid the cause of reform as they are. They are sufficiently numerous, if they conduct themselves wisely, and with a single eye to their noble end, to

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be a great power in the public council of the nation. It will be the interest of every minister to have them for him, rather than against him; and if the only successful mode of courtship to them be the grant of reforms, they may extort a succession of reforms from hands the most averse to the boon. Their advantages at the present moment are peculiarly great. The two parties of grudging reformers, the 'now's-enough' men, are nearly balanced; of course, the favour of those, who on every occasion can so easily turn the balance, is of the greater value, and the more will be willingly paid for it.

It is clear that the vocation of the class of philosophical reformers in parliament at present divides itself into two paths of exertion. The one is, to make it, as far as their weight can go, the interest of every ministry, be it what it may, to be the author of reforms. The second is, to be the champions of the philosophical principles of government. It is impossible to speak in exaggerated terms of the importance of this part of their high calling. There has been no example in parliament, up to this hour, of a man who has deemed himself worthy of this function, with the exception of the short period,—alas! how short,—in which the never-to-be-forgotten Ricardo lifted his head. His modest nature made him think only of that part of the subject which he had the most profoundly studied. But he had formed the idea of the function with perfect distinctness, and often said to the individual who now calls to memory, with acute sensibility, the irreparable loss which the world sustained by his untimely death, that his business in the House of Commons was to stand up for principle; to allow no renunciation of it to pass unnoticed, and no slighting talk about it to go unexposed; to watch the grounds on which measures of importance were laid, and to show on what a foundation of sand everything, not grounded on principle, was of necessity reared.

The absence of men in parliament who thought themselves worthy to stand up, as Ricardo appositely expressed it, for principle, has been so complete, that a fashion has been created against it. So far is it from being the custom in that place to measure anything by its accordance with principle, that the man is reckoned fine, who professes to hold it in derision or abhorrence. It has come to this pass, in that assembly, that the appeal to reason is discreditable,—the renunciation of it a thing to parade, and be vain of. The tone of the place,—not casual, not by fits and starts, but habitual, steady, is,—that the use of reason is to be discarded in the conduct of a nation's affairs. We believe it would be impossible to assemble an equal number of tolerably educated men, in any other part of the civilized

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world, among whom it would be fashionable to set reason at defiance, and to profess to act in contempt of her dictates.

This remarkable characteristic of the legislative council in England is a declaration, clear and not to be mistaken, of the interests which are there pursued. Truly was it said by Hobbes, that 'when reason is against a man, a man will be against reason;' and with equal truth and certainty may we reverse the proposition, and say, 'whenever a body of men are found to be steadily and tenaciously against reason, we may safely conclude they have interests, to the gratification of which the exercise of reason would be fatal.' We find the following apposite sentiment in an anonymous writer:—

'All those who wish for arbitrary power over their fellow-creatures have an interest in preventing their acquiring habits of being governed by reason. Men who are in the habit of being governed by reason are not willing to be governed by any man in disconformity with reason. Hence the skill which has been employed in diverting men from the exercise of their reason. Forms, and ceremonies, and cant phrases, and subjection to all sorts of false belief, the weaker and more groundless the better, are equally favourable to the priests of all three classes; those who serve at the altar of state, those who serve at the altar of law, and those who serve at the altar of religion.'

The instruments which are chiefly made use of, in parliament, to cover the renunciation of reason, and render it somewhat less palpable, are a set of hack phrases, serving each of them as a wrapper for a little parcel of sophistry. Thus we have, 'Not speculation, but practice,'—as much as to say, act like a beast, and not one of the best of beasts, a blind horse in a mill; 'Wisdom of ancestors,'—as if ancientness of error were better than truth, or the everlasting repetition of evil converted it into good. Of late, the word 'Institutions' has been industriously employed to preclude the use of reason. 'Institutions,' in the talk of the anti-reformers, is made synonymous with government and religion; 'change,' is made synonymous with destruction. By force of this new nomenclature, therefore, he who desires to reform anything goes to the destruction of government and religion; as if government were no longer government when it is rendered good,—religion were no longer religion when it is rendered pure. What these people mean is, that government is then destroyed, when they are no longer permitted to abuse its powers, for their own aggrandizement, at the expense of the rest of the community; religion is then destroyed, when they cannot make use of it as an instrument for the accomplishment of the

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same design. In other words, the mischievous tendency which has been given to each by the perfidious artifices of men, is, in their sense, the essence of each. The essence of government, the essence of religion, is the mischief which can be done with them. Let mischief no longer be done with them, they no longer exist.

Such is a specimen of the artillery against which the true reformers have to contend. The resources of their enemies are poor, both in quantity and quality, and soon would be exhausted. What havoc a few right-minded men might make in a few years of their masks and screens! How easily might the advocates of bad government be reduced to the miserable task of repeating exploded sophistry of the poorest kind, which then would not only not impose on anybody, but would degrade still lower even the abject creatures who could descend to the use of it.

The persevering advocation in parliament of the principles on which good government depends, and exposure of the sophistries by which it is sought to discredit them, would be a source of instruction to the nation, of which it is impossible to exaggerate the importance. The house, however, we are told, would not bear to be thus schooled. We know, indeed, that there is a right mode, and a wrong, of doing anything, and we do not advocate the wrong mode. With all the defects of the House of Commons, as at present constituted, there is in it a certain portion of good taste, and of good feeling. If a man speaks with simplicity and in earnest, not for the sake of self-display, but evidently for the sake of what he deems a great object, and is able to bring sense and reason to bear upon his question, without violating the respect which every man owes to the feelings of those about him, he will meet with listeners, and he will meet with respect. Why should not this be done, at once, by the little band of true reformers? They are the most instructed men in parliament, some of them, at least, by many, many degrees. And practice would in time give them dexterity in the use of their weapons, the celestial panoply of reason, in the service of mankind.

Beside this general field, there are spots on which the true reformer should make a particular stand. The most important of these is property. Of this the true reformer should signalize himself as the champion. The danger to it is very considerable; and arises, not from the class of poor men, as the enemies of good government so industriously teach, but from the pre-eminently rich; who in all ages have desired to consider nothing as property but that which they themselves hold, everything held

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by others as held chiefly for their use—that is, with power in them to take to themselves, at any time, whatever portion of it they deem it convenient to take.

The security of property lies so deeply at the root of human happiness, especially of the poorer class, whose subsistence wholly depends upon the employment given to them by accumulated property, and who must perish when that is destroyed—that any infringement of the rights of property ought to be treated as the introduction of a devouring pestilence.

Upon this paramount consideration, it is consolatory to remember, that, of all the men in parliament, the little band of philosophical reformers have distinguished themselves with most zeal and effect to defend the rights of the creditors of the state, and to counteract the desire, not obscurely signified, of the pre-eminently rich, to make this class of their fellow-citizens their prey.

Upon the same principle it is of vast importance that, in the changes which reason recommends, the true reformers should be careful to protect all existing interests. When any source of expense, for example, is to be cut off, the operation ought to be prospective. Any person, whom law or custom has entitled to consider that the emoluments which he had been receiving he was to receive for his life, is, in reality, the owner of a life estate, as much entitled to protection as any species of property whatsoever.

Reasoning on this principle, we were exceedingly disconcerted, last year, when some of the true reformers were seduced into the vulgar cry against the holders of crown pensions. That the power of granting those pensions has been grossly abused, there is no doubt; and perhaps it ought to be wholly taken away. At all events, security against that, as against every other abuse, ought to be provided. But what is all this to the existing holders of pensions? They considered themselves sure of them for life, on a course of practice amounting clearly to prescription. They had, therefore, a life estate. And the small life estate of Mrs. Arbuthnot, of which so unjust and indelicate a use was made, appeared in our eyes as sacred, as the prodigious one of the Archbishop of Canterbury; and, with respect to the holders, the lady not the least respectable character of the two.

The operation of particular taxes—for the general amount of them is a topic for many a mouth—is another object of particular attention to the philosophical reformers. Any tax which, in its operation, takes money out of the pockets of the people, to put it, not into the treasury of the state, but into the pockets of individuals, they should never cease to expose. Such a tax is

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spoliation, annual robbery, established by club-law; one of those institutions of ours, of which our *Conservatives* have erected themselves into the body-guards. Such is the tax on imported corn, which, so long as it exists, will so long stand an unanswerable, a trumpet-tongued, argument of the need of further parliamentary reform.

The abolition, also, of any tax, which must be replaced by some other tax, not less burdensome to the nation, while the operation of the removal will be to put money into the pockets of individuals which it takes out of the pockets of the people, making so far a clear addition to their burdens, is another instance of robbery, which ought to be luminously exposed, and strenuously resisted. Such would be the repeal of the malt-tax, so clamorously called for by a class of men whose predominance in parliament has ever been, and continues to be, the grand obstruction to good legislation. No man doubts that if the malt-tax is taken off, other taxes to an equal amount must be laid on. How, then, are the landlords to find their advantage? By a rise in the price of bread; a necessary consequence of an increased demand for another product of the soil. The people, therefore, to please the landlords, would have to pay some other tax or taxes to the state in lieu of the malt-tax, and an additional tax, a tax on bread, to the landlords—to the men who already levy a tax on bread, and who would never rest satisfied so long as any other men have anything they can call their own. The poor farmers! is their cant; such a piece of naked hypocrisy, as it is wonderful even they have the impudence to put forth. The cause, and the sole cause, of any undue pressure, which may be sustained by the farmers, is the extortion of too much rent. If the farmer's rent is proportioned, as it ought to be, to the price of the produce he raises, it is equal to him if the price is high or low; or rather he has an interest in low prices, as in that case he pays less in wages, and has thereby higher profits of stock.

Beside those objects which make stated calls upon the attention of the real reformers, detached incidents which should call them up are of perpetual occurrence. We may present as a specimen what happened the other night.

In the House of Commons, Wednesday, 4th March, 1835, Mr. Wakley asked Sir Robert Peel, if the inhabitants of St. Margaret's parish were to have the choice of their rector. Sir Robert replied by a couple of sneers; first asking, 'If Mr. Wakley meant the choice to be by ballot?' next observing, that 'the inhabitants of St. Margaret's parish would not be put to the trouble of choosing their rector, the Crown intending to save them from it.' This is the true style of old Tory insult; and

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the House should mark it—the reformers, at least, should mark it; they may learn from it what will be the tone of the courteous baronet, if they allow him to settle himself in his saddle. 'If they do this in the green tree, what will they do in the dry?' Because a member of parliament asks a question relating to another subject, he is insulted by a disrespectful allusion to some opinion of his, which his insulter knows is distasteful to the crowd of those who hear him, and will echo the insult. The other expression, by which his Majesty's Prime Minister chose to proclaim his disrespect, at once to the author of the question, and the parishioners of St. Margaret's, must have been picked up in the purlieus of St. Giles's. 'Please to help me up with this burden,' says one. 'I won't give you the trouble,' says the other, with a grin, and passes on. The crown would not trouble the parishioners of St. Margaret's with the reception of a benefit! Not it, we will be bound for it. 'The crown will not give the parishioners the trouble of choosing their rector,' says Sir Robert; and with ten times the glee would he say, if he durst, 'The crown will not trouble the people of England with the choice of their representatives.' One thing, however, there is which the crown will not seek to save the parishioners of St. Margaret's from the trouble of. It will not save them from the trouble of paying this man whom they are not to choose. Such troubles as these the crown never thinks of saving such folks as parishioners from. The more of that sort of trouble they submit to, the better pleased the crown. All that is pleasant in these sort of matters, the crown, that is, the folks who act for themselves in the name of the crown—for the crown suffers by all such doings—are eager to save parishioners and such like rabble from the trouble of; all that is burdensome they liberally and generously place upon their shoulders.

Among the objects which require the attention of reformers, Education stands in one of the highest places; though it is never to be forgotten, that the operation of the political machine is that which has the greatest effect in forming the minds of men. We are not able to go into that subject here, because it is closely connected with the means adopted for the teaching of religion, which we have destined for the subject of a future article. We confess we despair wholly of seeing any beneficent plan of state education carried into effect, so long as we have a clergy on its present footing. There might be a clergy so happily circumstanced as to have an interest in good education, and then we should obtain that inestimable advantage. The clergy of the Church of England are so unhappily circumstanced, as to have a decided interest against it; and till their position is altered, a

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good state-education is hopeless. We look with more expectation to the combinations of individuals; which will every day be more skilful and more energetic.

We point to colonies, as an object of attention to the genuine reformers, because the importance of the subject is seldom understood. We consider the English colonies as one grand cause of the oppression of the English people. It is not disputed, that of the distressing burdens they bear a great proportion is the work of the colonies: that a very small number of troops is required for the service of England and Scotland; that the army is rendered the most galling of our burdens, because misgovernment cannot be supported in Ireland but with the bayonet, and because every insignificant spot, called a colony, creates a pretext for a military establishment. It has been frequently said, but the evidence of it has not been sufficiently displayed and enforced, that no colony is other than hurtful to the mother country, which does not defray its own expenses. The proposition, indeed, is next to self-evident; for what does a country get by a colony, for which it is obliged to pay, and from which it receives nothing?

Let us, however, attend a little to the pretexts, by which the interested endeavour to hide this loss and burden from our eyes. They say, we have the monopoly of their trade. And both theory, and experience, prove, that it is of no advantage. How many times more valuable the free trade of the United States, than the forced trade was of the North American colonies? They say, also, that we have sunk capital in the colonies. Sunk it, indeed! Then let us follow the approved maxim of common life, not to throw good money after bad.

The value of capital consists in the annual return received from it. Suppose the capital of a colony to yield ten per cent. profit. If the expense of military and civil government exceeds the aggregate of that profit, the loss of the colony, and the capital along with it, would be a gain. But, again, why should we, the people of England, pay enormous sums to protect the gains of the colonists? We protect our own; why do not they the same? This doctrine needs only to be well preached, to be very operative in time, and then we shall have relief from a heavy load. There is not an outlying spot of ground subject to the crown of England, which is not a drain upon the people of England, with one only exception, India, where the East India Company has stood in the way of ministerial misrule and extravagance.

P. Q.

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Art. II.

NEW SOUTH WALES.

An Historical and Statistical Account of New South Wales, both as a Penal Settlement and as a British Colony. By John Dunmore Lang, D.D., Senior Minister of the Scots Church, and Principal of the Australian College, Sydney, New South Wales. In 2 volumes. Cochrane and M'Crone. 1834.

IT has ever been considered a most interesting speculation, to inquire into the degree of perfectibility of human nature, and to ascertain the institutions by which a community can be rendered noblest and best. In the imaginary republic of Plato, the most excellent and beautiful citizens were to be selected, and united together; their offspring were to be trained in virtue, at public institutions, over which the sagest were to preside. Everything was calculated, according to the views of the philosopher, to produce virtue and excellency, to rear up a noble and generous race.

Those who are accustomed to regard every speculation merely with reference to its immediate practicability, and to confine their thoughts to the seeming advantage of the moment, have ridiculed the ideas of the Grecian sage; for they suppose that Plato intended his scheme to be matured, and his laws to be enacted. Not so. The object of the dialogue was, to investigate and lay down general principles,—to trace the model,—to develope the 'divine idea' of a community—with which, indeed, no human creation could correspond, but to which the philosopher thought all commonwealths ought to approximate as much as possible.

The philosophers, who ruled England towards the close of the last century, were men of comprehensive minds, and well versed in the speculations to which we have referred. They had carefully considered the perfections and imperfections of man. They deemed it impossible to select, and unite together the good and the perfect, to found an Utopia, and to determine the limit which human virtue could attain. But it appeared to them equally interesting to determine the other limit, beyond which human vice could not progress. They conceived the ideal of a community, in which each vicious passion should be fostered, each degrading and disgusting vice should be rendered common—in which the corruption of human kind should acquire its fullest development. They determined to embody this idea, and to make the experiment, the results of which are

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detailed in the work, the title of which we have placed at the commencement of this article.

In order to prevent, as much as possible, the infusion of any good, the place selected for this community was the antipodes of England, on the shores of a then almost unknown, and quite unexplored continent.

It was not difficult to find appropriate citizens; for the commission of a crime was a ready and sure index of an individual possessing some, at least, of the requisite moral qualifications. The gaols were swept of their inmates; the burglars, thieves, felons, and prostitutes of England were sent to form the first colony of civilized beings on the coasts of Australia, and to be the parent stock of a mighty nation.

Those narrow and baneful prejudices, which so often delay and prevent the execution of a bold and vigorous conception, would certainly have impeded this design, perhaps have been fatal to it, if the projectors had disclosed their real intentions. Morality and humanity would have objected to such an experiment on the capabilities of human nature. Religion would have contended that the object of the legislature should be, to elevate, not to degrade the man; to render him the fit inhabitant of a better and more perfect state; not the apt companion of demons and fiends. The ingenuity is admirable with which these difficulties were avoided, without impairing the success of the experiment. The real object was carefully concealed; whilst the scheme was represented under a feigned aspect, as a means of punishing crime, and clearing the country of its criminal population. Thus the sanction of the legislature was obtained, and the nation was deceived.

In the colony, by the infliction of debasing and degrading punishments,—by enslaving some of the inhabitants,—by encouraging profligacy,—and by keeping the most abandoned in close communion and intercourse with each other,—the moral corruption of the community was ensured and extended. Yet, if it had been believed in England, that New South Wales was a disagreeable place of residence, crime would, perhaps, have diminished: the colony would have suffered from a want of emigrants, and of a constant supply of vice. Fortunately, however, the distance at which the punishment was inflicted,—the highly flattering accounts transmitted to England of the climate,—of the facility of obtaining emancipation and money, and of indulging in licentiousness and vice; the uncertainty of the punishment—which, according to the good or ill luck of the individual, was slight or severe, and in the generality of cases trifling;—each of these circumstances exaggerated, and

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described in the most inviting manner, by the emigrants, tended to make a pleasing impression on the criminal population of England, and to induce them to regard transportation rather with hope than with fear,—as a means of acquiring wealth and landed possessions,—of obtaining rank and station in society,—and of passing the remainder of their days in the company of their former and favourite associates.

The history of the colony will show to what extent the result has corresponded with the wishes, which we have presumed to ascribe to the projectors.

Dr. Dunmore Lang is senior minister of the Scots church, and principal of the Australian College at Sydney. He arrived in the colony in the year 1821. His father and brother possessed landed property in New South Wales.. His authority, with regard to the social and moral state of the colony, and to the condition of the convict, is good; for the information which he gives was obtained by personal observation during a series of years.

In January, 1789, the first fleet, under the command of Captain Phillip, arrived at Botany Bay, after a comparatively prosperous voyage. On board the vessels there were, originally, 600 male, and 250 female convicts, but forty died during the passage out. Botany Bay proved, in every way, unsuitable for a colony, as the land was infertile, and the harbour exposed to easterly winds. The settlement was transferred to Sydney. The colony was attacked by the scurvy: during the first month, twenty-eight of the convicts died; and, at the expiration of that period, sixty-six were under medical treatment, and two hundred were unable to work.

The governor, perceiving a 'tendency to profligacy' amongst his subjects, issued an address, wherein he 'strongly recommended marriage to the convicts, promising every kind of countenance and assistance to those who, by entering into that state, should manifest their willingness to conform to the laws of morality and religion.' It would have been rather difficult to have universally complied with the wish of the governor; for the number of men to women was in the ratio of three to one. However, the hope of meriting his good will caused fourteen marriages to be celebrated during the week in which this proclamation was made. The custom of a plurality of husbands or promiscuous intercourse began then to obtain generally, which was more in accordance with the sentiments of the colonists and the proportion of the sexes. The next year, 1790, the inhabitants were nearly starved to death, a store-ship being wrecked on its passage from England. A portion of the

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settlement was sent to Norfolk Island, where it contrived to exist tolerably well on sea-birds. Those who remained at Sydney endured great privations, till the arrival of the second fleet, which brought an addition to the number of the citizens. One thousand six hundred and ninety-five male, and sixty-eight female convicts were put on board. This disproportion between the sexes rendered obedience to the marriage injunctions of Captain Phillip still more difficult. One hundred and ninety-four men and only four women died on the voyage, and from its effects, after their arrival, one hundred and fourteen men and two women. The survivors, it would seem, were half dead, or at least quite unfit for work when they landed.

A military corps, designated the New South Wales Corps, was raised in England for the service of the colony, a considerable portion of which arrived in the second fleet. This body played a prominent part in the early history of the colony from the following circumstances.

'The extraordinary fluctuations in the value of articles of domestic consumption, to which the colony was subject for many years after its original establishment, and the extraordinary profits that were not unfrequently realized on the investment of a small capital in mercantile speculation, afforded the officers of the New South Wales Corps both a temptation and an excuse for endeavouring to eke out their military income, which, in such circumstances, was often inadequate enough, by engaging, either directly or indirectly, in such speculations. The position, moreover, which they held for a considerable time in the colony, afforded them singular advantages in this respect; for as the king's stores contained whatever was supposed necessary for the comfortable subsistence of the settlement, there were ways and means of procuring from that source occasional supplies of useful articles at prime cost, which could afterwards be retailed at an enormous profit. The article then, and indeed ever since, in most frequent requisition throughout the colony, was rum; and in process of time it came to be established as a general rule, that there should be certain periodical issues of that article (as, for instance, on the arrival of a merchant-ship) to the officers of the corps, in quantities proportioned to the rank of each officer.'

The retail trade, in the meantime, was variously managed. Most of the non-commissioned officers of the corps had licenses to sell spirits; and in this manner the superfluous rum of the regiment was disposed of to the greatest advantage. The greater portion of the officers—

'Took female convicts of prepossessing appearance under their protection, and employed them occasionally in the retail-business. In so small a community as that of New South Wales, at the period in question, a liaison of this kind could scarcely be concealed. In fact, there

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was no attempt at concealment: decency was outraged on all hands; and the prison population laughed at their superiors for outdoing them in open profligacy, and naturally followed their example!'

In the earlier times of the colony—

'A large proportion of the civil and military officers of the settlement were unmarried men, of loose principles and dissolute habits; who, setting at defiance the laws of God and the opinions of virtuous men, lived in a state of open and avowed profligacy, thereby setting an example which was but too generally followed by the convicts, and the demoralizing and debasing influence of which is still widely perceptible throughout the territory. For it is a lamentable fact in the history of New South Wales, that the progress of reformation, which, under a judicious system of management, and under the guidance of virtuous and philanthropic men, would have been rapid and general among the convicts, was checked at the very outset, and has ever since been counteracted at every step, by the vicious practice and the demoralizing example of a great proportion of the free inhabitants of the colony.'— pp. 65, 66.

The projectors of the colony seem to have succeeded admirably in finding, or at least in making, the free colonists suitable, in point of morality, to the purpose in view.

The early history of the country is the narrative of a series of struggles between the governor and the New South Wales Corps. Frequent attempts were made by the former to abridge the privileges of the latter, which were combated in the peculiar manner of the classes from whom the population of the colony was selected. The third governor, Captain King, found it necessary to prefer an accusation against one of the members of the corps. His intention to do so was made known. In order to free the individual from the charge, and to defend his character, 'his excellency's box was accordingly picked of its despatches before it left the colony, and when opened in Downing Street, it exhibited only a number of harmless old newspapers.' As a counterpoise to the corps, Governor King attempted to bring forward the emancipated convicts, and gain their good will.

'By what means could his Excellency have secured the attachment of that class of persons more effectually than by granting them licenses to sell rum? Such licenses were accordingly dispensed with a liberality and profusion above all praise; for even the chief constable of Sydney, whose business it was to repress irregularity, had a license to promote it, under his Excellency's hand, by the sale of rum and other ardent liquors; and although the chief gaoler was not exactly permitted to convert his Majesty's gaol into a grog-shop, he had a licensed house, in which he sold rum publicly on his own behalf, right opposite the gaol-door.

'A general dissolution of morals was the result of a state of things

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so outrageously preposterous. Neither marrying nor giving in marriage was thought of in the colony; and as the arm of the civil power was withered under the blasting influence of the miserable system that prevailed, the police of the colony was wretchedly administered, and virtuous industry was neither encouraged nor protected. Bands of bush-rangers or runaway-convicts traversed the country in all directions, and, entering the houses of the defenceless settlers in open day, committed fearful atrocities.'

Captain Bligh, who is celebrated by the mutiny of the *Bounty,* commenced his government in 1804, and made himself so disagreeable to the New South Wales Corps, that they rebelled and sent him home. They were, in consequence, ordered to England. From 1809 to 1821, the colony was ruled by Governor Macquarie, who is said to have observed with regard to his subjects, 'That there were only two classes of individuals in New South Wales, those who had been convicted, and those who ought to have been.' He seems to have benevolently exerted himself in favour of the former, to have attempted to alleviate the pain of punishment, and to make the colony an agreeable place of residence for those who had been so unfortunate as to fall under the penalties of the law.

During this administration—

'The fact of being transported was regarded by government as an expiation of the crime of which the individual had been convicted in England; and the governor was eager, in every way, to advance the convict's interests by granting an early emancipation, by facilitating his acquisition of wealth, and by urging his admission into the best society whether civil or military.

'The consequences of this benevolent (but imprudent) course of action were soon developed. The convicts regarded themselves on a par with the free, and the class of emancipists sprung up into wealth and importance, who of course have taken great delight in making their good fortune known to their friends in England, and in dissipating, by their representations, any dread they might feel in being banished in the same manner with themselves*.'

Governor Macquarie gave to the convicts indiscriminately grants of land, the greatest number of which were immediately sold, generally for rum. The period of this government is considered to have been the flourishing era of the colony. Large sums of money were expended upon public buildings, and 'there was plenty of employment, plenty of money, and plenty of rum to be had at Sydney.'

Free emigration commenced in 1821, and produced a considerable change in the conduct of the inhabitants by the introduction of a more respectable class of individuals.

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* Dispatch from Lieut.-Gov. Arthur to Viscount Goderich, dated 1833.

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'Concubinage was gradually discountenanced in the higher circles of the colony, and of course gradually disappeared from the face of society; for although still practised by a few old offenders, the daily increasing array of well-ordered families, both among the free emigrant and the more reputable portion of the emancipist population, has in great measure driven that particular form of colonial profligacy into the shade.' However, 'despicable avarice, pitiful meanness, and the practice of downright injustice are by no means completely banished even yet from the genteelest circles in New South Wales: and I have sometimes been surprised to find how small a portion of honourable principle had gone to furnish out a stock-in-trade in the colony for honourable men.'

Great difference of opinion exists in this country with regard to the condition of the convict in the colony: by some writers he is described as a miserable being; by others as a most prosperous and happy one; transportation is consequently considered by some as a very severe, by others as a very slight, punishment. These apparent contradictions can easily be reconciled, and their origin can be traced to the following circumstances. Transportation is not, as it is generally supposed, the name for one species of punishment, but for a variety of species essentially distinct from each other, some of very slight, others of appalling magnitude. The legislature makes no distinction between the various species of transportation, and does not assign a particular kind for a certain set of crimes, or for a certain degree of aggravation. The judge, until lately, merely sentenced the criminal to be transported, and generally left his future lot to chance; in some cases he now sends directions, in consequence of which the convict, on his arrival in the colony, is placed in the penal settlements, in the chain-gangs, or to hard labour on the roads. All, however, that is distinctly declared and known is, that the offender is sentenced to transportation. Thus the spectators in the court of justice are induced into the error of believing that transportation is a fixed and determined species of punishment, and consider that those who give different accounts of the condition of the convict must necessarily contradict each other. The judge sometimes describes the horrors of transportation when he passes sentence. The convict writes to his friends a pleasing account of his obtaining a ticket of leave, a farm, plenty of rum, and of meeting his former associates; he exhorts his companions in crime to rejoin him in the delightful climate of New South Wales, and there to better their condition. Those whose education and rank in life place them beyond the influence of crime, attach implicit faith to the words of the judge; the criminal population, on the contrary, biased by their wishes, listen with

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incredulity to assertions which the letters of their friends distinctly contradict; the judge appears to them merely to perform his daily and accustomed duty, when, in order to deter from crime, he misrepresents or exaggerates the evil of transportation; his authority is with them of no weight in comparison with the testimony of those who have experienced the punishment, and who have no assignable nor apparent motive to deceive. The majority of mankind are unacquainted with the condition of their fellow-beings even at the distance of a few miles from their residence; it would be strange, therefore, if they possessed more accurate knowledge of the antipodes. The suffering is not apparent; the accents of sorrow are not heard; a veil of mystery surrounds the subsequent fate of a great portion of the criminals; letters are rarely received except from the prosperous and happy; the unfortunate have neither the inclination nor the opportunity of describing their condition, or they indulge in the malicious satisfaction of denying their sufferings, and of scorning the efficacy of the laws. These circumstances appear to us to explain the fact that, whilst in parliament the evils of transportation are described as very great, little terror is produced amongst the criminals, their friends, and associates. Undoubtedly transportation is sometimes a severe punishment. This depends, however, upon the good or ill luck of the convict; upon circumstances over which he has no control, and which generally have no connexion whatsoever with his offence or his previous course of life. The convict, therefore, for whatsoever crime he is transported, (though he may be unfortunate in the lottery of evil,) may reasonably hope that his fate will be similar to that of the majority, which is by no means a disagreeable one.

When the convicts arrive in the colony, some are reserved for the service of the Government; some are sent to the penal settlements, and the majority are assigned as servants to the free colonists. According to the disposition of the master, the latter are treated with kindness or severity—enjoy the lot of a favoured domestic, or suffer the cruelest slavery. 'Idleness and insolence of expression, or even of looks, subjects him to the chain-gang or the triangle, or to hard labour on the roads.'*

'The condition of a convict in New South Wales depends greatly on the character of his master. It is in the power of the latter to render his yoke easy and his burden light; it is equally in his power, however, to make him superlatively miserable. In general, the lot of a convict in the colony is by no means a hard one; for the most part, he is better clothed, better fed, and better lodged, than three-fourths of the

* Correspondence of Lieutenant-Governor Arthur with the Colonial Office.

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labouring agricultural population of Great Britain and Ireland; while, at the same time, his labour is beyond all comparison much less oppressive. In a great many instances, indeed, the object of the convict evidently is to get as much, in the shape of allowances, and to do as little, in the shape of hard labour, as possible.

'The grand secret in the management of convict-servants is, to treat them with kindness, and at the same time with firmness—to speak to them always in a conciliating manner, and at the same time to keep them constantly employed; and it is nothing less than absolute blindness to his own interest, and a want of common sense amounting to downright infatuation, that can lead any master to treat them otherwise. It must be acknowledged, however, that such infatuation has prevailed in New South Wales to a lamentable extent, and has greatly retarded the advancement of the colony on the one hand, and occasioned much misery on the other.

'A free emigrant settler, who has perhaps been riding about the country for a fortnight, neglecting his own affairs and troubling his neighbours, returns to his farm, and finds that his convict-servants have been very idle during his absence. He talks to them on the subject, and his choler rises as he talks; and he curses and swears at them as if he had taken his degree at Billingsgate, instead of being a free-landed proprietor in his Majesty's colony of New South Wales. One of the convicts—a man who has perhaps seen better days—replies in no measured terms; and the master immediately exclaims, with the highest indignation, "You convict-scoundrel, do you speak to me at this rate?" and taking the overseer to witness that the man has spoken insolently to his master, he forthwith hies both overseer and man to the nearest magistrate, who perhaps resides ten miles off, and gallops after them himself an hour or two afterwards. On arriving at the magistrate's, the settler, who is a remarkably good Protestant, kisses the book, and swears that the man spoke to him insolently. The overseer, who is a staunch Roman Catholic, confirms his master's deposition by kissing the same book on the other side, on which the worthy magistrate—who knows that the Bible was sent him for kissing, and not for reading—has religiously pasted a bit of whitey-brown paper, cut with a pair of scissors in the form of a cross. When this *religious* ceremony has been gone through, the magistrate, assuming a very grave aspect, sentences the convict to receive twenty-five lashes for insolence to his master, and he is accordingly delivered over to the scourger of the district. In the mean time, the farm is deprived of the superintendence of the master, the exertions of the overseer, and the labour of the convict; while the other convicts, disheartened and disgusted at the obvious injustice with which their fellow-labourer has been treated, do just as little as possible.

'As soon as the man who has been flogged is fit for labour, he is ordered to the plough; but perceiving that a thick strong root crosses the furrow at a particular point, he contrives the next time the bullocks reach that point to run the plough right against the root, and snap it asunder. "You did it on purpose, you scoundrel!" says the infuriated

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settler, who has indeed good reason to be angry, for the season for ploughing is perhaps nearly over, and two or three days must elapse before the plough can be repaired, as there is no blacksmith within fifteen miles. The man, to whose corrupt nature revenge is so delicious that he does not deny the charge, but who is perhaps the best ploughman on the farm, is accordingly hied off immediately to his worship again, and, after the same pious ceremony of kissing the calf's-skin binding of the desecrated book, and the whitey-brown paper-cross, has been re-acted, is sentenced to "three months" hard labour on the roads, to be returned to his master at the expiration of that period.

'The man returns accordingly, at the expiration of his sentence; but being addicted, as most convicts are, to the use of colonial tobacco, he allows a spark to fall from his tobacco-pipe, on his way to his labour, very near his master's largest wheat-stack, at a time when the latter happens to be off the farm; and in less than a quarter of an hour thereafter the stack is observed to be on fire. One would naturally suppose, that in such a case of emergency, all the men on the farm would immediately run to extinguish the flames. Such a supposition, however, would be very far from the truth. The convicts are so conscientious, forsooth, that they will not do any thing which their master has not particularly told them to do; and he has never told them to extinguish the flames when any of his stacks should accidentally catch fire. Besides, they have a task assigned them which they must not leave. In short, nothing gives them greater pleasure than to see their master's stack burning; for they know he must give them the regular ration, procure it where they may, or send them back to Government, in which case they will have a chance of being assigned to a better master. By and by, the master returns at full gallop, in time enough to see where his stack stood. He has reason to suspect that a conspiracy has been formed against him by his men; but, to save him the trouble of bringing any of them to justice, four of them immediately *take to the bush*—*i.e.*, become bush-rangers, subsisting on plunder. In a month or two thereafter, two of them are apprehended for robbing a settler's cart on the highway, and tried, and convicted, and condemned to death; and the wretched men assure the minister who may happen to visit them in the gaol, or attend them on the scaffold—(I have received such information in such circumstances myself when it was too late to falsify)—that it was the arbitrary and unfeeling conduct of their master alone that brought them to an untimely end.

'I may be told, perhaps, that this is a supposititious case, and that all of these circumstances have not occurred in any single instance. It is immaterial, however, whether they have or not, as I can testify right well where and when they have all occurred singly.

'Some settlers think it necessary, forsooth, to humble their convict-servants, and to make them fear them. An instance of this kind I have heard of in the colony with indignation and horror. A settler, requiring some office of a very disagreeable and offensive character to be performed about his premises, ordered one of his convict-servants to perform it, instead of adopting the much more efficacious mode of

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offering him a small reward on his doing it—a piece of tobacco, for instance, or a little wine. The man had, perhaps, seen better days, and therefore, feeling indignant at being set to such an employment, flatly refused. The master coolly ordered him off to a magistrate, who sentenced him to receive either twenty-five or fifty lashes for disobedience. The man returned to his master, who gave him the same order a second time, which the man a second time refused to obey. He was again taken before the magistrate, and sentenced to be flogged as before; and it was not till this degrading and brutalizing operation had been repeated a third time, that the spirit of the miserable convict was sufficiently broken to allow him to obey the mandate of his relentless tyrant.'—pp. 12-16.

But although such cases occur, and although in such a community slavery might be expected to assume its most hideous forms, yet, says Lieutenant-Governor Arthur,

'Even with the general run of masters, whose wisdom and prudence I cannot commend, there can be no question but that the situation of the convict is greatly improved by being removed to a country where labour is scarce, and the labourer consequently in great request.'

It is important to observe that, according to the same authority, 'the master is bound, by government regulations, to see that the moral state is strictly adhered to.' We regret much that these regulations are not described; and we must confess our inability to imagine what they are.

From the small proportion of women to men, it might reasonably be expected that the former would be in still greater request, and their condition in the colony very comfortable.

'The system pursued in the colony, in regard to the distribution and assignment of female convicts, is somewhat similar to the one I have already described in regard to the other sex. When a female convict-ship arrives in the harbour, the circumstance is duly announced in the Government Gazette, and families requiring female servants are invited to make application according to a prescribed form. The applications are generally more numerous than the government can meet, and the females are assigned only to reputable families, according to the best judgment of the Board appointed for the purpose. Many of them make good servants, and in due time get well-married—chiefly to emancipated convicts, living either as agriculturists in the country, or in one or other of the various capacities in which the lower classes are employed in towns; the colonial government being always willing to grant permission for the marriage of a female-convict, provided she is either a spinster or a widow, and provided the intended husband is a freeman and able to maintain a family.'

With regard to the employment of the convicts by the government, Lieut.-Gen. Arthur asserts, that the Colonial Office has been misled in supposing that it was rather courted than

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dreaded by the convicts. 'Certainly there are situations of comparative ease, such as constables, messengers, and so forth, in which service it is a necessary evil to employ convicts; but as to public works, except removal to the penal settlements, it is of all conditions that in which the convicts are exposed to the greatest hardship.'

Tickets of leave are exemptions from forced labour, and enable the holder of them to enjoy most of the privileges of freemen and to work for his own profit. They were granted to the convicts for good conduct, or for extraordinary services. The qualifications required for men, according to the government order, January 1, 1827, are the following:—

'Transports for seven years having served four years with one, or five years with two masters—Transports for fourteen years having served six years with one, eight years with two, or ten years with three masters—Transports for life having served eight years with one, ten years with two, and twelve years with three masters'

were eligible to hold tickets of leave.

A convict would obtain a ticket of leave if he brought to justice three receivers of stolen property. Six months were deducted from the period required for his qualification, if he apprehended runaways, bush-rangers, felons, or convicted a fellow-servant of robbing his master.

Tickets of leave were granted to women after the following periods of 'uninterrupted good conduct, in service, in the married state, or as monitress in the factory; a female under sentence for seven years, after two years; for fourteen years, after three years, and for life, after four years.'*

What obedient and submissive wives these ladies must be! They may be punished for the smallest offence to their husbands, and sent to prison in the female factory at Paramatta. Part of the punishment inflicted there is most terrible to a good-looking woman, and for the time completely destructive of her charms, for her head is immediately shaved.

The male convicts are punished for offences committed in the colony, by being employed on the roads, placed in the chain-gangs, or sent to the penal settlements.

'The convicts working in chains are men on whom every species of minor punishment has been inflicted in vain. They perform their labour in gangs by day, and are lodged in a hulk by night, constantly in double irons, varying in weight according to the nature of the offence or hardihood of the offender; they also sleep in fetters, their food is coarse and scant; but from being so totally kept from dissipation few

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* Correspondence between the Governors of the Australian Provinces and the Colonial Office.

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cases of sickness arise. Their work is incessant, and consists of breaking and wheeling stone for repairing roads.'*

The penal settlements are more dreaded by the convicts than the chain-gangs. They are military stations, where no free emigrants are allowed to settle. The convicts are obliged to labour incessantly, and are subjected to the most harassing vigilance. Criminals are now sentenced in England to be sent to the penal settlements, if their offences are very great or their moral character very bad: this punishment is inflicted according to the discretion of the judge; and, as it cannot be seen, cannot have much effect in deterring from crime. It is, indeed, a very severe and corroding punishment, the amount of which is quite unknown in this country. The convict is, therefore, completely ignorant of the pain which he is to suffer, until it is inflicted upon him in the penal settlement.

Such is the condition of the convict. In some cases the pain inflicted is appalling, but in the generality of cases the situation of a convict is improved, by being removed to a country where labour, especially skilled labour, is highly prized and in great demand; for the interest of the master generally induces him to stimulate his servant to exertion by good treatment; and each good-looking woman is certain of a husband, and of a ticket of leave, if she behaves well for three years.

Evil to the few as the source of terror to all, is the maxim upon which the theory of punishment ought to be grounded. The object of punishment is to form a motive sufficient to deter the calculating from crime by rendering it a bad calculation, and the uncalculating, by making a vivid impression on their imagination. Every portion of evil, inflicted as punishment, which does not produce either of these effects, is needless and cruel. In proportion as the conception of the punishment is vague, in proportion as the evil which attends it is believed to be uncertain, terror diminishes; for he who feels inclined to commit a crime will, like a gambler, hope that chance will favour him. Therefore, it is essentially important, that the conception of the evil consequences of the punishment should be precise: this result can only be obtained when the effects of the punishment are invariable and well-known. If our readers have attended to the description which we have given of the state of the convict, they will readily perceive how little transportation fulfils these conditions: for the lot of the convict is variable and unknown; the conception of the evil inflicted is indefinite; the idea of transportation is rather an agreeable one, for it is the idea of a change to a lovely climate, where labour

* Correspondence, &c.

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is in demand and provisions are cheap, where wealth is to be acquired and former friends are to be met. It is now universally admitted that transportation is scarcely dreaded by the criminal population. This result is inevitable, as long as the convicts are assigned as servants; notwithstanding the clumsy attempt of the government to augment terror, by frightfully increasing pain through the tortures inflicted in the penal settlements, whence it is hoped some vague rumours of ill will gradually reach England and counterbalance the other favourable accounts of New South Wales.

Next in importance to the production of terror is the reformation of the criminal. In what manner transportation conduces to this object we have seen. Hideous, we have shown, is the moral condition of the convict, degraded by slavery, brutalised by the lash; each sentiment of shame and contrition obliterated by constant intercourse with the most abandoned; every angry feeling excited; labour (between which and crime is the sole choice of the liberated convict) is viewed as a punishment, and hated as the means wherewith evil is tyrannically inflicted.

Reckless indifference or disgusting ignorance can alone account for some of the arguments by which such a species of punishment is defended. First and foremost, it is contended that the colonists of New South Wales need the slave labour of the convicts; that the proprietors scattered over a wide district require servants to tend their herds and till their fields; that the Australians have acquired their possessions under the fixed expectation that England would send forth its criminals as labourers; and that to deprive the colonists of their slaves is to violate their sacred and vested rights, and to impair the prosperity of a flourishing portion of the British dominions. It is hardly to be believed, that even the most interested and unblushing would dare to advance arguments so absurd, in favour of any species of punishment, or defend its goodness, merely on account of its supplying the markets of Australia with slaves; yet such is the case: and men are found bold enough amongst the contaminated inhabitants of the colony thus to advocate their sinister interests.

Dr. Lang pleads in favour of transportation, that by means of it, England gets rid of its criminals at the cheapest possible rate. He calculates that fifteen pounds will cover the whole cost of the passage of the convict, maintenance, &c., to the Australian colonies; and he then asks, 'I should like to know how Archbishop Whately will contrive to get rid of them, in all probability for ever, at a cheaper rate.' If to get rid of them as cheaply as possible, and for ever, were the grand objects of

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punishment, it is evident that hanging would be better than transportation, for the fee of the executioner, with rope included, seldom exceeds thirteen shillings and sixpence.

Dr. Lang overlooks the cost of the convicts subsequent to their arrival in the colony, and the expense of the military required to keep them in subjection.

	£.	s.	d.
In the miscellaneous estimates of 1831, the sum voted to defray the charge of maintenance for convicts in New South Wales and Van Diemen's Land	120,000	0	0
In the miscellaneous estimates for Civil Establishment in New South Wales	12,231	0	0*
Payments from 1832 to 1833 out of the ordinary Army Estimates { N. S. Wales / V. D. Land }	83,448	3	7
Ditto of the Extraordinaries of the Army, ditto	52,961	8	10†
	£278,640	12	5

This sum of money is annually paid out of English taxes for the maintenance and superintendence of the convict after his arrival in the colonies: in addition to which, there is the maintenance of the convict previous to his departure, his clothing, besides Dr. Lang's fifteen pounds for his passage, &c.

	£.	s.	d.
Sums voted in miscellaneous estimates, from the year 1800 to 1831, for the maintenance, &c. of convicts in the colonies	2,385,394	0	0
Ditto, for Civil Establishment	597,260	0	0‡
Suppose the military expenses to have been, on the average of the whole period, only one-half of those for the year 1832, or 70,000*l.*, this for thirty-one years would be	2,170,000	0	0
Cost to England, from 1800 to 1831	£5,152,654	0	0

The revenue of the colony of New South Wales in 1832 amounted to 135,000*l.* This sum is expended in salaries to the governor, &c., in support of the judicial establishment, and in various other strictly colonial expenses, and would probably cover the whole expenditure of the colony if the convict establishment were removed. Transportation is, therefore, far from being so cheap a punishment as Dr. Lang thinks; and we have little hesitation in expressing our belief, that the Penitentiary system would be found cheaper; for the whole expense of our mismanaged gaols and houses of correction did not, in 1824, exceed 237,000*l.* (this, however, has probably much increased.)

* Marshall's Digest of Information.

† From an abstract of the Commissaries' Accounts, printed by order of the House of Commons, 1834.

‡ Marshall's Digest of Information.

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The capabilities of the country are great. Port Jackson is one of the finest harbours in the world.

'The capital of the colony, and the seat of the colonial government, is Sydney. The town of Sydney is beautifully situated on Sydney Cove, one of the numerous and romantic inlets of Port Jackson, about seven miles from the entrance of the harbour. The Heads of Port Jackson, or the headlands at the mouth of the harbour, constitute one of the grandest and most interesting features in the natural scenery of the country. To a person approaching the land from the eastward, the coast presents an apparently unbroken line of lofty, precipitous, sandstone-cliffs, along the base of which the big waves of the vast Pacific Ocean dash fearfully when the wind blows strongly from the eastward; causing dense volumes of spray and whitish vapour to ascend to the summits of the highest cliffs all along the coast. The entrance is designated, at a great distance at sea, by the light-house, or Macquarie tower,—a circular building of cut stone, surmounted by a lantern with a revolving light on the South Head—but no opening of any kind can be perceived till you come close in with the land. At a small distance from the Heads, however, an opening is at length perceived in the iron-bound coast; and the idea you immediately and unavoidably form of it is, that the cliffs on either side have been violently rent asunder by some mighty convulsion of nature, to afford a passage for vessels into some place of security:—

> Hinc atque hinc vastæ rupes, geminique minantur
> In cœlum scopuli, quorum sub vertice late
> Æquora tuta silent.—VIRG.

'The entrance at the Heads is about a mile and three-quarters wide; but the height of the cliffs and the idea of boundlessness which the ocean scenery has previously impressed upon the mind make it appear much narrower. On getting round Middle Head, a point of land stretching out from the southern side of the harbour, and completely concealing the opening from the eye of an observer at a few miles' distance at sea, the scene surpasses description. You immediately find yourself on the bosom of a large lake, extending to a great distance in a westerly direction, with innumerable coves or inlets stretching inland to the right and left; some presenting sandy beaches and grassy lawns, others lined with a barrier of grey rocks cast in the most fantastic moulds, and surmounted in all directions with outlandish but most beautiful shrubbery.'

The climate is delightful.

'For eight months during the year, viz., from the 1st of March to the 1st of November, the climate of New South Wales—which, throughout the whole year, indeed, is at least equal, if not superior, to that of any other country on the face of the globe—is peculiarly delightful. The sky is seldom clouded; and day after day, for whole weeks together, the sun looks down in unveiled beauty from the northern heavens. In ordinary seasons, refreshing showers are not unfrequent; but although there are no periodical rains in the colony, as in the torrid zone, it some-

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times rains as heavily as it does within the tropics. It seldom freezes in Sydney, and never snows; but fires are requisite during the day in the winter months, and for a considerable time longer in the mornings and evenings.

'The Australian summer extends from the 1st of November to the 1st of March. During this period the heat is considerable, but very rarely oppressive, the thermometer seldom rising higher than 75° of Fahrenheit. There is generally a sea-breeze during the day in the summer months, commencing about ten o'clock in the forenoon, and dying away about four in the afternoon. This breeze, which usually blows pretty fresh, and the immediate vicinity of the ocean, have so powerful an influence on the temperature of the coast, that it is generally ten degrees hotter at Parramatta during the summer months, and ten degrees colder in winter, than it is in Sydney. But although it is occasionally hotter in summer than the average temperature I have just mentioned, the mornings and evenings are uniformly delightfully cool.'

The following description of the country is interesting.

'With the exception of the large open plains which occasionally occur in the interior of the country, and which, like the plain of Bathurst, are naturally destitute of timber, the territory of New South Wales is, in its natural state, one vast interminable forest. In many parts of the colony, and especially in the interior, the land is but thinly timbered; there being not more than three or four trees of moderate height and of rather interesting appearance to the acre. In such places, the country resembles the park scenery around a nobleman's seat in England, and you gallop along with a feeling of indescribable pleasure. In general, however, the forest-land is more thickly timbered—sufficiently so to form an agreeable shade in a hot Australian summer-day, without preventing the traveller from proceeding in any direction at a rapid trot or canter. On the banks of rivers, and especially on the alluvial land within the reach of their inundations, the forest becomes what the colonists call a *thick brush* or jungle. Immense trees of the genus *eucalyptus* tower upwards in every direction to a height of one hundred and fifty to two hundred feet, while the elegant cedar, and the rose-wood of inferior elevation, and innumerable wild vines or parasitical plants, fill up the interstices. In sterile regions, however, on rocky mountain-tracts, or on sandy plains, the forest degenerates into a miserable *scrub*, as the colonists term it; the trees are stunted in their growth, and of most forbidding aspect, the fruit they bear being literally pieces of hard wood similar in appearance to a pear, and their shapeless trunks being not unfrequently blackened from the action of fire. In such regions, the more social animals of the country entirely disappear. The agile kangaroo is no longer seen bounding across the footpath, nor the gaily-plumaged parroquet heard chattering among the branches. If any thing with the breath of life is visible at all, it is either the timid gray lizard hiding itself in the crevices of the rocks, or the solitary black snake stretched at full length on the white sand, or the busy ant rearing his slender pyramid of yellowish clay.

'There is a much greater extent of forest than of alluvial land in a

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state of cultivation throughout the colony; and, what is exceedingly anomalous, the best land is in many instances on the sides and summits of the hills. Heavily timbered land intended for cultivation is cleared in the following manner. The underwood, which occurs only on alluvial land, is all cut down in the first instance in the proper season, the bushes either falling to the ground or remaining attached by their upper branches to the standing timber. When the fallen underwood is sufficiently withered, all the standing trees that are required for building, fencing, &c., are cut down and rolled out of the forest, after their branches have been lopped off, to the nearest cleared land, or to saw-pits formed in the vicinity, where they are cut up for whatever purposes they are required. This species of labour, I mean the sawing of timber, is generally performed by free sawyers who work for hire, at so much per hundred feet, and receive part of their earnings in rations from the proprietor of the farm. The remaining timber is then cut down (I allude exclusively to the practice on large farms) by a party of eight or ten convict-labourers, under the charge of a free overseer, who works along with them, and who receives a salary, in addition to his rations, from the owner of the land. The overseer, on well regulated farms, is generally a ticket-of-leave man or emancipated convict, who has been an assigned servant or common labourer on the farm, or in its immediate neighbourhood during his term of bondage, and receives a salary of 15*l.* to 25*l.* per annum.

'The trees are cut down at about three feet from the ground, and, in clearing heavily timbered land, the usual practice of skilful fellers is to cut a number of smaller trees half through, and then selecting a large or master tree, to form a deep indentation with an axe in the side of it nearest the small ones, and then to saw towards the indentation from the opposite side. When nearly sawn through, the large trees falls towards the side on which the indentation has been formed, and bears down before it perhaps twenty or thirty smaller trees. When all the trees on the piece of land to be cleared are felled in this way, they are sawn into proper lengths, rolled together and burnt. This operation generally takes place, in the case of alluvial land, immediately before the time for the planting of maize or Indian corn, viz. in the months of September and October.

'The cost of clearing heavily timbered alluvial land is about 5*l.* an acre; but a single crop of maize sometimes covers the expense.'

The cultivatin of land on a large scale is generally unprofitable in New South Wales. Dr. Lang advises the proprietor of an estate to invest his capital in cattle and sheep.

'Sheep-farming, however, constitutes the principal dependence of the Australian landholder. If the country consists of open plains destitute of timber, as many as a thousand sheep are intrusted to a single shepherd; if it is moderately wooded, there is a shepherd for every flock of three hundred and fifty. The sheep are folded every night in a pen, or fold, constructed of moveable hurdles; and the shepherd, attended by his dogs, sleeps in a small moveable covered berth, constructed on a

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frame somewhat like a hand-barrow, outside the fold; the sheep being sometimes attacked during the night by the native dog of the colony. The lambing season is in some instances at the commencement of winter; in others at the commencement of summer. The sheep-shearing uniformly takes place at the latter season; each fleece, of animals of improved breed, averaging, I believe, from two to two and a half pounds. The wool is packed in bales wrapped in canvass, and forwarded for exportation to Sydney on drays drawn by oxen. Some of the more extensive sheep-farmers send home their wool direct to their agents in London, where it is sold according to its quality at from one to three shillings (the freight to London being only three halfpence) a pound. It is generally, however, either bought or received for consignment by merchants in Sydney, some of whom employ wool-sorters of their own to assort and repack it for the London market. A magistrate of the territory, whose wool produces him considerably upwards of 500*l*. a-year, told me lately, that there are gentlemen in the colony who already derive an income of from 1500*l*. to 2000*l*. a-year from their wool alone, independently of the annual increase of their flocks; but a few estates yield a still higher income.

'Cattle of good breeds may now be purchased in New South Wales at from twenty to thirty shillings a-head; sheep of improved breeds at fifteen shillings; and horses, either for draught or for the saddle, at from 10*l*. to 30*l*. A large tract of land may thus be stocked with a comparatively small amount of capital; and when the settler's own land begins to be overstocked, which will very soon be the case, he has only to send a portion of his flocks and herds, under the charge of an overseer and a few shepherds, or stockmen, into the interior, where he will obtain a lease of as much pasture land as he requires from government at a mere nominal rental.'

The quantity of wool exported in 1832 was 1,515,156 lbs.; the estimated value of which, at the rate of 11½*d*. per lb., was 73,559*l*.

Tobacco, olives, hops, the castor oil tree, have all been cultivated successfully in New South Wales. There are several productive orangeries; the fig and the peach now abound everywhere. So suitable is the climate to these delicious fruits, that if a peach stone be thrown into the ground in a favourable situation, abundance of fruit may be collected at the expiration of the third or fourth year. The vine has only been cultivated to any extent within the last three or four years.

The most important branch of the trade of New South Wales, at the present moment, is the sperm and black whale fishery, in which forty-five to fifty vessels of various tonnage are now employed from Sydney. The black whale is said to be of the same species as that which is caught in the Greenland seas. The sperm-whale fishery is by far the more important of the two. These animals frequent every part of the

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western Pacific, from the Heads of Port Jackson to the sea of Japan; they are gregarious, and are found generally in large herds or shoals—sometimes, according to Dr. Lang, to the number of five hundred together. In 1832, the value of the oil and whalebone exported to London was 146,018*l*. In most of the colonial whalers, New Zealanders, Tahitians, and natives of the Friendly Islands, are employed as sailors—an occupation for which they seem peculiarly fitted, and of which, from their insular position, they are naturally fond.

It is known, that the globe has been divided by naturalists into several regions, inhabited by entirely distinct animals and plants. Australia is one of these.

'On comparing New Holland with Europe, Mr. Brown ascertained that, out of four thousand one hundred species of plants discovered in Australia, there were only one hundred and six common to Europe; and of this small number there are some which may have been transported thither by man.'—*Lyell's Geology*, vol. ii. p. 69.

'Australia is almost exclusively occupied by kangaroos and other tribes of marsupial or pouched animals. This is a most singular and characteristic assemblage of mammiferous animals, consisting of more than forty species, of which no congeners even occur elsewhere, with the exception of a few American opossums.'—*Ib.* p. 89.

The birds and reptiles are equally distinct from those of other countries.

The aborigines are the lowest in the scale of human kind. They belong to the race of the oceanic negro, or Papua, who were probably the original inhabitants of the various islands of the Indian seas, from the coasts of which they have been successively driven by the more recent colonists of the Malay race: they still, however, occupy the mountains and highest parts of some of the islands, and retain, along with the Europeans, exclusive possession of Australia and Van Diemen's Land. There is, however, a distinction between the natives of Australia and Van Diemen's Land: for the former have long or curly hair; in the latter it is woolly. Puny stature and feeble frames; the facial angle very obtuse; members disproportioned to the rest of the body; the extremities of the limbs weak, slender, and without muscle; the belly large and projecting; the colour approaching, and in some cases equalling, the blackness of the negro, are the marks of this peculiar variety of the human race. Their dispositions are cruel and ferocious; each tribe almost has a distinct jargon. Without laws, without the slightest knowledge of agriculture, or of the use of metals,—without clothes,—without arts of any kind,—without any assured means of subsistence, they are obliged to

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seek their food in the forests, or on the coasts of the ocean. Nature has not been bountiful in affording the means of existence in Australia. The vegetable kingdom hardly supplies anything. There is not an eatable fruit which exceeds the size of a cherry; and the only nutritive roots which are known are those of the fern and some bulbs. The only large animals are the emu and the kangaroo, both of which are now becoming rare, from the constant destruction of them by hunting. Fishing, indeed, might afford more abundant and more constant supplies. But the rudeness of the instruments, and of the manner of fishing practised by the natives, frequently render this resource insufficient: during the winter months, on Van Diemen's Land; during the storms which are frequent on the coast of New Holland; and from the emigration of the fish, this last means of support sometimes fails, and famine rages dreadfully. The natives are then reduced to such a state of meagreness, that they seem like so many skeletons, and ready to fall down from inanition. The condition of the natives in the interior is, if possible, still worse. They make constant war on the frogs, lizards, serpents, and various kind of grubs, particularly a large species which is found around the branches of the Eucalyptus. Even spiders form part of their disgusting repasts: in some cases these miserable hordes are obliged to live upon certain herbs, to gnaw the bark of particular trees, and even to make use of a paste, composed of ants and their larvæ, mixed with the pounded roots of the fern. Nothing but the most hideous famine could have suggested the idea of such a food.

On the arrival of the first fleet, the number of aborigines inhabiting the shores of Port Jackson was very considerable. Soon after the establishment of the colony, a disease similar to the small-pox destroyed a considerable portion of them. The occupation of the country by the Europeans diminished the supplies of game, and produced feelings of animosity, which were augmented by the positive aggressions of the convicts, and thus led

'not unfrequently, in the earlier years of the colony, to the desultory and abortive, but murderous, efforts of savage warfare. Commandoes,* as they are called by the Dutch colonists of South Africa (for I am happy to think that the English language does not afford a word expressive of the idea), were of course fitted out against the wretched aborigines; and many of their number, I believe often with but little necessity, fell before the bullets of the military. There is black

* Murderous expeditions against the aborigines of a country forcibly taken possession of by Europeans.

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blood at this moment on the hands of individuals of good repute in the colony of New South Wales, of which all the waters of New Holland would be insufficient to wash out the deep and indelible stains! But the vicious example of the convict population of the colony has already done much more to extinguish the miserable remnant of this degraded race, in all the more populous districts of the territory, than could have been effected, in a much longer series of years, by the united agency of war and famine and pestilential disease!

'It seems, indeed, to be a general appointment of Divine Providence, that the Indian wigwam of North America, and the miserable bark-hut of the aborigines of New Holland, should be utterly swept away by the flood-tide of European colonization; or, in other words, that races of uncivilized men should gradually disappear before the progress of civilization, in those countries that have been taken possession of by Europeans.'—p. 38.

We have placed before our readers a brief account of the actual state of the colony of New South Wales and its extraordinary population. We trust that the period will soon arrive in which it will cease to be the receptacle of our criminals. The acknowledged defects of transportation as a punishment, the gradually increasing admiration for the Penitentiary system of some of the American states, and the diffusion of knowledge with regard to secondary punishments, will contribute to dispel the prejudices in favour of this pernicious system, which Dr. Lang, with strange inconsistency, considers to have been

'the most interesting and the noblest experiment that had ever been made on the capabilities of man. If (says he) there is joy in heaven among the angels of God over every one sinner that repenteth, we may well conceive the deep interest which superior intelligences would naturally feel at the establishment of the penal colony on the coast of New Holland—all insignificant and contemptible as it might appear to the great majority of mankind—and the loud burst of joy with which they would have hailed the tidings of its ultimate success.'

We are inclined to think that there was more joy in the kingdom of Satan, and louder expressions of glee.

Neither the interested appeals of the slaveholders of New South Wales, nor the mawkish nonsense of the Presbyterian Divine, will produce the belief that terror depends upon the uncertainty of the punishment, and that reformation is best produced by herding criminals together. The penal settlements of the colony are disapproved of by the colonists as depriving them of labourers; but they are now cited by Lieutenant-Governor Arthur, and praised by the Colonial Office, as the means of rendering transportation efficacious. They are, as we have described, isolated establishments, wherein it is

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attempted, by the unsparing application of the lash, by the weight of the chain, and the severity of the labour, to force the criminal to repent, and to find pleasure in toil. If these defects were to be remedied, and the penal settlements were to become perfect penitentiaries, yet they would not afford the slightest argument in favour of transportation. Extraordinary is the confusion of the ideas of those who object to the Penitentiary system in England, yet defend transportation because a species of penitentiary is established in New South Wales: who acknowledge, as Lord Stanley did, in his correspondence with Lieutenant-Governor Arthur, the impropriety of the system of assignment, yet persevere in sending criminals as slaves to Australia; who object to the expense of the American system, and establish a still more expensive one in New South Wales. These are the inconsistencies into which men must fall, who would rather patch up a system, and endeavour by every contrivance to render adherence to it possible for a short time longer, than acknowledge its inherent defects, and resolutely abandon it.

By the abolition of transportation, New South Wales will be left to its own natural resources. Its augmenting prosperity will probably be checked, for it will suffer from the dearth of labour, and from the want of the market, which is created by the convict system. Respectable persons will continue unwilling to emigrate to a community where the state of morals is so depraved. However, with the lapse of time, the convict population will become extinct, and the statistics of New South Wales will cease to exhibit the following details:—

Population of New South Wales in 1831 consisted of

Convicts	15,668
Free	20,930
	36,598

Of these—Men, 27,611; Women 8,987.

The number of persons in gaol for crimes during the year 1831 were

Men	6,737
Women	1,676
Total	8,413*

B. L.

* From Marshall's Digest of Parliamentary Papers.

Art. III.

MUNICIPAL CORPORATION REFORM.

OF the many reforms which the people of England at this time are endeavouring to attain, perhaps the most important is the long-contemplated Municipal Corporation Reform. That under the late ministers we should have had a complete and thoroughly efficient measure, we see much reason to doubt; that there will be no approach to such efficiency under the present advisers of his Majesty, we feel absolutely certain. It is well, however, under all circumstances, that the people should understand the nature and the extent of the reforms needed; should know the ends which they should endeavour to attain, and the principles which ought to guide them while devising the means. In order to further this desirable object, the present paper has been written.

Let us, in the first place, learn what is meant by a municipal corporation.

Although so much of every man's interests as are common to the nation at large, of which he forms a part, are placed under the immediate supervision of the general government, still by far the larger portion of his interests are allowed to remain under his own private control and management. In the same way, and on the same principle, that a man is allowed thus to rule his private affairs, so is a neighbourhood or town sometimes allowed to direct and watch over its local and peculiar interests. A private man is deemed the best judge of his own affairs: it is believed that he is likely to know most about them, and it is certain that the motive carefully to superintend them is greater with him than any one else. So of the particular neighbourhood, as distinguished from the remaining community. The inhabitants have peculiar interests, about which they are more intently concerned than any other persons can be;—they are better acquainted with local peculiarities, and are moreover in a better condition than others, from their mere proximity to the things concerned, to watch over and control them. These are the circumstances which now justify the existence of what is called a Municipal Corporation—which is, in fact, nothing more than a body of persons possessing power to regulate within prescribed limits, and under the sovereign control of the general government, certain matters, which interest in common the inhabitants of a given neighbourhood—say, for example, some particular town.

It is unnecessary here to dwell upon the history of our own

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corporations, or those of Europe generally. Whatever were the circumstances which gave rise to the municipia of ancient, or the corporations of more modern times, the convenience of local governments, as above explained, alone justifies, in the present condition of this country, the existence of these petty jurisdictions. Their olden form will doubtless influence the changes which may hereafter be made; but this influence will, for the most part, be mischievous. Antiquated rules, and foolish customs sanctioned by time, though opposed by reason, will often prove stumbling-blocks to the reformer of municipal corporations, if he attempt to remodel the many various systems of corporate government which now exist in England. One uniform system ought to be established, framed with reference to the present condition of the people; and to do this, the whole mass of ancient rubbish should be completely swept away.

There are two distinct inquiries to be made respecting municipal governments, which it behoves us to keep separate one from the other. The first relates to the extent of jurisdiction to be conferred on the corporate governments; the second relates to the mode or fashion in which these governments are to be framed. We shall now pursue this two-fold inquiry:—

1. Extent of jurisdiction has reference, first, to the territory over which the government is to be exercised; and secondly, to the matters coming under the cognizance of the government. In other words, we shall have to determine what shall be the territorial limits of each corporate government; and what are those local matters, which shall be confided to their separate especial guardianship.

The evil effects of the old system will be seen in no case more plainly, than when the territorial extent of each corporation comes to be determined. A perfect system would require that the whole country, without reference to existing local divisions, should be carefully separated into *corporate districts*. These districts would not merely include the limits of a town, but would, in fact, also each comprise a part of the country. At the present moment, the limits of a corporation are often confined to a portion—and not seldom, a very small portion—of the town of which it is supposed to be the government; and this, because when the corporation was first established the town did not extend beyond the narrow precinct of the existing jurisdiction. This precinct remaining the same, and the town increasing, we have the strange anomaly of the inhabitant of one house being subject to the town magistrates, a few yards off, while his neighbour of the next house, not being within the corporation bounds,

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is amenable to the county magistrate; and if an offence be committed a yard beyond these bounds, it must be tried oftentimes thirty or forty miles off. But, as we have said, in a good system, not only the whole town would be included within the corporation limits, but the county also. The mode in which this would be done may be best explained by an example. The writer of this paper chooses a county with which he happens to be most familiar for his illustration:—

In the county of Somerset there are four towns corporate (excluding Bristol)—viz. Bath, Wells, Bridgewater, and Taunton. Now, without reference to any portion of the surrounding counties, we shall speak only of the territory included within the limits of the county of Somerset. At present, in all these towns, the limits of their corporations are confined to a portion only of the towns themselves. In Bath, for example, the corporation limits of the borough are not one-half the extent of the parliamentary limits: so that more than one-half of the inhabitants are not subject to the control of the borough magistrates. Now, as we conceive, a good system would not merely stretch the corporation limits to what are now those of the parliamentary borough, but would also extend them, so that a large part of the county of Somerset would be included therein. The limits of Wells would touch those of Bath, Bridgewater those of Wells, and Taunton those of Bridgewater: thus absorbing the whole county of Somerset. In other words, the country parts would be aggregated to the town jurisdictions, and the county jurisdictions be wholly abolished. To this state of things, we feel assured, the country will eventually come, and that too at no very distant date; but that it will at once be adopted we cannot hope. The utmost that will be done at first will be to extend the corporate jurisdiction, so that it may include the whole town in which it is situate. The great benefit, however, of the suggestion here made, of aggregating the country parts to the town jurisdictions, will be more fully understood when we have explained the next branch of the subject—viz. the matters to come under the control of the corporate government.

These matters, under the present system, range themselves under three heads—1. Judicial; 2. Administrative; and 3. Legislative. Our present concern is with the *extent* of these three; in other words, what portions of each should be confided to the municipal governments; and first, as respects the

Judicial Powers.—In a country where the judicial system deserved any respect as a system, no part of it would be connected with corporation government; and if we could hope that our own system of judicature was about to receive any extensive

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improvement, we should at once advise that all judicial powers should be withdrawn from the corporate magistrates. The administration of justice should be a thing apart—confided to those who have no other concern; and a system of responsibility, and checks should be adopted, differing from those required for the mere administration of the corporate affairs. To us it appears certain, that no really efficient reform in this matter will be effected till we have a minister of justice, responsible for the choice and the conduct of the judges—which judges should also be amenable to the people, and removable by them. But as this contemplates a change in the habits, feelings, and modes of thinking among the English, greater than can be expected to take place at once, we must be content to forego such a plan for the present, and to attempt the devising of means which will best effect the end in view, in the existing condition of the public mind.

We defer till the second branch of our inquiry any discussion of the mode of selecting the corporation judges; our present business being with the extent of jurisdiction which might properly be confided to them.

If the plan above suggested were adopted—of aggregating parts of the country to every corporation—immense benefit would be derived from extending the jurisdiction of the corporation judges, so as to make it include every matter now cognizable by the courts of common law, civil as well as criminal, with appeal to a Central Court in London.* We know the host of objections that would rise up against such a plan, but we feel assured that the objections would be those suggested by narrow, and not general interests;—that although evil might fall upon a small number of individuals, who thrive upon the vices of the existing system, yet benefit to an almost unlimited extent would result to the public.

Assuming, for the moment, that such measures would be adopted as should be requisite to the attainment of a competent tribunal, let us endeavour to learn what would then be the position of the people, as regarded the administration of justice generally under the plan we propose.

* In many of the old corporations, courts of very wide jurisdiction were created by the charters: so that the principle here advocated is not a new one. Queen Elizabeth, by charter, created a court in Bath, and the following is the recital of the matters to be judged:—This court 'shall have cognizance of all, and all manner of, pleas and writs of debts, accounts, trespasses, covenants, trespasses on the case, deceipts and detaining of chattels, or of all other pleas, matters, causes, suits, quarrels, demands, contracts, and personal actions whatever, happening or arising, or which hereafter shall arise or happen within the said city, &c.' You have here a court nearly cognizant of every thing cognizable on the civil side of the common law-courts.

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In the first place, it is evident that the districts, being much smaller than the present judicial divisions, much less expense would be incurred by suitors than at present;—it is also equally apparent, that the tribunals would be constantly sitting, and thus, in the language of Bentham, much delay, vexation, and expense would be avoided. At present, the circuits in the county of Somerset are only twice a year, and the quarter-sessions four times; and these are held alternately at Wells, Bridgewater, and Taunton. From one end of the county to the other is something beyond sixty miles; and suitors, and witnesses, and criminals are thus dragged about the country, at a vast expense of money, patience, and comfort. On the plan proposed, none of these evils would arise: the tribunal would be near—it would sit perpetually; and no possible mischief could result from a plan so simple, and yet so efficient.

It may, however, be said, and will be said, that the tribunals could not be made so efficient as the present. While dealing in generals, much more can be easily and safely asserted than when we descend to particulars. Let us look more closely into the existing state of things. Dividing the business of the courts into criminal and civil, it will be found that, in criminal matters, the justices at quarter-sessions practically adjudicate on every offence except such as necessarily involve the life of the party: they award every punishment less than death and transportation for life. The justices of the corporations are justices of the peace, and try all offences against the police of their towns. Besides this, there are generally local Acts of Parliament, creating petty jurisdictions; and in many cases, the recorders try for petty offences. Now, does any one mean to say that these several tribunals are what we, in the present state of our knowledge and advancement, should, as a nation, deem competent? Are the country gentlemen who preside at quarter-sessions, in any person's judgment, deemed capable of fulfilling the duties of the difficult part they have assumed? Are the magistrates of boroughs one whit better? Neither the one class nor the other have received any specific instruction, in order that they may be fitted for their duties: they know nothing of law, and are judges by inspiration. If it be said, that the matters on which they decide are far less important, and far less intricate, than those which we propose to submit to the judges of the corporation districts, we at once deny the truth of the assertion: for first, as respects intricacy—What, we ask, can be more intricate than the questions of parish law, on which the justices at quarter-sessions have so long adjudicated? Any one who has ever opened a Report knows that the cases re-

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specting the various questions under the poor-laws. are usually far more nice and complicated than the ordinary matters brought under the notice of the courts. It may also be remarked, that the points of law arising in a dispute for five pounds are precisely the same as those which arise in a case of five thousand, the intricacy and difficulty of a case never in any way depending upon the amount of the sum in dispute. So that the judge who decides what are deemed petty and trifling cases should, in order that he administer justice, be as highly educated as he who determines respecting thousands. Next, as to importance. Small cases are precisely those which ought, in the legislator's eyes, to appear most important. We cannot measure the influence of a case upon the well-being of the parties disputing by the sum in dispute. The result of a suit for a thousand pounds may be a matter of trifling consideration both to the plaintiff and defendant; while in the case which should follow it, involving only five pounds, the result may be utter ruin to the loser. Again: in criminal cases, the justices at quarter-sessions transport for fourteen years; and borough magistrates imprison and flog. Are these not important results? Is it nothing to be sent from one's country into perpetual* banishment, and condemned to hard labour? The extraordinary anxiety shown by our legislators respecting the adjudication of the disputes of the rich on money matters, compared with their reckless indifference as to what sort of justice may be meted out to the poor, plainly proves from what class our legislators are selected, and with whose feelings they are accustomed to sympathize.

What we now propose, is a vast improvement upon the existing system. In place of the borough magistrates, as now constituted—in place also of a petty judge acting with commissioners in small causes under local acts—and also, in place of country justices at quarter-sessions—we should propose to have the recorder of the corporation a magistrate constantly at his post, composing by himself the court of the district, competent to try all matters cognizable by the courts of common law, and all offences now tried by the corporation magistrates and the justices in quarter-sessions.

We frankly confess, however, that, with a legislature like ours, we have no hope of attaining this end;—that is, we do not expect that the country gentlemen will be content to forego their magisterial doings, or that the lawyers of Westminster Hall will suffer such a destruction of their business as would

* Transportation for fourteen years may in most cases be considered transportation for life.

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necessarily follow the plan here proposed. But though all cannot be gained, a large part may;—although we may not be able at first to obtain for the corporation judge jurisdiction over the country parts adjacent, still it may not be impossible to make an efficient court within the limits of the borough, or corporation. The recorder now is, in many places, a mere nominal officer; in others, he really does adjudicate the matters within his jurisdiction; but this is done only a few times in the year. He is usually in these cases a barrister, practising in London, and running down for a few days to the seat of his jurisdiction; his business is dispatched with hurry, so that he may run back again, and lose no chance of profit in his profession. This ought to be wholly reformed. The recorder should, in all cases, be made a permanent judge—residing in the town, administering justice from day to day, and pursuing no other avocation whatever. He should be, what judges are not now (excepting those of the courts of Westminster), a person possessing the confidence and respect of the people. At the present time, the greater part of the business of administering the law is performed by persons whom the mass of the people bitterly hate, and oftentimes contemn. All corporation magistrates, as now chosen, acquire, from the mere fact of their being of the corporation, the ill-will, and even the suspicion, of the persons within their jurisdiction. The body of persons by whom such judges are chosen are looked upon by the people as men living by dishonest peculation. Whether this suspicion be correct or not, matters nothing. It is the necessary consequence of the system of monopoly and secrecy which belongs to all our present corporations. A judge, administering justice with this odium attached to him, cannot so administer the law as to make the people yield a cheerful obedience to it: no matter how just his judgments, the losing parties, having no confidence in the judge, will never be content with his decision. Instead of accommodating their minds to acquiescence, a surly spirit of rebellious opposition arises within them. They do not, as they would do had the judge their confidence, doubt their own opinion, and yield up their passions and their opposition. Where the judge is respected, the opinion of the world also leads men powerfully to this obedience;—when a man sees that his neighbours all believe that he has had justice done, he begins involuntarily to believe it himself; finding no sympathy in his gall and bitterness, he is quietly compelled to put up with his condition. How different is the situation of a man condemned by a judge whom all suspect, and none love! At every turn the disappointed suitor finds countenance, and sym-

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pathizing auditors; he charges his judge with unfairness, and they agree with him. Suspicion and hate grow together. The administerer of the law is first hated—then the law; and bitter are the feelings of animosity created in the minds of the multitude by the belief, that for them justice is but a name, and law but a cruel step-mother. Such must ever be the result, where the judge, from the mere fact of his appointment, is subjected to the suspicion of the people. Few of the many benefits that must flow from a reform in the present abuses of our corporations will equal in importance this capital one of creating respect and willing obedience in the people's minds to the determinations of the judge. This can only be done by placing him above and beyond suspicion—by disconnecting him wholly from all irresponsible authority—by making him, as we shall hereafter show, the very organ of the people, so that each and every man shall feel as if the nation had passed the decree, and had employed the judge to announce it.

Here, however, the constant argument may be brought against the proposed plan, of uncertainty, and discrepancy in the law, arising from a multitude of tribunals. We are prepared in answer to show, that far more uncertainty, and far greater discrepancy, exist at present than could by possibility arise from the mode here contemplated.

When people speak of the admirable effects as respects uniformity in the law, resulting from the perambulations of the judges of the courts of Westminster, they forget the immense proportion of questions that never come under their consideration: for example, the criminal jurisdiction at quarter-sessions; the whole immense mass of petty litigation subject to corporation magistrates and petty local judicatures. In none of these causes is there the privilege of appeal, so that we feel confident of being correct, when we say that the matters actually coming under the cognizance of the courts of Westminster do not by any means equal in numbers those that are exempt from it; and yet we hear great talk respecting the admirable uniformity of our law: the attention of those thus lauding our institutions being usually confined to the disputes of the rich suitors, while the multitudes of poor suitors are laid wholly out of the account.

Now let us consider this question of uniformity under the new method here proposed. It will be advisable to ascertain, first, what is meant by uniformity.

In every decision of a judge there may be two distinct subjects of decision: first, as to the facts of the case; second, as to the law under the ascertained facts. The first class of decisions

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result from *evidence*; and the decision consists in weighing and estimating the worth of that evidence.* Now, uniformity in the weighing of evidence is a matter utterly impossible, and is never sought after, even under our own system. It is impossible, by any human means, to regulate the impression that shall be made by a man's testimony upon the mind of the judge, so that, being given, it shall by all be exactly estimated at the same worth. It may, therefore, be laid down as a principle, that correctness of decision is in no way furthered by having the same testimony heard twice over by two different persons. For example, Judge A. hears the testimony of the witness W., and decides accordingly. The party interested, not satisfied with the decision, has the same testimony heard by Judge B., at a different place, and requires from him a judgment also. What possible reason have we to believe that the decision of B. is likely to be more correct than that of A.? He has no better means of determining; for, by the supposition, he hears precisely the same testimony. Uniformity of decision, then, in no intelligible sense of the term, is promoted by the double hearing of evidence.† Respecting the application of the rules of law, the case is widely different. If we have a set of—say a hundred—judges in various districts, delivering decisions on matters of law, it may so happen that we can render them uniform,—that is, we can almost ensure that, upon a case stated, if we should successively require the one hundred judges to adjudicate, that all would adjudicate in the same way. This would be done by subjecting the one hundred judges to one single appellate judge, whose decisions being rules to all the hundred judges in matters wherein they could be rules, there would be a constant tendency to agreement, or uniformity, in the decisions of the hundred subordinate judges; and this is all the uniformity that can ever be attained. Now, in the case before us, this practicable degree of uniformity is ensured. Give the power of appeal from the district, or corporation court to the single appellate court in London, and, at the same time, take measures to avoid all unnecessary delay, vexation, and expense; and we see no reason to dread the dangers so constantly harped on, as

* In our law there are, indeed, what are called certain rules of evidence—which rules do not teach us what evidence is trustworthy, what untrustworthy; but only determine what shall be heard—what not. The decision of the judge, on the admission, or non-admission, belongs to the second class of decisions above adverted to, viz., decisions as to the law of the case.

† Re-hearing by the same judge may conduce to a more correct judgment; but not re-hearing by two separate judges. But *re-hearing* and *appeal* are different things.

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resulting from separate jurisdictions. So far, then, as regards the extent of the judicial powers to be intrusted to the corporation magistrates.

Our next matter of consideration is, the extent of the *administrative powers* which ought to be confided to the administrative functionaries of the corporation.

This is the legitimate field for the exercise of corporation functions; and every power of administration ought to be confided to the corporate officers compatible with the existence of the general government, and subject to its supreme control. There are matters, doubtless, of mere administration, and in which each separate district is deeply interested, which ought to be under the immediate and active supervision and management of the central government; but there are few, if any, in the control of which the local administrations ought not to participate; while, in the great majority of cases, the actual and nearly entire management should be almost exclusively confided to them.

In order to illustrate this matter of concurrent administration, and to point out some of the many and great difficulties connected with the due separation and apportionment of the powers to be confided to these subordinate administrations, we may select a department which has already caused much confusion and trouble;—we allude to the administration of the roads and other routes of communication. This subject is one necessarily of concurrent administration; that is to say, such roads as are necessary for the general communication of the kingdom should be under the immediate management of some general authority; while such as regard merely the inhabitants of the district should be the affair of the district government; and all powers requisite to the formation of such roads, canals, &c., ought to be confided to them. When speaking of the extent of legislative powers, we shall be obliged to revert to this subject, as the legislative and administrative powers are here intimately blended.

Thus again, powers for the due lighting of towns, and supplying the inhabitants with water, should be entrusted to the corporations. At present, an act of the imperial parliament is required before a gas or water-pipe can be laid down for the use of the inhabitants. Immense expense is thus incurred, and enormous injury often inflicted on the poor. In this case it is evident no interests can be affected but those of the inhabitants themselves; and here, therefore, if in no other instance, the power we contend for ought to be entrusted to them. What is now done as a job, by parties interested only for them-

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selves, or a small body of employers, would, under the system proposed, be made the business of the corporation government; which, as we shall immediately show, can be, and ought to be made responsible to the great body of the inhabitants over whose interests they are set to watch. In the same way, all the public charities—and, advancing one step farther—all institutions of education, supported by the people, should be, in a great degree, under their immediate and direct control. All public markets also,—all matters of police, come necessarily under the same management. In short, everything affecting the well-being of the neighbourhood, considered merely as a neighbourhood, and unconnected either with the nation generally, or the districts or neighbourhoods immediately surrounding, ought to be considered as the business, and coming within the field of corporate administration. From the incomplete list of these matters here given, it must be evident, that much care and knowledge would be required to make an accurate and scientific classification of the rights to be conferred, and the obligations imposed on the municipal governments; so that a general rule might be framed, and put into the form of a law. To draw correctly and distinctly the line between these various small jurisdictions, and the general government, would demand no ordinary proficiency in the science of legislation; that is, so to draw it, that a complete conception of the whole field of their jurisdiction could be attained, by an instructed man, on a perusal of the law. It would be easy to perform the task in the ordinary, clumsy mode of English legislation—in which difficulties are avoided only by putting them off to be settled by expensive and doubtful judicial decisions. Any English act of parliament which shall regulate the extent of corporation jurisdictions will, doubtless, contain a confused, illogical, and incomplete list of the powers conferred; an attempt at an enumeration will be made, and appended to it will be a drag-net to catch any forgotten or stray right, which may have escaped the detail, in a shape, perhaps, like the following: 'And all other rights, powers, privileges, or immunities necessary to the due and proper discharge of the several functions above enumerated.' What 'rights, powers, privileges, &c.,' may be so necessary, will lie hidden in the womb of time, till a judgment of a court of law shall give them birth; so that we shall never come to the end of the list. The decisions of the courts will never do more than settle the matter immediately in dispute; and, on every fresh emergency, a new suit, and new decision, will be requisite To avoid these mischiefs by a previous, complete, and exhaustive classification of the rights and obliga-

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tions necessary to the end in view, will, we fear, never suggest itself to those whose business it will be to prepare a bill for the consideration of the legislature. To do so would appear too much like the conduct of a philosopher; and a philosopher, as every blockhead is supposed to know, and always asserts, is not a practical man. The practical men are the drag-net framers—men to whom nothing suggests itself but what a narrow experience teaches—men who never use thought to learn what *may* happen, but who are content to task their own memory to remember what *has* happened. They put down a confused list of particulars, in the order in which their memory supplies them; and then complacently crown their work by the capital contrivance of a wide generality, which, as it distinctly specifies nothing, may, upon occasion, be made to signify anything. After this manner have all our laws hitherto been fashioned. Would that we could reasonably hope that, in the case of corporation reform, science was about to assume its proper function, and order and logic to occupy the place of a confused and disorderly enumeration!

It is needless further to consider the subject of administrative functions; a vague and general view of them is easily attained; enough, we hope, has been said to that end. A complete and accurate conception could only be conveyed by the laborious analysis and classification above alluded to—an analysis which necessarily supposes a previous one of the whole functions of the general government. For this, the present is not the time or the place. We, therefore, pass to the next matter of consideration, viz.:—

The extent *of the legislative powers* which the corporation governments should enjoy.

In the strictest sense of the term legislative, it may, perhaps, be said, powers of that description ought not to be, and are not, confided to corporate or local governments. We have no desire to quarrel about a word, and will, therefore, explain, as definitely as we can, the *thing* here intended.

It may often happen that, for the purposes of mere administration, a power may be needed of framing general rules, and obtaining obedience to them. For example, police is a matter of mere administration; but to attain the end of all police, viz.—peace and security—it may be, and often is necessary, that general rules should be promulgated, both for the guidance of the officers of police, and for the conduct of the people. Again, lighting, watching, and paving a town, are all matters of mere administration; but yet many things have to be done to these ends, which require powers very nearly resembling legislative

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powers, if not actually such, and which we in England have always seen exercised by a legislature: for example, it is necessary to tax the community—to confer the right to enter upon the property of individuals—to confer a monopoly. All these things affect the whole community of the corporation, and must be the result of a rule which all are to obey. Now, the persons who enact these rules, which to us assume most of the characteristics of a law, ought not to be the persons by whom they are carried into effect. They who frame the rules of police ought not to sit in judgment on the offenders against the rules. If this be correct, this single circumstance is sufficient to justify the distinction we have made between administrative and legislative functions in the corporation governments.

Every observation above hazarded, respecting the importance of framing an accurate analysis and classification of the administrative powers, applies with even greater force to the case now before us, while the difficulty from the novelty of the thing is considerably increased. We are all of us accustomed to see functionaries daily exercising administrative authority: it seems to all, vulgar and instructed, right that they should do so; and all men do in their own minds frame some conception, however inaccurate, of the body or aggregate of powers necessary for an administrative functionary; but the carving out from the supreme government a portion of sovereignty, and bestowing it upon a number of petty jurisdictions, is in name new, though in reality it has long been acted on. What we suggest is merely an extension of an existing practice. The present corporations actually possess some of the powers which we have spoken of as legislative powers: all that is new in our plan is the suggestion that in the same way, and under the same restrictions and subjection to the general government, other powers now exercised by parliament should also be confided to them. Added to this, there is one other novelty, viz. the proposal that we should distinctly determine beforehand the precise limits of the powers to be conferred; and having so ascertained them, should, as distinctly as we are able, describe them in the terms requisite to the framing of a general rule of law: so that all men might learn what powers it was intended that these subordinate jurisdictions should possess, and thus doubt and litigation be materially obviated.*

* The following extract, from a charter already quoted, illustrates well some of the above observations: it serves to show what large powers were anciently confided to the corporations; and also how imperfect was the skill of our lawyers then, in the science of legislation. We have a redundancy of language, ridiculous, as well as disgusting, and yet the enumeration of powers is any thing but complete;—definite, it does not apparently pretend to be. The charter provides that the mayor, aldermen,

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2. Thus far, then, as regards the first great branch of our inquiry. We now proceed to the second—viz. *The mode or fashion in which the Corporation Governments are to be framed.* The matter we have just left is quite as important as the one we are now to investigate—for on the extent of the powers confided to them almost entirely depends the usefulness of the municipal governments. If these powers be narrow, so also will the utility of the municipalities be diminished; while, on the other hand, if they be liberally awarded and strictly defined, there is hardly any limit that can be placed to the benefit to be derived from them. Yet, important as this matter is, it does not excite the lively interest in the popular mind that is created by the present subject of inquiry. What the corporations can

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and common council, in court or convocation, '*may and* shall have *full* authority, *power, and ability*, to *erect, constitute, ordain*, make *and establish, from time to time*, such laws, *institutions, ordinances, and constitutions*, as to *them, or* the greater part of them, shall seem *good, wholesome, profitable, honest, and* necessary, *after their sound discretion*, for the *good rule and* government of *the mayor, aldermen, common council, and of* all and singular *other* the inhabitants of the said city of Bath, and all officers, ministers, artificers, residents, dwellers, and inhabitants of the said city, for the time being, or of any others whatsoever, resorting or coming to the said city; and for declaring how and in what order the mayor, aldermen, and common council, and all and singular other ministers, officers, citizens, artificers, dwellers, inhabitants, and resorters of the said city, shall behave, bear, and use themselves in their offices, functions, mysteries, crafts, businesses, obediences, and good behaviours, within the said city and liberties thereof, for the time being; and otherwise for the public good, common utility, and good regimen of the said city, and for the victualling thereof, and also for the better preservation, governance, disposition, placing, and letting of the lands, tenements, possessions, revenues, and hereditaments, to the aforesaid mayor, aldermen, and citizens of the city, and their successors, or to the mayor and citizens of the said city, or to the citizens of the said city heretofore, or by these presents given, granted, or assigned, and other things and causes whatsoever, touching or in any way concerning the said city, or the ordinances, institutions, constitutions, statutes, rights, and interests thereof; and that the mayor, aldermen, and common council of the said city for the time being, or the greater part of them (whereof we will the mayor for the time being to be one), as often as they shall enact, make, ordain, or establish such laws, institutions, rights, and ordinances, and constitutions in form aforesaid, may and shall have power to make, ordain, limit, or provide such and the like pains, punishments, and penalties, by imprisonment of their bodies, or by reasonable fines and amerciaments, or by either of them, against and upon all offenders against such laws, constitutions, rights, ordinances, and institutions, or any of them, as to the said mayor, aldermen, and common council for the time being, or the greater part of them, shall be then thought necessary, fit, and requisite for the observation of the aforesaid laws, institutions, rights, ordinances, and constitutions; and the same fines and amerciaments may levy and have of the goods and chattels of every one so offending, by the bailiffs, or other ministers of the said city, to the use and behoof of the aforesaid mayor, aldermen, citizens, and their successors, without let of any of the officers ministers of us, our heirs, and successors, and without any account or allowance in any wise to be yielded unto us, our heirs, and successors, for the same, or any part or parcel thereof; all and singular which laws, ordinances, constitutions, rights, and institutions, so to be made as aforesaid, we will for us, our heirs, and successors, to be so continued, so that the same laws, ordinances, institutions, and constitutions be not repugnant nor contrary to the laws and statutes of our realm of England.' In the first sentence all the unnecessary words are put into italics: it is needless to carry the exhibition farther.

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do people fancy they know; and what excites their concern is, the mode of turning these supposed known powers to useful ends. This, in most people's minds, signifies, what is the most effectual way by which the municipal governments can be made subject to the control of the people. This is all very natural, and just what any one who knew aught of mankind would expect. In this case, the powers confided are so palpably useful, that no one has ever yet attempted to curtail them. On the other hand, they have constantly been abused, in consequence of a vice in the system manifest to all. To maintain this vice has been the grand aim of one set of persons, to get rid of it that of another. We would have the people, however, exceedingly watchful as to all points on this subject—and be wary lest corporation reform be rendered of little use, by artfully curtailing the powers conferred on the corporation governments; or by so confusedly and ambiguously wording the enactment which confers them, that litigation and the wildest confusion be made to result from a measure which now raises the fondest hopes of the nation. The friends of present abuses will not be sorry to disappoint these expectations, and thus make the people dissatisfied with reforms they long have coveted. If the people be watchful, this artifice cannot be practised on them.

That the form of the corporate constitutions is a matter of vital importance cannot be doubted—that here the chief arts and most strenuous exertions of the lovers of bad government will be used is also certain. Still we feel re-assured, when we recollect, that while the enemies of reform are more active in their opposition on this part of the subject than elsewhere, reformers are also more united. Understanding this portion of the question in consequence of a long and painful experience, their demands are definite and alike among all classes. The most barefaced imposition will nevertheless be practised at every step of our progress here: so that it is the more necessary to have constantly before our eyes what our demands ought to be; and to be so familiar with every particular portion of the subject, as to be safe against the many surprises and artifices to which we shall be subjected.

The important points respecting the framing of the corporate governments may be classed under the three following inquiries:—1st, Having ascertained the various powers which ought to be confided to the corporate government, what should be the mode in which those powers ought to be distributed. In other words, what functionaries and bodies of functionaries ought to be established. 2d, In what way ought they to be chosen.

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3d, In what way ought the various expenses of the corporation to be provided for.

The distinction already made of the powers of the corporate governments into *judicial, administrative,* and *legislative,* points to the distinction which ought to exist among the officers to exercise them. In every corporation, in the present condition of the public mind, there should be *judges, administrative officers,* and *a legislative body.*

At the present time there exist, in many of our corporations, courts of law having a very extensive jurisdiction. But from all of them business has effectually been diverted by the conduct of the courts of Westminster Hall. The practice of removing causes from these inferior jurisdictions to the Court of King's Bench has been so favoured by the judges, that the utility of the subordinate courts has been utterly destroyed. Had the courts of Westminster been content with the business of Appeal, in the accurate acceptation of that term, the whole administration of the law in this country would have been very different in its character. Instead of being tedious and expensive, as it now is, it would have been, in the towns at least, at every man's door, and might have been rendered by the presiding care of the appellate jurisdiction, cheap, just, and efficient.

The mode, then, which we should now suggest would be to revive these courts, where they have heretofore existed, and to create them in those corporations which have been devoid of them; with this proviso most strenuously insisted on, that in every case the court should consist only of one judge. If in any town there should be more business than one judge could perform, have two; but have these sitting and judging separately, each responsible for his own acts, and his own acts alone. The recorders of corporations are the proper judges, and would thus be converted into useful and fully occupied officers.

In the present condition of our law, the administration of it is divided in fact, though not, perhaps, formally, into summary, and non-summary. Another division which is formally made is that of criminal and civil. It is necessary to consider both these divisions, when determining the duties of judges amongst us. Now, we see no reason why, in the first place, both the summary and non-summary jurisdiction should not be intrusted to the same judge; excepting, indeed, in such places as require more than one. In those, it may, perhaps, be no unwise appropriation of business to give the more summary business to one—the more slow and regular to another. So also, with the same exception, we should confide both civil and criminal jurisdiction to one and the same judge.

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The one greatly beneficial consequence of this arrangement would be the taking away all matters of adjudication from the other corporate officers. The knowledge requisite for a judge, can only be acquired by long and patient study. In short, a peculiar and laborious education is needed, in order to fit a man for the judgment-seat. What can be more preposterous than, suddenly, as in the case of the Lord Mayor of London, to transfer a man from the counter to the bench, and, in order to ensure the least possible quantity of fitness, to change the mayor regularly every year, at the same time rendering it impossible for any one to be mayor for more than two years of his life, and in by far the greater number of cases allowing him only a single year in office?—thus, in the language of Mr. Bentham, ' throwing away the benefits of experience—a sort of profusion very ill reconcileable to the rules of prudence.' Fresh ignorance is yearly supplied to the bench, and expert tradesmen annually converted into bad judges; the actual consequence being, that the real judge is the irresponsible clerk; he instructs the ignorance of his superior, and in his name, decides according to his own fancy. Persons, also, who have been successful in trade, are, at a late period of their lives, by being made aldermen, converted into judges. These persons, by their experience,—by their long residence in the town, are just the persons best fitted to watch over its peculiar interests; they are thus proper persons to be chosen to perform some administrative functions, but are not at all capable of administering the law.

'The notion of facility in the business belonging to this office is very good, as a wish, but very ill, considered as an opinion . . . Though the laws were as simple as angels are pure, judicature could never be brought within the competence of an uninstructed and inexperienced mind. The application of the law to the fact; the inquiry whether the evidence, as exhibited, brings the matter of fact within any of the species laid down in this or that part of the general map of law is a task that is, and ever will be, liable to require a considerable skill in the value of words,—a considerable degree of proficiency in that abstruse and formidable branch of science,—distinguished by the repulsive appellations of *logic* and *metaphysics*. The putting together and weighing one against another, that multitude of obscure and discordant links which a cause will sometimes exhibit of a chain of evidence, is a task to which no ordinary powers of discernment will be equal: the investigating them is a pursuit to which no vulgar measure of sagacity will suffice. In all other lines, shall practice be essential to improvement, and in this alone a matter of indifference? Are men bred tailors and shoemakers by nature? And is there less difficulty in trying a long and intricate cause, than in making a pair of breeches or a shoe? . . . No art, no science, no corner, however obscure in the obscurest

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art, or science, that may not furnish questions for the decision of a judge: and judges, it has been thought, may be taken from any counter, or from behind any hedge.'—*Bentham's Plan of a Judicial Estab.*, c. v. t. 3.

It may be said, however, and, doubtless, will be said, that these persons do not decide in civil cases. True; but still their decisions are important:—sending a man to prison, fining him five pounds, and such matters, are, to the parties concerned, of the highest moment; though, perhaps, to a thorough-bred lawyer or English legislator, a formal trial respecting a promissory note of five pounds may appear of far greater consequence. We own that we cannot participate in the feelings that lead to this estimation. The judgments affecting the poor, though they may be respecting little sums, are just as worthy of deep consideration—are fraught with consequences upon the happiness of the parties, quite as great as the decisions of the courts of Westminster in the cases of the rich. It is no justification for making a tradesman a judge, to say that his judgments affect the property and liberty of the poor alone. All jurisdiction, therefore,—whether summary or non-summary, whether civil or criminal—should be completely withdrawn from every officer but the regularly educated judge; and whether the offence be a night-brawl, to be decided on at the discretion of the magistrate—a more grave matter, to be decided on a formal prosecution—or a civil law-suit,—all ought equally to be decided by a judge whose sole business is that of judging.

It may be said, that confusion would be created by this sort of pell-mell arrangement. None, however, need arise. At stated hours, the different sorts of business may be entered on: for example, as soon as the judge took his seat in the morning, he might decide upon the police cases that have occurred since the day before. This should be done every morning; and then, on certain days, might succeed civil; on certain other days, criminal business. Everything being done in open court, by one responsible and educated judge, who would be mixed up with no party squabbles—with no disputes resulting from transactions connected with other portions of corporate management—respect would be felt for the judge, and for the law which he administered. How different from this picture is the actual working of the present system! In every country town in which the corporation is a close one, bitter animosity exists against the various members of the corporation, in the minds of the inhabitants generally. The mayor and aldermen usually sit in close conclave, and try such offenders as appear before them, by no law but their own will. Suppose the case of one

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of the corporation, or one of their friends, affronted by an expression, or by a look of a poor tradesman or mechanic; the offender is summoned; he is allowed no one to speak for him; the public are excluded from the justice-room; and the accused may be an ignorant person. We do not ask what chance this man really has of a just decision, that not being the pertinent or important question; but the question that we do ask is, what chance is there that the public, to which he belongs, will believe that he is likely to have a just judgment? Every one knows, that if angels were to sit in judgment after such a fashion, they would be vehemently suspected. What expectation, then, that a body, already suspected, and hated, should share any other fate? If we desire that the law should be revered and obeyed, we must place its ministers above suspicion: we cannot do this, if we allow them to exercise any function besides that of judge. The following observations of Mr. Bentham are pertinent to the matter in hand:—

'On this occasion, as on all others, popularity is to be considered as a solid and substantial good;—unpopularity, as a solid and substantial evil, independently of good and ill desert. Two properties are indispensable on the part of a magistrate of this sort—that he be a good one—and that he be thought to be so. Without he be so, he will hardly, it is true, be thought so long; but so long as it is possible to be in either case, without being in the other, better he should be thought to be good without being so, than be so, without being thought so. A judge may be bad in a thousand respects: he may be corrupt or ignorant in the extreme; and, yet so long as his corruption or his ignorance do not transpire, no very material suffering may ensue from it: let him be generally thought so, whether he be, or be not so, is a matter of small moment, otherwise than to his own conscience. An alarm,—an opinion of insecurity, equally general, is the necessary consequence; and where there is no opinion of security, as well might there be no justice. Insecurity, unapprehended, is but a latent source of *contingent* misfortune to the few;—insecurity, perceived, or supposed, is a fund of actual and present uneasiness to the many. Possessing the confidence of the people, then, is the first requisite in this line—deserving it, is but a secondary one.'—*Judicial Estab.*, c. v. tit. 3.

The only parties whose opposition to the above proposed arrangement need be feared are the lawyers of London. This opposition cannot be frustrated by any appeals to lawyers themselves. They see clearly that such a system would be adverse to their own personal interests. The London Bar would in reality be broken up by it; and no explanation of the manifold benefits likely to arise to the public, from such an alteration, will reconcile the lawyers to their own loss of profit and honor. Already they have manifested their dislike, by

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their opposition to, and final rejection of, Lord Brougham's plan of local courts—the effects of which would have been somewhat similar to those of the plan here proposed. Expecting, then, nothing from any attempt at persuading the legal body, all our hopes of success must be founded on the strength and firmness of the people's demands. If they, believing the proposed alteration benefical to the general interest, order their representatives to propose, and vote for it, the reform will be effected; if, on the other hand, they be lukewarm, or careless, a system will be established, leaving the great vices of the existing one untouched—careful, indeed, of professional interests, but reckless as regards those of the public.

We have now arrived at that matter which, above all others, will arouse the furious opposition of all lovers of the things that be. By whom are these judges to be selected? They who favour the present system,—who love, in all its branches, aristocratic dominion, will strive to place the power of selection, nominally, in the hands of the king—really, in those of the reigning minister of the day: thus preserving to themselves—that is, to the aristocracy—a powerful interest among the long-favoured instruments of their dominion. An attempt will be made (and we feel justified in the assertion by the language of the present Solicitor-General at Exeter) to take away from the people all power in the selection of the borough or corporation judges, and to place it in the hands of some party having feelings and interests identical with the aristocracy. If the people be blind or mad, they will permit this baneful usurpation; if they be wise, and their representatives honest, the power will be intrusted to those who have the greatest interest in the right use of it—viz., the people themselves. But would you subject the administration of justice to the caprice and passions of an excited population, and make your judges solicit suffrages after the fashion of a parliamentary candidate? By no means: and we would, in a parenthesis, observe, that we consider the solicitation of suffrages by him who is to be a legislator quite as indecorous, and quite as mischievous, as solicitation by him who is to administer the law which the other makes. In the one case, and the other, the best security against such proceedings is the opinion of the public. Let them once generally consider that all canvassing is mischievous and degrading, and candidates will quickly forego so painful and so disgusting a ceremony. In the selection of a judge, however, some further precautions may be taken to place him without the reach of popular excitement, while, at the same time, he may be kept responsible

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to the calm and rationally-formed opinions of the people. The plan by which these ends can be obtained is as follows.

We have already spoken of a body, who may be considered the legislature of the corporation. This body, by the plan we shall immediately explain, but which explanation we now somewhat anticipate, will be completely responsible to the great body of the people. By this body, when a vacancy occurs, the judge should be selected, and the term of the judge's office should neither be for life, nor for any stated term; but, on complaint made, he should at any time be removable by the authority which selected him. The following advantages, we conceive, would result from this arrangement.

As the parties selecting the judge would be acting in the exercise of a trust, all immediate canvassing of them would be rendered impossible, by the opinion of the public. For the proper exercise of their trust, they would be responsible to the people. But the people would not be able, under the influence of any immediate and sudden emotion, to remove the judge, though at the time for the re-election of the legislative body (which, for shortness sake, we may call the *council*) they might express their sense of their representatives' conduct, if they deemed that they had acted improperly, by putting others in their places. This check on the members of the *council* would ensure an honest selection; while the number of steps to be taken, before the judge could be removed, would ensure a calm judgment in his case. Let us take an example. Supposing the council to be elected once a year; upon the average of cases, the selection of a new judge would take place six months before they went out of office. In some cases, it would be a longer, in some a shorter period—however, say, as an average, six months. Suppose the judge selected, and the people dissatisfied with the selection. The judge enters upon his office; he cannot be removed but on complaint made. We may assume that the parties who have selected him, as they knowingly made the selection against the opinions of their constituents, would not frivolously unseat him. But suppose the people to be so angry that they select a new council: remark, that in the first place, in most cases some time must elapse before a new election. If the objection, on the part of the people, be the offspring of passion, that passion will have some time to cool. The judge, moreover, during the period, is occupied in giving the people evidence of his fitness, if he be really competent. However, suppose the new council hostile to the judge to be elected: before he can be dismissed, complaint must be made, and a solemn

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trial take place. What greater securities against hasty decision —against injustice or passion, could possibly be conceived? Let any one, with an unprejudiced mind, compare this mode with that which gives the selection of the judge to the minister, with or without power to remove him, and then let him decide calmly upon the merits of one and the other.

Let the people bear in mind, that one of the modes that will be attempted of robbing them of all the benefits of corporation reform, will be, taking the power of selecting judges out of their hands, and placing it in the hands of those over whom the aristocracy have an all-powerful influence.

Having disposed of the consideration, of who are to be judges, and who are to select them, we come to the same matters of inquiry respecting the *administrative* and *legislative* officers.

If the classification of powers above spoken of have been made, the determination of what administrative officers are necessary would easily be come to. Having distinctly and correctly conceived what it is that has to be done, it would not be difficult properly to apportion the business among those who are to do it. Officers to watch over the poor; officers of police; officers to superintend the lighting the town, conveying water to the inhabitants, paving and otherwise taking care of the streets; officers to collect the revenues of the town; the treasurer and the lawyers of the town should all be separate persons; and should be elected annually, either by the people, by ballot, or openly by the town council, to be hereafter described. But the people is a vague term—what is it here intended to signify? *Answer*, all persons who contribute directly to any of the expenses of the town. Content, indeed, we shall be, if under present circumstances we obtain a constituency for the corporations consisting of ten-pound householders. That is, persons rated as such; making the rating, and not the payment of the rate by a certain day, the circumstance giving the right of being a corporation elector. Such a constituency will nearly, though not in the degree that we could desire, possess interests identical with those of the whole population. As a step towards a still further extension of the suffrage, we should be content even with this ten-pound constituency; what we should be better pleased with would be household suffrage, as coming still nearer to the point we wish, that being, that all who pay should have a voice in electing those who levy and spend the money. This is another matter on which deception will be attempted. Every possible effort will be made to narrow the constituency. The people, however, should be satisfied with nothing less than the

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parliamentary constituency, and should strain every nerve to extend it to the point we have named.

Another mode of rendering inefficient the control of the people would be by rendering the various officers elected by them permanent. This notable plan was conceived by the late Lord Chancellor, Lord Brougham, who having, we suppose, a desire to conciliate some mischievous interest, proposed to elect aldermen for life. The effect of which would be to incur all the evils attendant upon a popular election, carefully excluding even the possibility of a benefit. We run the risk of all the mischievous arts by which popularity may be acquired, being called into action *before* election, while all feeling of responsibility *after* it is effectually prevented. Again, then, we warn the people to be upon their guard. On this point, also, the lovers of corruption and misrule will exert themselves, *and attempt to nullify the benefits of corporation reform by enacting that the various officers be elected for life.* The people, on the other hand, should insist, in the case of all the administrative and legislative functionaries, on annual elections. Their very frequency would tend materially to keep down all commotion, and quiet might be ensured by the employment of the ballot.

We are not inclined, in any case, to be very solicitous about names merely, but instances do occur in which the effects of a name are of great import. The matter in hand appears one of these. Instead, therefore, of retaining the old, and in themselves unmeaning designations of corporate officers, it would be wise to choose new and significant ones. The designation to which this remark chiefly applies is—*aldermen.* We propose to do away entirely with the name alderman, and for this reason; aldermen in almost all instances have hitherto been chosen for life. As in the army, once a colonel always a colonel; so in corporations, once an alderman always an alderman. It is deemed not so much an office as a dignity, and to deprive a man of a dignity once attained is contrary to usage and feeling*. The idea of permanency is so indissolubly connected with the name, that we see little chance of getting rid of the one without the other. The name, if it now point to any, points to one only, and that an insignificant one, of the many circumstances which

* The Municipal Corporation Reform Act of Scotland (3 and 4 Will. IV., c. 76,) by which the town-councils are made periodically elective, abolishes many of the old honorary offices and titles of the members of the council. The nineteenth section enacts "That (except as hereinafter excepted) the offices and titles of deacon, and of convener and dean of guild, and of old provost and old baillie, as official and constituent members of town-council, shall, after the completion of the first elections under the provisions of this act, cease and determine, and no distinction shall afterwards be kept up or recognized between trades baillies, and merchant baillies, or trades councillors and merchant councillors, in any such council."

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should determine the choice of the elector. Alderman, or elder, is one whom, from being old, people believe to be experienced. Now age is but a faulty index to experience—and experience alone is not enough to constitute a good servant of the public. Honesty is an essential quality, and this, unfortunately, has no necessary connexion with experience.

Having got rid of the insignificant name alderman, one difficulty will be removed from our way, when endeavouring to apportion to each officer the business he will have to perform. To each will be affixed a significant name—a name that will distinctly point to, and, in some measure, mark out the duties of his office; while with these appellations no mischievous associations of permanency or dignity will be allied. There is more importance in this matter than inexperienced observers would, at first sight, be inclined to attach to it.

Amongst other offices which we propose to abolish is that of mayor. The aggregate of duties now attached to that office are heterogeneous, and ought in no case to be exercised by one and the same individual. While, on the other hand, there is no need of creating anew any head to the body corporate. Under the proposed system, the mayor would not act as judge or magistrate, for those duties would be performed by the regular judge; he would have no administrative office, for all that class of duties would be specifically apportioned to their respective officers. All the members of the town-council to be hereafter spoken of would be equal, and elect their own chairman. To retain a mayor under these circumstances would be to retain a useless incumbrance.

In order to constitute a proper *legislative* body for the corporation, all that would be needed would be to allow the general constituency of the corporation to elect annually a given number of persons to exercise the powers which, under the Corporation Reform Act, would be allowed to them. We have already, when speaking of this body, called it the *council*. The Scottish term, the *town-council*, is as good a name as any that could be devised, but unluckily the town-council would seem to have functions which we should not confer upon our council. In our plan, the council would in no case act judicially, though it would select the judge or judges needed; neither would it directly exercise any administrative function, but would make rules which others would carry into execution. Its business would be deliberation, and unlike the other officers of the corporation, the individuals composing it would not have separate functions to be separately exercised, but the duties of all of them would be identical, and would be performed by them all acting together in a body.

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This legislative council (by whatever name called) constitutes the distinguishing feature of corporation government. It would be possible to have officers elected by the people in every part of the kingdom, and yet have no corporations. It is the power of making rules for the regulation of their peculiar concerns that is the circumstance constituting it a government, though a subordinate one. From hence, too, is derived all the benefit of corporations: peculiar knowledge derived from more accurate and constant experience, and strong motives of personal interest, being, by this means, brought to bear upon the business of government. Lest this peculiar self-interest should interfere with the interests of surrounding neighbourhoods, each corporation is subject to the supreme authority of the general government; and as they exercise their powers under the sanction of a general law, the limits of their powers would, in all cases, in England, be determined by the Court of King's Bench. These two circumstances, subjection to the authority of the general government, and of the general courts of law, distinguish the corporation from the federal system. In the United States, for example, if the state governments were made immediately subject to the authority of the Congress, and amenable to the decrees of the supreme court, they would, in fact, be nothing but corporations possessing very extensive powers and extensive territories. As it is, these states call themselves separate and independent states, which, in reality, they are not, according to the letter of their constitution. How this may hereafter be interpreted will, however, depend upon the strength of the parties concerned; and time alone can determine what is really intended by the sovereignty and independence of the federal states of America. The corporation system involves none of these difficulties. It sets out with distinctly assuming the dependence of the corporation governments. They are the offspring of a law, not a compact; that law must be interpreted by the courts of law, and may at any time be altered by the legislature.

We have said thus much in order to point to an important conclusion. Much has been said—much more will be said, and perhaps something eventually done—respecting the union of Ireland and England. The remedy,—the only effectual one for the evils of which the Irish people justly complain, lies in the due application of the corporation system. They complain that their interests are judged of and controlled by persons at a distance, and ignorant of their affairs. In order to remedy this mischief, it has been proposed to do away with the supreme authority of the imperial legislature. This would certainly

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avoid the evil complained of, but might entail upon both countries others of still greater magnitude. When there is no higher authority to settle differences between contending governments, war is the arbiter; and between nations so nearly allied as England and Ireland, it behoves us to find, if possible, some means of avoiding so direful a calamity as war. The remedy is at hand, and easy of application. The evil complained of is, that the concerns of the Irish people are administered by persons at a distance, and ignorant respecting them: to obviate this, grant to the people corporation governments. Bring, by this means, the government of their concerns home to their very doors; give large and liberal powers to these subordinate governments, but keep them still subject to the general legislature, and let their limits, under the law, be determined by the judicature. Thus on the one hand we obviate the existing ills, and avoid those that are dreaded in consequence of a separation.

Another important circumstance connected with this town council is the *qualification* that shall be deemed requisite to render any one eligible to be elected thereto. In our opinion, no pecuniary qualification whatsoever ought to be required. The people's choice is of itself sufficient; and it never yet has been proved that a money qualification in any way contributes to ensure appropriate moral or mental aptitude. By narrowing the class from which the electors may select their representatives, you lessen the chances in favour of a wise selection. In the Scotch municipal act no money-qualification is needed; and, strange to say, neither is any needed for a Scotch representative in parliament. No evil has yet been seen to follow in either case; and we find it difficult to understand why that which is fitting for the Scots should be unfitting for the English. By some local acts in England, under which commissioners are chosen to act in the small courts as judges, a qualification of property within the given town is required. The necessary consequence has been so to narrow the choice of the electors, as to render altogether nugatory the right of election. All demands for money-qualification have the same tendency; the choice of the people is circumscribed, without one additional security being obtained either for probity or intelligence.

We have now arrived at the last subject which we proposed to discuss, viz., the manner in which the various expenses of the corporation ought to be provided for.

Any difficulty connected with this matter would, in reality, be met by those parts of the law which determined the powers of the legislative body: this body would have the power of

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taxing the people for corporation purposes, that is, for purposes also enumerated distinctly in the law itself. The checks upon improper expenditure would be, 1st. Publicity in all the deliberations of the legislative body, and in all the accounts of the corporation; and 2nd, the annual election of administrative and legislative functionaries, immediately or mediately, by those who were to be taxed. These would be sufficient to ensure care and probity.

Whatever may be the objections (and we deem many of them of great weight) against allowing bodies corporate, not under the control of the people, to acquire and transmit real as well as personal property, none that is valid can, we think, be suggested to such permission in cases like that of municipal corporations. Were it proposed to make them close corporations, the matter would be different; but as the people, that is, the great body thereof, would have a direct control over all the property belonging to the corporations, no abuse could possibly arise from allowing accumulation in their hands. By care, moreover, and frugality, property might be acquired to such an extent as really to relieve the people from all expense. Rent which is, in fact, paid by no one, but arises from a monopoly of the things from which it is derived, might afford, in time, so large a revenue to each corporation, that no tax need be imposed on the people. Amongst an educated and well-informed nation, no mischievous use could be made of such accumulated property; certainly none that could counterbalance the great advantage derived from an absence of all burdensome taxation.

While speaking of the expenses attending the corporate government, it is necessary to advert to an important principle connected with the remuneration of the officers. In all cases where responsibility is desired, services should be paid for. Gratuitous service is always careless, and by its very nature excludes all idea of punishment for non-performance or malperformance. From this circumstance it is always bad service. The unpaid magistracy of this country is but too striking an example of this rule. Men will always receive reward in some shape for whatever trouble they may take upon themselves, barren honour is not enough. The exercise of power is a pleasant thing in itself, and by itself, and such exercise will, in many cases, be deemed reward enough, provided the power do not bring with it responsibility. When a man is liable to be blamed and punished, the case is wholly changed. Then is the exercise of power not so sweet as to be its own sufficient reward. In the one case he who exercises it is a despot, in the other a servant. But a state wants servants, not masters,—good

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servants also: to make them such, not only must they have the fear of reproof before their eyes, but the hope of reward also. Give them the reward, and you may exact industry, competency, and probity; withhold it, and you may seek, but you will find none of these. On these grounds, and on many others, which we need not here enumerate, we propose that every functionary, whether of the council, or a judge, or administrative officer, from the highest to the lowest, should receive adequate wages.

From the above explanations the reader, we hope, will be able to gather the plan we propose, and the difficulties that lie in the path of the corporation reformer. In order, however, to place under his eye, at once, the intended system, we shall briefly resume what has been proposed, beginning at the point at which we ended, and running back to our original commencement.

It is proposed, 1st. To make the electoral body to consist at least of the ten-pound householders. The object, however, we desire to attain is, household suffrage. 2. It is proposed that, by this electoral body, there shall be annually elected,—

A town-council having deliberative and legislative duties, all which are to be clearly and definitely laid down in the law creating the corporation governments;

Also various administrative officers, all of whom, with their respective powers and duties, are to be clearly and definitely enumerated in the said law.

3. And it is proposed that there be appointed *a single* judge, or judges *sitting singly*, possessed of power to judge in all cases, criminal as well as civil, summary and non-summary, in which the quarter-sessions, the petty local courts under local acts, and the town magistrates have now jurisdiction; with appeal upon a written statement of the case, and under certain checks, to prevent vexatious delay and expense, to some one specified court of Westminster. These judges to be appointed, and, on complaint made, to be removable by the town-council. Such is the outline of the proposed plan.

It should be remembered by those who may have eventually to frame the enactment by which corporation reform, such as it is to be, will be effected, that the powers and duties of these subordinate governments being the result of a law, nothing should be left indefinite that can possibly be defined. In the case of a supreme or sovereign legislature, limits cannot be laid down, because, by sovereignty, an indefinite power is necessarily intended, the discretion of the parties composing the sovereignty being, in fact, the sole guide and ultimate appeal. The matter is wholly different in the case of a subordinate power. The

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supreme legislature chooses, for the time being, to delegate, out of its unlimited dominion, certain powers to, and at the same time, to impose certain obligations on, the corporate bodies. It behoves the legislature to state accurately how much and what power it grants, what duties it imposes; and he is unfit for the task of framing the enactment by which this is to be done, who is unable to make this statement accurately, intelligibly, and completely. To the performance of this task there should be brought not merely a commanding and searching intellect, but a profound knowledge of the sciences of jurisprudence and legislation, as well as of the existing law. One possessed of these rare qualities would make the coming change a source of almost endless good; while a bungling lawyer of the ordinary school of English law-framers will go far to nullify all benefit by ensuring endless litigation and expense by means of an ill-conceived and undigested mass of crude, ambiguous legislation.

J. A. R.

Art. IV.

RECENT SPANISH LITERATURE.

Obras Literarias de Don Francisco Martinez de la Rosa. Paris. Didot. 1827.

The Literary Works of Don F. M. de la Rosa, &c.

A DOMESTIC history of Spain—a picture of the internal state of that unfortunate country during the last sixty years—unfolding the progress of the mental struggles of individual Spaniards—the vague aspirations after a moral and intellectual excellence, which they rather imagined than knew—the glimpses of hope which broke out, at distant and short intervals, through the clouds of ignorance, profligacy, and superstition which enveloped the court, on whose changeable humours and fancies depended the fate of the whole nation—a faithful, simple, unaffected portrait of the Spanish Peninsula, drawn by the hand of one familiarly acquainted with, and personally concerned in the events, but, nevertheless, free from the deep-rooted prejudices of a Spaniard—would be one of the most affecting, as well as instructive works which the now extremely rich literature of Europe could boast of. Spain is, indeed, nearly the most unfortunate portion of the European family; and yet she has no inherent defect of mind or heart for which she might be said to deserve her lot. The various divisions of the Italian people are all, more or less, ill-governed; but nature appears everywhere determined to make them a compensation for the

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wrongs which they bear from their rulers. In Spain she is more severe, even in her beauty—more sparing in her bounty. Italy, though inferior to what she *might be* in all the departments of mind, were she under the influence of unlimited freedom of thought and speech, still ranks first in the domains of taste, and enjoys pre-eminently the glories of past ages. But Spain contemplates the present with a cast-down countenance, and finds it necessary to support her sense of dignity by exaggerated notions of the past. No people on earth ever felt so deeply that self-esteem is necessary to happiness, and no people on earth has ever been so cruelly deprived of the national advantages which ought justly to support that feeling. The modern Greek is accustomed to degradation, and the habitual sense of it scarcely disturbs his vanity; but every Spanish peasant will tell you, with a deep sigh, that *his* country would be the first in the world if it only had a good government. The apparent boast is nothing but a disguise for the humiliating confession which follows it.

The same painful conviction appears in almost every book, not quite contemptible, which has been published in Spain during the period just alluded to. Hopeless, defeated aspirations breathe out in every page of the best modern Spanish works. In the same degree as the most recent Spanish writers have been forced, by political disturbances and personal reverses, to become acquainted with England and France, and have increased their knowledge of the scientific and literary advantages of these more advanced nations;—in the same degree as the works of the Spanish emigrants manifest improvements which the authors could not have gained, except in the school of adversity—they also betray their long-existing feeling of humbled and yet struggling pride. They still speak, in sounding phrases, of the *golden age* of their literature; while their improved taste and knowledge compel them to make concessions, in detail, which amount nearly to a contradiction of the declamatory assertions which they think due to national glory.

It is difficult to conceive a better representative of these contending feelings than the able and accomplished writer, the title of whose works heads this article. Martinez de la Rosa * is a man whose mind, though certainly not deficient in power, is more

* We object to the addition of *Monsieur* to a Spanish name. The simple mention of the sirname is neither disrespectful nor offensive in Spain, when not addressing the person himself, and even then, only in certain cases. The title *Don* is applied exclusively to the Christian name, and becomes quite ludicrous when joined with the sirname alone. To avoid the length, and (in an English composition) the awkwardness, of the more complimentary form, *el Señor Martinez de la Rosa*, we shall take the liberty of making frequent mention of that distinguished Spanish writer simply by his family name.

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remarkable for taste than vigour. While an undergraduate at Granada, his native town, he had the good fortune of having for his instructor one of the remarkable men who, about the time of the French Revolution, appeared almost simultaneously in several of the scattered colleges, or rather places of public education (without a body of Fellows), which, in Spain, as everywhere else except England, are called *Universities*. The name of the young professor who, at the risk of being lodged in the Inquisition, disturbed the slumbers of the reverend Members of Convocation—men who, pillowed by the ponderous volumes of Aquinas and Scotus, reposed under the comfortable impression that they had reached the utmost limits of human knowledge—was Heredia. That bold and able man was obliged, it is true, partly to modify, partly to suppress, the *Theses*, which roused the cowled tribes into open hostility against him; but he continued, like many others of his mental class, to assist some of the most promising youths near them in the private prosecution of studies, which gave their young friends a complete dislike for the established routine of the universities. Public professors of Heredia's stamp, and their pupils, have been, and are still the leaders of the *Liberal* party in Spain.

Martinez de la Rosa was a very young man when Napoleon's invasion produced that truly national resistance which finally turned to his complete ruin. Though Spain was too deeply sunk in ignorance and superstition to conduct her fierce and unequal struggle with any clear view of the future improvements and changes, which alone could prevent her noble efforts from eventually rivetting her chains; yet the people, almost instinctively, looked up for advice and direction to such men as were thought to possess a superiority of knowledge. Church dignitaries, and the most prominent monks, were chosen, as a matter of course, to be members of the original Juntas, in the expectation that they would prove themselves the firmest props of the tottering state. But the people began soon to perceive that the knowledge which made a popular preacher, and that required to direct the affairs of a nation, especially in times of danger, are not of the same kind. What it is that constitutes the science of a statesman very few Spaniards could even conjecture; but, as they grew more and more confident that it was not school divinity, they naturally fixed their eyes on those who were reported to have studied *something else*, whatever it might be. Men fond of history and antiquities (who went by the name of *curiosos*); such as had been under the suspicion of reading more French books than the Holy Tribunal allowed (distinguished by the name of *ilustrados—enlightened*), a class of people re-

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garded with something like the fear, dislike, and desire of making use of them in time of difficulty, which attended able men suspected of the black art, in former days; but, above all, poets and prose writers of some elegance;—all such men enjoyed a considerable degree of popular favour, as soon as the idea of a reform in the constitutional laws of the country entered the mind of the Spanish people. It was at this period that Martinez de la Rosa, who for a few years had been known as a poet and an *ilustrado*, was appointed to the first Cortes at Cadiz, in 1812. On the Restoration of Ferdinand VII., in 1815, Martinez was tried, with many other deputies, for their opinions and votes. His sentence was eight years' confinement in one of the Spanish *Presidios*, or penal colonies, on the coast of Africa—the dwellings of the most atrocious and hardened criminals—places where every vice of the most hideous description stalks abroad in proud defiance of laws human and divine. He recovered his liberty when the military insurrection at the Isla, near Cadiz, compelled Ferdinand VII. to accept the constitution of 1812. Martinez de la Rosa re-appeared as a deputy to the Cortes of 1820; and, some time after, was appointed by the king to be one of his ministers of state. In 1823, when, supported by the arms of the French Bourbons, Ferdinand resumed the exercise of arbitrary power, Martinez saved himself by a seasonable flight into France. The collection of his works, which lies before us, proves that he continued to indulge his taste for literature during his exile, till, at the death of Ferdinand, Martinez, with other distinguished Spaniards who had taken refuge abroad, found it safe to return to their native country. Well known already for his talents, as well as for his moderation, he was appointed Prime Minister by the Queen Regent; and, at the moment when we write this, he still stands at the head of the Spanish government.

But we are not here concerned with Martinez de la Rosa as a politician. It gives us, nevertheless, great satisfaction to observe, how every succeeding year seems to spread and confirm, among the Spaniards, the conviction that neither birth nor wealth should be compared with cultivation of mind, when the question is a choice of leaders for the nation. The present Spanish Prime Minister is certainly a man of distinguished parentage; but this is merely accidental in regard to the place which he occupies. Men of no birth or connexions have been lately called to stations of power and influence, merely on account of their talents. From everything we hear concerning the present state of the Peninsula, we conclude that the prejudices of birth, long so inveterate, are fast disappearing among the Spaniards.

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The Paris edition which we are using, contains an Art of Poetry, in verse; a long Commentary to that composition, in the form of Notes, occupying more than one volume, and the half of another; a poem on Zaragoza; La Viuda de Padilla (Padilla's Widow), a tragedy, preceded by a sketch of the Commoners' War under Charles V.; a comedy, with the title, La Niña en Casa y la Madra en la Máscara (The Young Lady at Home, and the Mother at the Masked Ball); a translation, in verse, of Horace's Epistola ad Pisones, with a Commentary or Exposition; Morayma, a tragedy, on a Moorish subject; and, finally, Edipo (Œdipus), a tragedy, in which the Spanish poet proposed to himself both an imitation of Sophocles, and a development of the plot, less subject to critical objections than that which is found in the numerous plays of the same name, ancient and modern. We are informed that there is a more recent edition, which contains, besides other compositions, a play written in French, by the same author.

We have considered it due to our distinguished Spaniard to give a list of his works, from which the English public may form some notion, if not of the individual merit of the compositions themselves, at least of the writer's persevering industry and confirmed taste for writing. Our limits prevent, of course, a detailed criticism of even the principal pieces in the collection; but we will endeavour to give some idea of their general character, and of the critical theory which, in our opinion, has cramped the genius of the author.

It must be mortifying to a professed poet to have his verse ranked below his prose. We regret to pass this judgment on the writer before us. Martinez de la Rosa writes Spanish prose with great propriety and elegance. Though almost superstitiously attached to the notion of what is called *Castillian purity*, his acquaintance with English, and his familiarity with French, have had the effect of preventing the affected and servile imitation of the phraseology of the old Spanish writers, and the heavy, involved, obscure, and frequently empty periods of the pretended models of Castillian style. Martinez has indeed ransacked the old writers for the words and expressions best adapted to the *European mode of thinking*, which is every day growing more and more translatable into all the languages of the civilized and improving world. He is a *purist*, without stiffness or quaintness. As to his verse, it is always fluent, harmonious and terse; but we should not be justified in attributing to it any higher merits. He appears, in poetry, as some nervous but aspiring persons appear in society, always wishing to strike and please, and always terrified at the possibility of saying or

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doing something not exactly correct; a state of mind which might be called a literary *mauvaise honte*. A bold natural genius, a genuine mental passion for poetical elevation and grandeur, might have spurred our writer beyond the minute proprieties which give to his compositions the strict regularity of timidity. But, as we have observed already, he has more taste and feeling than vigour.

Martinez de la Rosa has, besides, cramped his inventive powers by his superstitious reverence for the rules of a most narrow, servile, and yet dogmatic criticism; dogmatism being, on all subjects, the natural result of short-sightedness and servility. His unbounded admiration for the writers of what, in Spain, is called the *Golden Age* of their literature—a period of little more historical truth than its namesake in Ovid—has induced him to take for his guides the most pedantic of the old Spanish philologists. As if, even in foreign countries, he attached himself to such writers as agreed with his national teachers, Martinez has studied, with deep reverence, the Dissertations, in which Corneille defended himself from the charge of disobeying Aristotle, with as much anxiety as if he had been suspected of rebellion against Richelieu. It is indeed painful to observe the injurious effects of this poetical orthodoxy upon our author's inventive as well as discriminating powers. He has but one measure and test for the merit of every dramatic composition which comes before him—the UNITIES. If the merit of the Spanish tragedies is questioned by a foreign critic, our poet conceives that he has made a proper defence by proving that the doctrine of the *Unities* was known in Spain at a very early period, but that it was wilfully disobeyed by the writers in question. He seems to expect every excellence from every poet who swears by that law; at all events he is ready to pardon him on every other score. He has, indeed, too much taste not to grant a high degree of merit to Shakspeare; but whatever offends him in his plays is attributed to the great poet's ignorance or contempt of Aristotle.

We beg our readers not to imagine that we make these observations with a view to lower the poet before us in their estimation. Our object is to present one of the best living specimens of the literature of Spain, that they may perceive the mental stage at which that nation finds itself at this moment. It has been said by a modern French writer, that Spain is only a faint echo of France, heard at the distance of fifty years.* The observation is true in politics, but the period of the echo is much

* We do not vouch for the verbal accuracy of the quotation. This is certainly the meaning of a passage which we recollect, but could not easily find, in the instructive Cours de Philosophie of Victor Cousin.

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greater in literature. Martinez's critical notes, which, in regard to the history of Spanish poetry, are curious, accurate, and instructive, showing besides an exceeding sound judgment in the criticism of individual passages, are a very late and unseasonable echo of the Abbé Batteux, and the French æsthetic writers of that period.

We are not so bigoted in favour of what is now called the *Romantic School* of Poetry, as to condemn indiscriminately the advocates and professed teachers of the classical. If we may be permitted to borrow a German phrase, which is in the progress of naturalization, we condemn the classical theory of the drama as *one-sided;* as a hasty generalization derived from a very limited class of poetical phenomena, and grounded upon a *realism* (a system of *material* or *literal* imitation) quite oppressive to every truly poetical mind. If we consider the theatre as a helping instrument to that art which employs language, with its highest ornament, in order to produce an *ideal* (not technical and material) imitation of men acting as rational beings, struggling with, or giving way to passions; impelled by desires virtuous, or vicious, or mixed; contending with difficulties, which they sometimes overcome, and to which sometimes they fall victims—we must perceive that the classical theory proceeds upon a supposition essentially erroneous. The error consists in taking the *material* representation of the interesting transactions, which the poet is to invent, as the chief aim of the art. The eye, not the mind, is made the object—the *final cause,* and, consequently, the supreme rule of dramatic poetry. Overlooking the great principle that all the Fine Arts, and, still more, the Arts of Speech (Belles Lettres), are *symbolical, i.e.* produce their imitations not by employing materials of the same kind as the thing imitated, but in the manner of *symbols,* which raise in the mind ideas to which they have no likeness—the supporters of the Dramatic Unities wish to mix together a *material copy* with an *artistical imitation;* and, what is still more unreasonable, to make the latter give way to the former. Because the visible space where the actors move has only certain dimensions, and the men and women who are made to represent the ideal conceptions of the personages which the poet has formed and intends to convey to the minds of others, cannot move from one place to another quicker than at a certain rate, it is supposed that the poetical imitation or image of the transaction must be confined to the space which the boards allow, and no more; the imaginary scene must not be changed. The same paltry realism must be observed in regard to time. We say nothing of the unity of action, for that being reducible to the unity of interest, or effect, at which all *ideal* imitations must aim, does not fall under the

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realism which we are condemning. The poet, who has to submit to the classical theory, might be compared to a painter who should be obliged to execute a historical composition upon a certain piece of canvass of an irregular shape, leaving no corner unoccupied, and taking in, instead of colouring, certain patches of light admitted by the canvass in the way of a transparency.

Dramatic poetry does not essentially differ from narrative poetry. That the ideal actors concerned in the facts of the narrative, are conceived by the poet as speaking in the first person—which is the characteristic of the dialogue—is an accidental circumstance. Such a poetical conception should not be more limited by *real* time and space, than any other narrative. Such a composition may be *perused*—leaving to the imagination of the reader, excited by the poet, to draw, as it were, the internal visible picture,—the truly artistical imitation, which is the final object of *ideal,* not *material,* art. The same composition may be *recited* by one person; and provided that the tones and expressions be well suited to the poet's conception, the effect on the imagination of the hearers will be increased. The composition may finally be *recited* by as many persons as the poet has introduced in his story; and these, more than a single reader, may assist the imagination of the audience by gesticulations, motions, and even by the dresses in which they appear. The *place* from which these persons recite their parts may also contribute to the same effect, by presenting to the eye a graphically-painted scene, similar to that in which the poet conceived his ideal actors to exist. But all these are *means,* accessary means, to assist the ideal imitation, for the production of which, in others, the poet has already prepared the *essential* means, his narrative in dialogue. To make that narrative subservient to the *material* accessaries of the *recitation,* is to invert the natural order and dignity of things; it is worse than subjecting Wilkie to the frame carver, or Chantry and Behnes to the professional wants of the puppet-show-man. All the *organism* of the theatre should be considered as *helps* to the mind, to stimulate it, not to guide it mechanically. Now, if, in the reading or recitation of a novel, the mind—which is to have the pictures raised within itself by the language of the writer—does not feel any difficulty or reluctance to move, as it were, from place to place, (for the whole imitation produced exists within the mind, and is called into existence by its powers, artistically excited,) why should that reluctance be conceived at the theatre, unless those who compose the audience are absurdly persuaded that what is intended is not an *ideal,* but a *material* imitation?

We have often asked ourselves the question, how is it that the

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wonderful genius of Sir Walter Scott neglected the stage, and devoted its powers to a perfectly modern species of composition, so analogous in its effects to the drama, that it actually has supplanted the theatre among the more refined classes of society in England? Our opinion is, that he perceived and scorned the fetters which even the English theatre—one which, as to *dramatic theory*, is quite lawless—fastens upon the highest faculties of the poet. Though the demands of the theoretical rules are not felt by those who supply the English stage with compositions, yet those of the *material* part of the representation—the demands of the *show*—are exorbitant and oppressive. Sir Walter Scott must have been convinced that all that the best acting—that highest and noblest *assistance* which the stage may give the poet—can add to the poetical effect of a composition (we use *poetical* in its broadest sense), is seldom a compensation for the restraints, the *materialism*, of the theatre. We must express our conviction, at the risk of some popular disapprobation, that as the drama began in the character of a show, in the early growth of refined society, so it must gradually return to its origin, and become little more than a *show*, fit only for those classes of society which, in respect to high civilization, must always exist in a relative infancy.

In the time of Sophocles and Euripides, the highest talents were forced, for the sake of applause, to accommodate themselves to the demands of a popular show. The Greek tragedy owed its origin to nothing but the taste of a lively populace for exhibitions which please the eye. The measured evolutions and the singing of the chorus; the architectural (not painted) decorations of the scene, and the body of the theatre in which the spectators sat, were the essence of the show, to which the poet had to accommodate his poem. But here he had advantages which the modern imitators of those individual dramas do not possess. The spectators were far from expecting any gratification of that curiosity which feeds on narrative. The plots were not intended to satisfy that craving; on the contrary, subjects traditionally known were deemed the best, because they were understood without the necessity of close attention. No theatrical *illusion* was thought of; the masks of the actors were more opposed to it than our knowledge of their countenances. If the representation of the *Eumenides* had really the power of throwing a set of rustic dames into hysterics, the same effect might be produced at any of the exhibitions of wax figures, supposing they were frightful enough, and properly put into motion.

The conditions of the *show* were the laws to which the Greek poet had to submit. The pretended æsthetic laws of the classical

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drama are nothing but those conditions abstracted and generalized. How oppressive these laws were to poetical genius, may be known by the numerous marks of crippling restraint which even the best specimens of the ancient drama present in their outline. But the case of the modern poet is infinitely more hard. The Greek crowd, chiefly intent upon the show, soothed by the sounds of a harmonious language, awed by the artificial stature, visages, and vocal sounds of the actors, no less than by the religious associations which their ancient fables excited, did not expect anything from the poet beyond some deeply-moving passages, and a few highly-coloured praises of their ancestors and country. The more refined part of our modern audiences care little for the *show;* they want something more intellectual; they want, in fact, an *interesting novel* in action. But a good novel is infinitely more powerful to please, in reading, than in acting. The contents of the three octavo volumes, which the body of publishers has fixed as the extent of unity of space, not only allowable, but required in this composition, would require a first, second, and third part of the same play; and the play-goers, who fill the London theatres, would strongly suspect that the poet had been bribed by the manager to make them purchase three tickets in consequence of having ventured to get one. Difficulties of this kind will not be encountered by men of true poetical genius, unless there is a powerful stimulus to urge them —unless the circumstances of the country leave them no other path to take in the pursuit of fame. Thus it is that dramatic composition is generally left, in England, to that kind of talent which condescends to be the interpreter of a show; to prepare the exhibition of a battle, the storming of a fort, the conflagration of a city, or the appearance of an elephant on the stage.

In France, where the popular taste, till the Revolution, depended on fashion, and moulded itself upon the taste of the court, the people were gradually trained to the classical school of the drama. As success, in that literary department, was for a long time an object of the highest ambition, the first talents of the nation submitted to the restraints of the Aristotelic laws. This explains the unquestionable superiority of the French in that sort of composition. We doubt, however, that having been deprived of the support and stimulus which it had under the old monarchy, it will continue to prosper. Comedy, as a pleasing representation of domestic manners and feelings—as a vehicle of delicate satire and enlivening wit—has its root in the very hearts of the French people, and must flourish among them under all circumstances. But the period of the Aristotelic tragedy is quite gone by, and the Parisians are not ashamed, at

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this moment, to be amused and interested by Le Juif Errant, the action of which developes itself in the moderate space of about eighteen hundred years.

In Spain, where, since the accession of the House of Bourbon, and the contemporary introduction of French taste in literature, various attempts have been made to write original tragedies *according to rule,* there is scarcely one of these dramas which rises above mediocrity. That which the writer of this article remembers with most pleasure is La Raquél (Rachel), by Huerta. Martinez de la Rosa has some excellent observations on the beauties and defects of this play. Readers of Spanish will find in his Notes on Tragedy a very instructive account of the trials of this kind which have been made in his country. We particularly recommend his account of Spanish Comedy, especially in connection with Lord Holland's interesting Life of Lope de Vega.

We must now lay before our readers a view of the plan of La Viuda de Padilla, the most celebrated of Martinez's poems. As the struggle against the arbitrary rule of the Crown, which began at Cadiz, with the framing of the Spanish Constitution, evidently led our author to that subject, so must the same circumstance have greatly contributed to the popularity of the tragedy. The subject is well known to every one who has read Robertson's History of Charles V. The historical sketch of the War of the Commoners, prefixed by Martinez to his play, deserves particular attention. The action of the tragedy is confined (according to the law of the *Unities*) to a few hours of the day and night which terminated the resistance of Toledo against Charles's forces. The widow of the unfortunate Padilla, the renowned chief of the Commoners, wishing to avenge the death of her husband, who, being taken prisoner at the battle of Villalár, had been put to death by the hands of the executioner, was at the head of this noble, but hopeless resistance. The play opens with a dialogue between that spirited woman and Guzman, her faithful adherent, where she is informed of the approach of the king's troops to the walls, as if determined to take the place by assault. He describes the people in a state of growing despondency, and implores her to save herself, with her infant son. She scorns the proposal; and retires on seeing Laso, whom she suspected of an inclination to betray the cause of the insurrection. Laso endeavours to persuade Mendoza to save his own life by a timely surrender, and supports this advice by the account he gives him of the secret determination taken by the principal inhabitants to open the gates to the enemy. Mendoza, induced by the assurance that Laso had obtained the

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Widow's pardon, agrees to join in the surrender. At this moment Padilla's father arrives from the camp, bearing an offer of general pardon.

The second act is nearly reduced to a long dialogue between Padilla's father and his Widow, concerning the surrender of the city. The political allusions to the state of the Peninsula, when this tragedy was represented for the first time at Cadiz, could not fail to have an effect upon the audience, far above that which the applauded passages could have produced by themselves.* We subjoin, as a specimen, a few of the best verses of the whole composition. Convinced that *poetical* translations, especially of verses of no great intrinsic merit, owing to the insuperable reluctance of the translator to imitate *defects*, cannot give a correct idea of the original, we venture to imitate Sismondi in his Literary History of the South of Europe, and add a prose version of the passage. Several others of the same kind might be selected from the whole collection; but we must spare such of our readers as cannot understand Spanish.

Viuda. Juramos
Ser libres ó morir; y el cielo mismo,
Que dió el injusto triunfo á los tiranos,
Nuestro voto aceptó: pues que nos veda
El ser libres, nos manda que muramos.

Lopez. Ten el labio; no insultes imprudente
Al cielo con tus voces: irritado
De tanta y tanta sangre derramada,
Solo la paz prescribe, que entre hermanos
Jamas debió romperse.

Viuda. No lo eran
Los que á la patria misera cargaron
De cadenas; sus crudos enemigos
Llamense, y no sus higos . . . Castellanos
Y ansiar la esclavitud! No, no lo eran.

Lopez. Cuando yerma la patria y desangrado
El reino en ocho siglos de combates,
Apenas respiraban del insano
Yugo agareno; entonces mas furiosos
Contra nosotros mismos desnudamos
El acero homicida, de la patria
El afligido seno destrozando?
Duélete de su mal; y no redoblen
Sus mismos hijos su mortal quebranto:
Duélete; que harta sangre, hartos horrores
Le costó sacudir el yugo extraño.

Viuda. Yel proprio ha de sufrir? . . .

* The performance took place in July, 1812, on a stage hastily erected out of the average range of the French shells. The Cadiz theatre was in constant danger during the bombardment.

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(TRANSLATION.)

Widow. We swore either to be free or to die; and heaven, that same heaven which granted an unjust triumph to the tyrant, accepted our vows. Since, therefore, heaven forbids us to be free, it commands us to die.

Lopez. Stop thy lips: do not rashly insult heaven with thy words. Incensed by the vast effusion of blood, heaven prescribes only peace: peace which ought never to have been broken between brothers.

Widow. Those are surely not our brothers who have loaded our miserable country with chains: call them her bitter enemies—not her children. They Castillians! and courting slavery! It cannot be. Such men were not Castillians.

Lopez. When our country lay waste, and eight centuries of war had drained our blood—just when the nation began to breathe, delivered from the Agarene yoke—how could we, at that moment, bare the sword to stain our country's bosom with her own blood! Take pity on her calamities. May not her own children multiply her sufferings? Pity her, I repeat. Enough already is the blood which she has paid as a ransom to be free from a foreign yoke.

Widow. Must she then endure a domestic one?

This scene is one of the best in the play; but, as this portion shows, it never rises above well-written rhetorical declamation.

At the beginning of the third act, the Junta* of Toledo receive Lopez in public, and listen to the proposal of surrender; but when the people appear inclined to accept the conditions, the Widow of Padilla addresses them, and they reject the proffered amnesty, with the usual cries of *Padilla* and *Liberty!*

Act IV. opens in the night, the time appointed by the chief citizens for admitting the king's troops. Laso, after a decent resistance on the part of Mendoza, induces that true friend of Padilla's widow to join the emperor's troops, and save her against her will. A moment after, she meets Mendoza. She has learnt the design of the conspirators against the town; and having herself alarmed the partizans of liberty, she now entreats Mendoza to put himself at their head. His hesitation makes her suspect him: she reproaches him for his treachery; and he, wishing to justify, if not his conduct, his motives, goes out, determined to save her, even at the risk of his own life.

A rather long soliloquy of the Widow, who is in the act of flying from the royal troops, now in possession of the town, begins the fifth act. Mendoza—who, to clear his former conduct, has in vain attempted to lead the people against the troops, and whose life has been saved by one of the royalist captains—acquaints the Widow with the full extent of her misfortune. She implores him to take her life. The troops approach, proclaiming pardon to the heroine. But she spurns

* This was the origin of the name so generally given to the popular governments appointed by the Spanish provinces in 1808.

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the boon, and destroys herself with a dagger, which she had hitherto concealed.

Without a single fault of style or arrangement, this play is so totally deficient in warmth, in real elevation and vigour—it is so completely argumentative and declamatory, that we are strongly inclined to think that the account just given of the subject is more likely to raise interest than the play. And yet the mental powers of the author are not of a common stamp. What, then, has thus deprived him of life and vigour, leaving him nothing but a polished and formal stateliness?—His false theory of the drama. That theory, like a vampire, has drained the very life-blood of his poetical mind. Were it not so;—had he nourished his imagination with more invigorating food than that which the dissection and analysis of French plays can afford—had he studied Shakspeare and Schiller with less prejudice, and tried to discover the source of their beauties—Martinez de la Rosa would not have fallen so short of the excellence to which he might aspire without presumption.

To one acquainted, as our author is, with the original Spanish documents from which he drew his sketch of the War of the Comunidades, the great difficulty, in the arrangement of his play, would be the abundance of dramatic materials. The letters of Guevara, bishop of Mondoñedo, which he had before him, might have given him several characters, so marked, so true, as could not fail of success on the stage. Guevara himself was sent by the king's government to the Junta of Tordesillas, with proposals to the insurgents; and his speech on that occasion, though extremely pedantic, gives a vivid idea of the man himself. But the most dramatic character is that of Acuña, bishop of Zamora, a man who, at a very advanced age, not only directed the whole body of the insurgents by his counsels, but fought like the bravest of them, at the head of three hundred armed priests. It was this band, almost alone, that made a gallant defence of Tordesillas, when, by Padilla's want of military skill, the Conde de Haro surprised it in the night, carrying away the unfortunate queen Joanna, called *la Loca* (the insane), in whose name, as the legitimate sovereign of Spain, the insurgent leaders obtained a ready obedience from a considerable part of Spain. This unhappy woman might have been made an object of the most intense interest in a play not hampered by the *Unities*. It is indeed not improbable, that the mental imbecility under which she laboured after her husband's death, was exaggerated for the ambitious purposes of her son Charles: at all events, the existing doubt might have afforded an admirable opportunity of exciting interest. It is a historical fact that she gave

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a public audience to the deputies of the Commoners; and it is reported that she took a very warm interest in the complaints of her subjects. She seemed to wake from a long dream, and to regain a clear recollection of the past. What a scene might be made of this! What a picture might be drawn of the calamities of Spain, in connection with the personal afflictions of the unhappy Joanna, for a moment reseated on her throne; but dimly foreseeing her relapse into the deep melancholy which bound her, day and night, to the side of the coffin which contained the remains of her husband!

But we will not leave our readers to conjecture. They will, we trust, pardon us, if, to a certain degree, we break the reviewing Unities, for the sake of giving them a slight taste of the rich matter which has been overlooked in Guevara's Letters. Here are some extracts, taken from the translation of Edward Hellowes, Groome of the Leash, imprinted at London, 1577, in black letter. The translator found himself sometimes at a loss to understand his original; but we shall take care to correct his mistakes.

'A letter unto the bishop of Zamora, Sir Anthonie of Acuña, wherein he is sharply reprehended, for that he was capteine of the commons that rebelled in Spaine.

'Reverent and seditious prelate, Zalobreña, the sergeant of your band, gave me a letter of yours, which presently I could not understand, but after I had read and returned again to reade the same, I did see it was no letter but a bill (a challenge) that the Bishop of Zamora had sent: wherein he did defie and threaten that he would kill me, or command me to be chastised. The cause of this defiaunce your lordship declareth to proceed for that in Villa Branima. I withdrewe Sir Peter Giron from your partialitie and counselled him to cease to follow you, and retire to serve the king. I, my lord, do accept your defiaunce and hold myself defied, not that wee kil our selves but that we examine our selves, not to the end we go unto the field, but to incommend our selves to reason: which reason as a viewer of our factes shall declare, whether of us is moste culpable, I in following and obeying the king, or you in altering and revolting the kingdome. I remember me, being as then but young in [Treceño, a village which belongs to our entail of Guevara,]* I did see my uncle Sir Ladron and Sir Beltran, my father, mourne in black for your father, and (in very trueth my Lord Bishop) seeing you as I did see you in Villa Branima compassed with artillerie, accompanied with souldiours, and armed at all pointes: with more occasion we might weare [sackcloth] because you live, than black for your father died . . . . A certeine gentleman of Medina (who is named John Zuazo) reported that being appointed to have the oversight of your bringing up, he was driven to change foure nursses in six monethes; for that in nursing you were fierce, wayward, and importune in sucking. It seemeth unto me,

* We put corrected passages between brackets.

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my Lord Bishop, that since in your childhoode you were so painefull, and in your life so seditious, it were greate reason that in your olde yeares you shoulde be quiet: if not for your deserving, yet to repose you shoulde seeke quietnesse: holding as you have in youre possession three-score yeares completed, and shortely maye you boaste youre selfe of three score and tenne accomplished, it seemeth to me no evil counsel that you offer [the bran, at least, to God, having given so much flour to the Devil.] . . . To make of souldiers priests, it passeth, but of priests to make souldiours is an acte most scandalous: whereunto I will not say your Lordship consented, but that you exactly have performed. You brought from Zamora to Tordesillas three hundred Massing Priestes, not to instructe the kinges subjectes, but to defend the Towne against the king: and to remove your Lordship from evill tongues, as also for the better salvation of their soules, you brought them from Zamora in the middle of Lent, in such wise that like a good pastor, and an excellent prelate, you removed them from praying to fighting. In the assault which the Gentlemen (the Aristocrats) gave at Tordesillas against your bande, I saw with mine eyes one of your priests with a harquebuse overthrowe eleven men [from behind a battlement] and the grace was that [before] he levelled to shoote, he [made the sign of the cross with his piece over them.']

We must stop this extract for the sake of one or two others. But this single letter contains materials for a novel. A little farther on, we have an account of the motives of personal interest or ambition, which were attributed to every one of the leaders of the commoners. A distinct character of each might be drawn from Guevara's hints. But the portrait of Bishop Acuña stands most prominent. Here we have another striking contrast between the two bishops.

'Reverend and disquiet bishop, by the letter of Quintanilla of Medina, I was advertised in what manner your Lordship received my letter, and also understood, that in the ende of reading thereof, presently you began to [grunt and to say], "Is this a thing to be suffered, that the tongue of frier Antonie of Guevara may be of more power than my lance? and that he be not contented to have withdrawen Sir Peter Giron (even from betwixt our hands) but also now even here doth write me a thousand blasphemies?" It hath much pleased me, that my letter was so [well poisoned that the power of the herbs was so quickly felt at the heart], for I did not write that you should read it, but that you should read and feele it.' . . .

Guevara's letters to Padilla and his wife might have enabled the poet to have given individuality to his personages, and reality to his descriptions. Even if he wanted to enliven a romantic play with a character somewhat similar to the inimitable Friar of Wallenstein's Camp, the sketch was ready prepared by Guevara. A Biscayan priest (he informs us) who had the living of a village called Medina, being passionately

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attached to the Commoners, used, on Sundays, to give out, as a bidding prayer, an Ave-Mary for the prosperity of the Comunidades; another for his Majesty Juan de Padilla; another for her Majesty Donna Maria de Padilla; and 'may God preserve them, for they alone are legitimate, and all others are tyrants.' It happened, however, that Padilla marched with some troops through that place. The priest, to show his public spirit, asked to entertain as many soldiers as his house could hold. But one of them made love to the priest's housekeeper (a most important personage in a priest's house), and induced her to run away. The rest of the soldiers amused themselves in devouring the contents of the well-stocked larder, and draining the cellar. On the Sunday, after the soldiers had left the village, the inhabitants were surprised to hear the vicar give out from the altar king Charles and queen Donna Joanna, adding, with much unction, 'My brethren, you are aware that when Don Juan de Padilla stopt here, his soldiers did not leave me one fowl in my yard, not a drop of wine in the jars' (so it is frequently kept in Spain), 'not an ounce of *tocino*' (pickled pork) 'in the larder; and, besides all this, they carried away my Kate: wherefore I exhort, advise, and command you, not to pray for him, but for Charles and Joanna, who are the true king and queen, and to give those other Toledo sovereigns to the Devil. Amen.'

Such a rich mine of dramatic character and effect might our Spanish poet have worked; but the laws of the *Unities* deterred him; and he has given to the world a mere declamation in dialogue, with a few well-turned sentences on political liberty. Many, no doubt, of the French plays, written under that restraint, are, nevertheless, admirable compositions; but their merit arises from a combination of the great talents of the poet, with the lucky coincidence of a subject where the condensed interest of a single passion (generally love) may be conveyed to an audience through a very short narrative or exposition in action. But this is too narrow a field for Art. Unless the poet gives us a vivid picture of the workings of some individual human mind —unless that mind is beheld as 'a thing of life,' acting and re-acting upon others, moving in some portion of this sphere of our existence which we instantly recognise; in a word, unless it is seen in nature, as nature draws its own picture in our souls—vast, varied, mysterious—the poet's labour is thrown away. It is on this ground that we object to the *Unities*. If Europe possessed a sufficient number of poets, with that degree of genius which would enable them to enlarge the number of successful classical tragedies at the rate of even twenty a year,

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we should lament such a waste of industry, ingenuity, and talent. There would be, even in that case, not only waste, in regard to the poets themselves, but actual loss to the literary world; for innumerable subjects, which, through the hands of such writers, might convey delight and instruction, would necessarily be left untouched. Why then should the poet be thus shackled and confined? The only *unity* which, as it was observed before, deserves attention, is the *Unity of Interest;* and all that this unity requires is, that one part of the composition do not oppose or injure the effect of another. We would not advise the writer of a drama to entangle and confuse his *acted story,* by giving the history, pedigree, and adventures of every friend and relation of the hero or heroine. The Unity of Interest must, indeed, be held sacred by every adept in the Literary, as well as in the Fine Arts. But this unity is not broken by every thing that is not essentially connected with the main design; nor is it necessary for the highest tragic effect to remove every object of a *general* character even directly opposite. When witnessing, many years ago, a shipwreck, in which some men perished, a sudden gleam of sunshine happened to dance upon the waves, just on the spot where the unfortunate sailors had sunk to rise no more;—we felt convinced, and the conviction will follow us to our last breath, that we had viewed the most heart-rending combination of objects which visible nature can offer to such beings as we are.

In conclusion, we must protest that far from intending to turn away Spanish scholars from Martinez de la Rosa's works, we wish those works to become as popular in England as circumstances allow. Few Spanish books could afford the student of that language a better specimen of the good Spanish of our own times; and fewer still could give him a more accurate and pleasing history of Spanish poetry. The present and past exertions of the author, in favour of the liberty of his country; his sufferings in that cause, and the high and influential station which he occupies, must be sources of a lively interest to every one who, animated by a love of the progress of mankind, shall become acquainted with the refined, enlightened, and evidently amiable mind, which could bear literary fruits so near maturity and richness, under the overcast skies of Spain. Martinez de la Rosa has our heart's best wishes, in the difficult and important task which, to the credit of the Queen Regent of Spain, must now interrupt his more pleasing and favourite pursuits.

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Art. V.

PROFESSOR SEDGWICK'S DISCOURSE.—STATE OF PHILOSOPHY IN ENGLAND.

A Discourse on the Studies of the University. By Adam Sedgwick, M.A., F.R.S.; Woodwardian Professor, and Fellow of Trinity College, Cambridge. 1834. 3d edit.

IF we were asked for what end, above all others, endowed universities exist, or ought to exist, we should answer—To keep alive philosophy. This, too, is the ground on which, of late years, our own national endowments have chiefly been defended. To educate common minds for the common business of life, a public provision may be useful, but is not indispensable: nor are there wanting arguments, if not conclusive, yet of considerable strength, to show that it is undesirable. Whatever individual competition does at all, it commonly does best. All things in which the public are adequate judges of excellence, are best supplied where the stimulus of individual interest is the most active; and that is, where pay is in proportion to exertion: not where pay is made sure in the first instance, and the only security for exertion is the superintendence of government; far less where, as in the English universities, even that security has been successfully excluded. But there is an education of which it cannot be pretended that the public are competent judges; the education by which great minds are formed. To rear up minds with aspirations and faculties above the herd, and capable of leading on their countrymen to greater achievements in virtue, intelligence, and social well-being; to do this, and likewise so to educate the leisured classes of the community generally, that they may participate, as far as possible, in the qualities of these superior spirits, and be prepared to appreciate them, and follow in their steps—these are purposes, requiring institutions of education placed above dependence upon the immediate pleasure of that very multitude whom they are designed to elevate. These are the ends for which endowed universities are desirable; they are those which all endowed universities profess to aim at; and great is their disgrace, if, having undertaken this task, and claiming credit for fulfilling it, they leave it unfulfilled.

In what manner are these purposes—the greatest which any human institution can propose to itself—purposes which the English universities must be fit for, or they are fit for nothing—performed by those universities?——*Circumspice.*

In the intellectual pursuits which form great minds, this

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country was formerly pre-eminent. England once stood at the head of European philosophy. Where stands she now? Consult the general opinion of Europe. The celebrity of England, in the present day, rests upon her docks, her canals, her railroads. In intellect, she is distinguished only for a kind of sober good sense, free from extravagance, but also void of lofty aspirations; and for doing all those things which are best done where man most resembles a machine, with the precision of a machine. Valuable qualities, doubtless; but not precisely those by which man raises himself to the perfection of his nature, or achieves greater and greater conquests over the difficulties which encumber his social arrangements. Ask any reflecting person in France or Germany his opinion of England; whatever may be his own tenets—however friendly his disposition to us—whatever his admiration of our institutions, and even his desire to introduce them into his native country; however alive to the faults and errors of his own countrymen, the feature which always strikes him in the English mind is the absence of enlarged and commanding views. Every question he finds discussed and decided on its own basis, however narrow, without any light thrown upon it from principles more extensive than itself; and no question discussed at all, unless parliament, or some constituted authority, is to be moved to-morrow or the day after to put it to the vote. Instead of the ardour of research, the eagerness for large and comprehensive inquiry, of the educated part of the French and German youth, what find we? Out of the narrow bounds of mathematical and physical science, not a vestige of a reading and thinking public engaged in the investigation of truth *as* truth, in the prosecution of thought for the sake of thought. Among no class except sectarian religionists—and what they are we all know—is there any interest in the great problem of man's nature and life: among no class whatever is there any curiosity respecting the nature and principles of human society, the history or the philosophy of civilization; nor any belief that, from such inquiries, a single important practical consequence can follow. Guizot, the greatest admirer of England among the continental philosophers, nevertheless remarks that, in England, even great events do not, as they do every where else, inspire great ideas. Things, in England, are greater than the men who accomplish them.

This torpid state of the national mind on the noblest subjects of thought would not be surprising, if in other respects the English were a declining people; if all intellectual energy and

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manly activity were, as in the later times of the Roman empire, verging towards extinction. But the direct contrary is the fact. Since the time when the English philosophers gave the law to Europe, England has maintained and added to every other superiority which she possessed. She has advanced immeasurably in wealth, still more immeasurably in power; civilization has spread to the remotest corner of her territory; the manners of her people have been humanized, their tastes refined; they have outstripped all nations in what most distinguishes a civilized people from barbarians, the power of co-operating for a common object; in the diffusion of reading, of philanthropy, of interest in public affairs, no other people in the Old World can be compared with them. While all these changes have been taking place for the better, in the minds and condition of those whom our two great endowed seminaries do *not* educate, there must be some grievous defect in the training of the classes whom those establishments do educate, to account for the low state of all higher pursuits; of the pursuits which the very existence of universities is but a means to the cultivation of—and in which it is the duty of such establishments to send forth their pupils qualified, some to extend the bounds of knowledge itself, and all to enter into its spirit, and turn it to account for the purposes of life.

But perhaps this degeneracy is the effect of some cause over which the universities had no control, and against which they have been ineffectually struggling. If so, those bodies are wonderfully patient of being baffled. Not a word of complaint escapes any of their leading dignitaries—not a hint that their highest endeavours are thwarted, their best labours thrown away; not a symptom of dissatisfaction with the intellectual state of the national mind, save when it discards the boroughmongers, lacks zeal for the church, or calls for the admission of Dissenters within their precincts. On the contrary, perpetual boasting how perfectly they succeed in accomplishing all that they attempt; endless celebrations of the country's glory and happiness in possessing a youth so taught, so mindful of what they are taught. When any one presumes to doubt whether the universities are all that universities should be, he is not told that they do their best, but that the tendencies of the age are too strong for them; no—he is, with an air of triumph, referred to their fruits, and asked, whether an education which has made English gentlemen what we see them, can be other than a good education? All is right so long as no one speaks of taking away their endowments, or encroaching upon their monopoly. While they are thus

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eulogizing their own efforts, and the results of their efforts; philosophy—not any particular school of philosophy, but philosophy altogether—speculation of any comprehensive kind, and upon any deep or extensive subject—has been falling more and more into distastefulness and disrepute among the educated classes of England. Have those classes meanwhile learned to slight and despise these authorized teachers of philosophy, or ceased to frequent their schools? Far from it. The universities then may flourish, although the pursuits which are the end and justification of the existence of universities decay. The teacher thrives and is in honour, while that which he affects to teach vanishes from among mankind.

If the above reflections were to occur, as they well might, to an intelligent foreigner, deeply interested in the condition and prospects of English intellect, we may imagine with what avidity he would seize upon the publication before us. It is a discourse on the studies of Cambridge, by a Cambridge Professor, delivered to a Cambridge audience, and published at their request. It contains the opinion of one of the most liberal members of the University on the studies of the place; or, as we should rather say, on the studies which the place recommends, and which some few of its pupils actually prosecute. Mr. Sedgwick is not a mere pedant of a college, who defends the system because he has been formed by the system, and has never learned to see anything but in the light in which the system showed it to him. Though an intemperate (witness his replies to Mr. Beverley), he is not a bigoted, partisan of the body to which he belongs; he can see faults as well as excellences, not merely in their mode of teaching, but in some parts of what they teach. His intellectual pretensions, too, are high. Nor of him can it be said that he aspires not to philosophy; he writes in the character of one to whom its loftiest eminences are familiar. Curiosity, therefore, cannot but be somewhat excited to know what he finds to say respecting the Cambridge scheme of education, and what notion may be formed of the place from the qualities he exhibits in himself, one of its most favourable specimens.

Whatever be the value of Professor Sedgwick's discourse in the former of these two points of view, in the latter we have found it, on examination, to be a document of considerable importance. The Professor gives his opinion (for the benefit chiefly, he says, of the younger members of the University, but in a manner, he hopes, 'not altogether unfitting to other ears') on the value of several great branches of intellectual culture, and on the spirit in which they should be pursued. Not satisfied

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with this, he proclaims in his preface another and a still more ambitious purpose—the destruction of what he terms the Utilitarian theory of morals:—

'He has attacked the utilitarian theory of morals, not merely because he thinks it founded on false reasoning, but because he also believes that it produces a degrading effect on the temper and conduct of those who adopt it.'—*Preface.*

This is promising great things: to refute a theory of morals; and to trace its influence on the character and actions of those who embrace it. A better test of capacity for philosophy could not be desired. We shall see how Professor Sedgwick acquits himself of his two-fold task, and what were his qualifications for undertaking it.

From an author's mode of introducing his subject, and laying the outlines of it before the reader, some estimate may generally be formed of his capacity for discussing it. In this respect, the indications afforded by Mr. Sedgwick's commencement are not favourable. Before giving his opinion of the studies of the University, he had to tell us what those studies are. They are, first, mathematical and physical science; secondly, the classical languages and literature; thirdly (if some small matter of Locke and Paley deserve so grand a denomination), mental and moral science. For Mr. Sedgwick's purpose, this simple mode of designating these studies would have been sufficiently precise; but if he was determined to hit off their metaphysical characteristics, it should not have been in the following style:—

'The studies of this place, as far as they relate to mere human learning, divide themselves into three branches: first, the study of the laws of nature, comprehending all parts of inductive philosophy. Secondly, the study of ancient literature, or, in other words, of those authentic records which convey to us an account of the feelings, the sentiments, and the actions, of men prominent in the history of the most famous empires of the ancient world: in these works we seek for examples and maxims of prudence and models of taste. Thirdly, the study of ourselves, considered as individuals and as social beings: under this head are included ethics and metaphysics, moral and political philosophy, and some other kindred subjects of great complexity, hardly touched on in our academic system, and to be followed out in the ore mature labours of after life.'—p. 10.

How many errors in expression and classification in one short passage! The 'study of the laws of nature' is spoken of as one thing, 'the study of ourselves' as another. In studying ourselves, are we not studying the laws of our nature? 'All parts of inductive philosophy' are placed under one head; 'ethics and metaphysics, moral and political philosophy,' under another.

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Are these no part of inductive philosophy? Of what philosophy, then, are they a part? Is not all philosophy, which is founded upon experience and observation, inductive? What, again, can Mr. Sedgwick mean by calling 'ethics' one thing and 'moral philosophy' another? Moral philosophy must be either ethics or a branch of metaphysics—either the knowledge of our duty, or the theory of the feelings with which we regard our duty. What a loose description, too, of ancient literature—where no description at all was required. The writings of the ancients are spoken of as if there were nothing in them but the biographies of eminent statesmen.

This want of power to express accurately what is conceived, almost unerringly denotes inaccuracy in the conception itself: such verbal criticism, therefore, as the above, is far from unimportant. But the topics of a graver kind, which Mr. Sedgwick's Discourse suggests, are fully sufficient to occupy us, and to them we shall henceforth confine ourselves.

The Professor's survey of the studies of the University commences with 'the study of the laws of nature,' or, to speak a more correct language, the laws of the material universe. Here, to a mind stored with the results of comprehensive thought, there lay open a boundless field of remark, of the kind most useful to the young students of the University. At the stage in education which they are supposed to have reached, the time was come for disengaging their minds from the microscopic contemplation of the details of the various sciences, and elevating them to the idea of Science as a whole—to the idea of human culture as a whole—of the place which those various sciences occupy in the former, and the functions which they perform in the latter. Though an actual analysis would have been impossible, there was room to present, in a rapid sketch, the *results* of an analysis of what Hobbes and Descartes would have called the *methods** of the various physical sciences—*i.e.*, the processes by which they severally arrive at truth: the peculiar logic of each science, and the light thrown thereby upon universal logic: the various kinds and degrees of evidence upon which the truths of those sciences rest; how to estimate them; how to adapt our modes of investigation to them: how far the habits of estimating evidence, which these sciences engender, are applicable to other subjects, and to evidence of another kind; how far inapplicable. Hence the transition was easy to the more extensive inquiry, what these physical studies are capable of doing for the mind; which of the habits and powers that constitute a fine intellect

* *Method*, the *methodus philosophandi*. The employment of the word to denote order and arrangement, is a modern corruption.

those pursuits tend to cultivate; what are those which they do not cultivate, those even (for such there are) which they tend to impede; by what other studies and intellectual exercises, by what general reflections, or course of reading or meditation, those deficiencies may be supplied. The Professor might thus have shown (what it is usual only to declaim about) how highly a familiarity with mathematics, with dynamics, with even experimental physics and natural history, conduces both to the strength and to the soundness of a fine understanding; and yet how possible it is to be master of all these sciences, and to be unable to put two ideas together with a useful result, on any other topic. The youth of the university might have been taught to set a just value on these attainments, yet to see in them, as branches of general education, what they really are—the early stages in the formation of a great mind; the mere instruments of a higher culture. Nor would it have been out of place in such a discourse, though perhaps not peculiarly appropriate to this part of it, to have added a few considerations on the tendency of scientific pursuits in general; the influence of habits of analysis and abstraction upon the character:—how, without those habits, the mind is the slave of its own accidental associations, the dupe of every superficial appearance, and fit only to receive its opinions from authority:—on the other hand, how their exclusive culture, while it strengthens the associations which connect means with ends, effects with causes, tends to weaken many of those upon which our enjoyments and our social feelings depend; and by accustoming the mind to consider, in objects, chiefly the properties on account of which we refer them to classes and give them general names, leaves our conceptions of them, as individuals, lame and meagre:—how, therefore, the corrective and antagonist principle to the pursuits which deal with objects only in the abstract, is to be sought in those which deal with them altogether in the concrete, clothed in properties and circumstances: real life in its most varied forms, poetry and art in all their branches.

These, and many kindred topics, a philosopher, standing in the place of Professor Sedgwick, would, as far as space permitted, have illustrated and insisted on. But the Professor's resources supplied him only with a few trite commonplaces, on the high privilege of comprehending the mysteries of the natural world; the value of studies which give a habit of abstraction, and a 'power of concentration;' the use of scientific pursuits in saving us from languor and vacuity; with other truths of the calibre of the Penny Magazine. To these he adds, that 'the study of the higher sciences is well suited to keep down a spirit

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of arrogance and intellectual pride,' by convincing us of 'the narrow limitation of our faculties;' and upon this peg he appends a dissertation on the evidences of design in the universe—a subject on which much originality was not to be hoped for, and the nature of which may be allowed to protect feebleness from any severity of comment.

The Professor's next topic is the classical languages and literature. And here he begins by wondering. This is one of the ways of his profession. Mr. Sedgwick, besides being a professor of geology, is also a clergyman; and it seems to be a propensity inherent in the clerical office to erect everything into a wonder. A clergyman cannot consider the infinite greatness and wisdom of God, once for all, as proved, but thinks himself bound to be finding fresh arguments for it in every chip or stone; and he thinks nothing a proof of greatness unless he can wonder at it; and to most minds a wonder explained is a wonder no longer. Hence a sort of vague feeling, as if, to his conceptions, God would not be so great if he had made us capable of understanding more of the laws of his universe; and hence a reluctance to admit even the most obvious explanation, lest it should destroy the wonder.

The subject of Professor Sedgwick's wonder is a very simple thing—the manner in which a child acquires a language.

'I may recall to your minds,' says he, 'the wonderful ease with which a child comprehends the conventional signs of thought formed between man and man—not only learns the meaning of words descriptive of visible things; but understands, by a kind of rational instinct, the meaning of abstract terms, without ever thinking of the faculty by which he comes to separate them from the names of mere objects of sense. The readiness with which a child acquires a language may well be called a rational instinct: for during the time that his knowledge is built up, and that he learns to handle the implements of thought, he knows no more of what passes within himself, than he does of the structure of the eye, or of the properties of light, while he attends to the impressions on his visual sense, and gives to each impression its appropriate name.'—p. 33.

This, on its own account, would scarcely require remark: but in illustration of the Professor's metaphysics, of which it is a fair sample, we may observe, that if whatever we do without understanding the machinery by which we do it, be done by a rational instinct, we learn to dance by instinct: since few of the dancing-master's pupils have ever heard of any one of the muscles which his instructions and their own sedulous practice give them the power to use. Do we grow wheat by 'a rational instinct,' because we know not how the seed germinates in the ground? We know by experience, not by instinct, that it ger-

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minates somehow, and on that assurance we sow it. A child learns a language by the ordinary laws of association; by hearing the word spoken, on the various occasions on which the meaning denoted by it has to be conveyed. This mode of acquisition is better adapted for giving a loose and vague, than a precise, conception of the meaning of an abstract term; accordingly, most people's conceptions of the meaning of many abstract terms in common use remain always loose and vague. The rapidity with which a child learns a language is not more wonderful than the rapidity with which he learns so much else at an early age. It is a common remark, that we gain more knowledge in the first few years of life, without labour, than we ever after acquire by the hardest toil, in double the time. There are many causes to account for this; among which it is sufficient to specify, that all the knowledge we then acquire concerns our most pressing wants, and that our attention to outward impressions is not yet deadened by familiarity, nor distracted, as in grown persons, by a previously accumulated stock of inward ideas and feelings.

Against the general tendency of the Professor's remarks on the cultivation of the ancient languages we have nothing to say. We think with him, that 'our fathers have done well in making classical studies an early and prominent part of liberal education' (p. 34). We fully coincide in his opinion, that 'the philosophical and ethical works of the ancients deserve a much larger portion of our time than we' (meaning Cambridge) 'have hitherto bestowed on them' (p. 39). We commend the liberality (for, in a professor of an English university, the liberality which admits the smallest fault in the university system of tuition deserves to be accounted extraordinary) of the following remarks:—

'It is notorious, that during many past years, while verbal criticism has been pursued with so much ardour, the works to which I now allude (coming home, as they do, to the business of life; and pregnant, as they are, with knowledge well fitted to fortify the reasoning powers) have, by the greater number of us, hardly been thought of; and have in no instance been made prominent subjects of academic training.'—p. 39.

'I think it incontestably true, that for the last fifty years our classical studies (with much to demand our undivided praise) have been too critical and formal; and that we have sometimes been taught, while straining after an accuracy beyond our reach, to value the husk more than the fruit of ancient learning: and if of late years our younger members have sometimes written prose Greek almost with the purity of Xenophon, or composed iambics in the finished diction of the Attic poets, we may well doubt whether time suffices for such perfection—

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whether the imagination and the taste might not be more wisely cultivated than by a long sacrifice to what, after all, ends but in verbal imitations.—In short, whether such acquisitions, however beautiful in themselves, are not gained at the expense of something better. This at least is true, that he who forgets that language is but the sign and vehicle of thought, and, while studying the word, knows little of the sentiment—who learns the measure, the garb, and fashion of ancient song, without looking to its living soul or feeling its inspiration—is not one jot better than a traveller in classic land, who sees its crumbling temples, and numbers, with arithmetical precision, their steps and pillars, but thinks not of their beauty, their design, or the living sculptures on their walls—or who counts the stones in the Appian way instead of gazing on the monuments of the "eternal city." '—pp. 37-8.

The illustration which closes the above passage (though, as is often the case with illustrations, it does not illustrate) is rather pretty: a circumstance which we should be sorry not to notice, as, amid much straining, and many elaborate flights of imagination, we have not met with any other instance in which the Professor makes so near an approach to actual eloquence.

We have said that we go all lengths with our author, in claiming for classical literature a place in education, at least equal to that commonly assigned to it. But though we think his opinion right, we think most of his reasons wrong. As, for example, the following:—

'With individuals as with nations, the powers of imagination reach their maturity sooner than the powers of reason; and this is another proof that the severer investigations of science ought to be preceded by the study of languages; and especially of those great works of imagination which have become a pattern for the literature of every civilized tongue.'—p. 34.

This *dictum* respecting Imagination and Reason is only not a truism, because it is, as Coleridge would say, a falsism. Does the Professor mean that any 'great work of imagination'—the 'Paradise Lost,' for instance—could have been produced at an earlier age, or by a less matured or less accomplished mind, than the 'Mécanique Céleste?' Does he mean that a learner can appreciate Æschylus or Sophocles before he is old enough to understand Euclid or Lacroix? In nations again, the assertion, that imagination, in any but the vulgarest sense of the word, attains maturity sooner than reason, is so far from being true, that throughout all history the two have invariably flourished together; have, and necessarily must. Does Mr. Sedgwick think that any great work of imagination ever was, or can be produced, without great powers of reason? Be the country Greece or Rome, Italy, France, or England, the age of her greatest eminence in poetry and the fine arts has always been

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that of her greatest statesmen, generals, orators, historians, navigators, in one word, thinkers, in every department of active life; not, indeed, of her greatest philosophers, but only because Philosophy is the tardiest product of Reason itself *.

The true ground for assigning to classical studies a high place in general education—a far higher one, indeed, than to what the Professor calls 'the severer investigations of science' (meaning mathematics, and the applications of mathematics) is, that the former cultivate the whole mind, the latter only a narrow corner of it. The subject of the one is but lines and numbers; of the other, human life, from its highest to its homeliest concerns. In the one, the only faculty exercised is ratiocination; and that, too, under circumstances of unusual facility: in the other, there is scarcely a valuable power or habit of the intellect which finds not its appropriate nourishment. We believe, accordingly, that the superiority of scholars over mathematicians, wherever intellects are brought fairly into competition, is borne out by a wide experience. As between the Greek and Roman, and any modern literature, the superiority of the former, as an instrument of education, lies in this—that in all other literatures the various nutriment which is needful for the mind lies scattered, some here, some there, and the same book is seldom food for more than a small part of the character; but in classical literature the whole man drinks from the same fountain; the sense of beauty, the admiration of exalted personal excellence, and the most varied powers of thought, are all nourished and called into action, each in the highest degree, and not separately but simultaneously.

We hold with Mr. Sedgwick, that these languages should be studied in our early years—not because we think, as he almost seems to do, that a young scholar can understand and relish 'great works of imagination' before he can learn simple equations—but because the mechanical difficulties are most easily vanquished at an early age; and because the acquisition of a complex and symmetrical language is itself the most valuable discipline, not of the imagination, but of the reason, which a young mind is capable of. The Greek or Latin grammar is a specimen of logical and metaphysical analysis, the place of which in education no other of the ordinary studies of youth could supply.

* In the earlier stages of a nation's culture, the place of Philosophy is always pre-occupied by an established religion: all the more interesting questions to which philosophy addresses itself, find a solution satisfactory to the then state of human intellect, ready provided by the received creed. The old religion must have lost its hold on the more cultivated minds, before philosophy is applied to for a solution of the same questions. With the decline of polytheism came the Greek philosophy; with the decline of Catholicism, the modern.

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Of these reasons, substantial and cogent as they are, in recommendation of classical studies, we find not a word in Mr. Sedgwick's tract; but, instead of them, much harping on the value of the writings of antiquity as 'patterns' and 'models.' This is lauding the abuse of classical knowledge as the use; and is a very bad lesson to 'the younger members' of the university. The study of the ancient writers has been of unspeakable benefit to the moderns; from which benefit, the attempts at direct imitation of those writers have been no trifling drawback. The necessary effect of imitating 'models' is, to set manner above matter. The imitation of the classics has perverted the whole taste of modern Europe on the subject of composition: it has made style a subject of cultivation and of praise, independently of ideas; whereas, by the ancients, style was never thought of but in complete subordination to matter. The ancients would as soon have thought of a coat in the abstract, as of style in the abstract: the merit of a style, in their eyes, was, that it exactly fitted the thought. Their first aim was, by the assiduous study of their subject, to secure to themselves thoughts worth expressing; their next was, to find words which would convey those thoughts with the utmost degree of nicety; and only when this was made sure, did they think of ornament. Their style, therefore, whether ornamented or plain, grows out of their turn of thought; and may be admired, but cannot be imitated, by any one whose turn of thought is different. The instruction which Professor Sedgwick should have given to his pupils, was to follow no models; to attempt no style, but let their thoughts shape out the style best suited to them; to resemble the ancients, not by copying their manner, but by understanding their own subject as well, cultivating their faculties as highly, and taking as much trouble with their work, as the ancients did. All imitation of an author's style, except that which arises from making his thoughts your own, is mere affectation and vicious mannerism.

In discussing the value of the ancient languages, Mr. Sedgwick touches upon the importance of ancient history. On this topic, on which so much, and of the most interesting kind, might have been said, he delivers nothing but questionable commonplaces. 'History,' says he, 'is, to our knowledge of man in his social capacity, what physical experiments are to our knowledge of the laws of nature.' (p. 42.) Common as this notion is, it is a strange one to be held by a professor of physical science; for assuredly no person is satisfied with such evidence in studying the laws of the natural world, as history affords with respect to the laws of political society. The evi-

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denceof history, instead of being analogous to that of experiment, leaves the philosophy of society in exactly the state in which physical science was, before the method of experiment was introduced. The Professor should reflect, that we cannot make experiments in history. We are obliged, therefore, as the ancients did in physics, to content ourselves with such experiments as we find made to our hands; and these are so few, and so complicated, that little or nothing can be inferred from them. There is a remark of David Hume, of which perhaps Mr. Sedgwick never heard—that the world is yet too young to have a political philosophy. If history is to be the basis of it, after ten thousand years the world will still be too young. There is not a fact in history which is not susceptible of as many different explanations as there are possible theories of human affairs. Whoever knows not this, must be as superficially acquainted with history as with principle; and so, indeed, those who build confidently upon history always are: those who are really versed in it know better in what its value consists. Not only is history not the foundation of political philosophy, but the profoundest political philosophy is requisite to explain history; without it, all in history which is worth understanding remains mysterious. Can Mr. Sedgwick, for instance, explain why the Greeks, in their brief career, so far surpassed their contemporaries, or why the Romans conquered the world? The real foundation of political wisdom is our experience, not of the men of former ages, whom we cannot know, either themselves or their circumstances, but of those whom and whose circumstances we can know, the people of our own time; and this experience is acquired through the study of ourselves by reflection, and of mankind by actual intercourse with them. That what we know of former ages, like what we know of foreign nations, is, with all its uncertainties, of much use, by correcting the narrowness incident to personal experience, we need not be told; but the usefulness of history depends upon its being kept in the second place.

The Professor is wholly unaware of the importance of accuracy, either in thought or in expression. 'In ancient history,' says he (p. 42), 'we can trace the fortunes of mankind under almost every condition of political and social life.' So far is this from being true, that ancient history does not so much as furnish an example of a civilized people in which the bulk of the inhabitants were not slaves. Again, 'all the successive actions we contemplate are at such a distance from us, that we can see their true bearings on each other undistorted by that mist of prejudice with which every modern political question is

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surrounded.' We appeal to all who are conversant with the modern writings on ancient history, whether even this is true. The most elaborate Grecian history which we possess is impregnated with the anti-jacobin spirit in every line; and the Quarterly Review has laboured as diligently for many years to vilify the Athenian republic as the American.

Thus far the faults which we have discovered in Mr. Sedgwick are faults of omission rather than of commission; or at worst, amount only to this, that he has repeated the trivialities he found current, not having depth or strength of mind to see beyond them. Had there been nothing worse to be said of the remainder of the Discourse, we should not have disturbed its peaceful progress to oblivion.

We have now, however, arrived at the opening of that part of Professor Sedgwick's Discourse which is most laboured, and for the sake of which all the rest may be surmised to have been written,—his strictures on Locke's 'Essay on the Human Understanding,' and Paley's 'Principles of Moral Philosophy.' These works comprise what little of ethical and metaphysical instruction is given, or professed to be given, at Cambridge. The remainder of Mr. Sedgwick's Discourse is devoted to an attack upon them.

We assuredly have no thought of defending either work as a text-book, still less as the sole text-book on their respective subjects, in any school of philosophy. Of Paley's work, though it possesses in a high degree some minor merits, we think, on the whole, meanly. Of Locke's Essay, the beginning and foundation of the modern analytical psychology, we cannot speak but with the deepest reverence; whether we consider the era which it constitutes in philosophy, the intrinsic value, even at the present day, of its thoughts, or the noble devotion to truth, the beautiful and touching earnestness and simplicity, which he not only manifests in himself, but has the power beyond almost all other philosophical writers of infusing into his reader. His Essay should be familiar to every student. But no work, a hundred and fifty years old, can be fit to be the sole, or even the principal work for the instruction of youth in a science like that of Mind. In metaphysics, every new truth sets aside or modifies much of what was previously received as truth. Bishop Berkeley's refutation of the doctrine of abstract ideas, would of itself necessitate a complete revision of the phraseology of the most valuable parts of Locke's book. And the important speculations originated by Hume and perfected by Brown, concerning the nature of our experience, are acknowledged, even by

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the philosophers who do not adopt in their full extent the conclusions of those writers, to have carried on the analysis of our knowledge and of the process of acquiring it, so much beyond the point where Locke left it, as to require that his work should be entirely recast.

Moreover, the book which has changed the face of a science, even when not superseded in its doctrines, is seldom suitable for didactic purposes. It is adapted to the state of mind, not of those who are ignorant of every doctrine, but of those who are instructed in an erroneous doctrine. So far as it is taken up in directly combating the errors which prevailed before it was written, the more completely it has done its work, the more certain it is of becoming superfluous, not to say unintelligible, without a commentary. And even its positive truths are defended against such objections only as were current in its own times, and guarded only against such misunderstandings as the people of those times were likely to fall into. Questions of morals and metaphysics differ from physical questions in this, that their aspect changes with every change of the human mind. At no two periods is the same question embarrassed by the same difficulties, or the same truth in need of the same explanatory comment. The fallacy which is satisfactorily refuted in one age, re-appears in another, in a shape which the arguments formerly used do not precisely meet; and seems to triumph, until some one, with weapons suitable to the altered form of the error, arises and repeats its overthrow.

These remarks are peculiarly applicable to Locke's Essay. His doctrines were new, and had to make their way: he therefore wrote not for learners, but for the learned; for those who were trained in the systems previous to his—the systems of the Schoolmen or of the Cartesians. He said what he thought necessary to establish his own opinions, and he answered the objections of such objectors as the age afforded; but he could not anticipate all the objections which might be made by a subsequent age: least of all could he anticipate those which would be made now, when his philosophy has long been the prevalent one; when the arguments of objectors have been rendered as far as possible consistent with his principles, and are often such as could not have been thought of until he had cleared the ground by demolishing some received opinion, which no one before him had thought of disputing.*

* As an example, and one which is in point to Mr. Sedgwick's attack, let us take Locke's refutation of innate ideas. The doctrine maintained in his time, and against which his arguments are directed, was, that there are ideas which exist in the mind antecedently to experience. Of this theory his refutation is complete, and the error has never again reared its head. But a form of the same doctrine has since arisen,

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To attack Locke, therefore, because other arguments than it was necessary for him to use have become requisite to the support of some of his conclusions, is like reproaching the Evangelists because they did not write Evidences of Christianity. The question is, not what Locke has said, but what would he have said, if he had heard all that has since been said against him? Absurd, however, as is a criticism on Locke conceived in this spirit, Mr. Sedgwick indulges in another strain of criticism even more absurd still.

The 'greatest fault,' he says, of Locke's Essay, 'is the contracted view it takes of the capacities of man—allowing him, indeed, the faculty of reflecting and following out trains of thought according to the rules of abstract reasoning; but depriving him both of his powers of imagination and of his moral sense.' (p. 57.) Several pages are thereupon employed in celebrating 'the imaginative powers.' And a metaphysician who 'discards these powers from his system,' (which, according to Mr. Sedgwick, Locke does,) is accused of 'shutting his eyes to the loftiest qualities of the soul.' (p. 49.)

Has the Professor so far forgotten the book which he must have read once, and on which he passes judgment with so much authority, as to fancy that it claims to be a treatise on all 'the

somewhat different from the above, and which could not have been thought of until Locke had established the dependence of all our knowledge upon experience. In this modern theory, it is admitted that experience, or, in other words, impressions received from without, must *precede* the excitement of any ideas in the mind: no ideas, therefore, exist in the mind *antecedently* to experience; but there are some ideas (so the theory contends) which, though experience must precede them, are not *likenesses* of anything which we have experience of, but are only *suggested* or *excited* by it; ideas which are only so far the effects of outward impressions, that they would for ever lie dormant if no outward impressions were ever made. Experience, in short, is a *necessary condition* of those ideas, but not their prototype, or cause. One of these ideas, they contend, is, the idea of substance or matter; which is no copy of any sensation; neither, on the other hand, should we ever have had this notion, if we had never had sensations; but as soon as any sensation is experienced, we are compelled, by a law of our nature, to form the idea of an external something called matter, and to refer the sensation to this something as its exciting cause. Such, it is likewise contended, is the idea of duty, and the moral judgments and feelings. We do not bring with us into the world any idea of a criminal act; it is only experience which gives us that idea; but the moment we conceive the act, we instantly, by the constitution of our nature, judge it to be wrong, and frame the idea of an obligation to abstain from it.

This form of the doctrine of innate principles Locke did not anticipate, and has not supplied the means of completely refuting. Mr. Sedgwick accordingly triumphs over him, as having missed his mark by overlooking 'the distinction between innate ideas and innate capacities.'—(p. 48.) If Locke has not adverted to a distinction which had never been thought of in his day, others have; and no one who now writes on the subject ever overlooks it. Has Mr. Sedgwick ever read Hartley, or Mill? or even Hume, or Helvetius? Evidently not; he shows no signs of having read any writer on the side of the question which he attacks, except Locke and Paley: whom he insists upon treating as the representatives of all others who adopt any of their conclusions.

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capacities of man?' Are words altogether without meaning to the Professor, that he can write in the manner we have just quoted about Locke's book, with the fact looking him in the face from his own pages, that it is entitled 'An Essay on the Human Understanding?' Who besides Mr. Sedgwick would look for a treatise on the imagination under such a title? What place, what concern could it have had there?

The one object of Locke's speculations was to ascertain the limits of our knowledge; what questions we may hope to solve, what are beyond our reach. This purpose is distinctly declared in the Preface, and manifested in every chapter of the book. He tells us that he commenced his inquiries because 'in discoursing on a subject very remote from this,' it came into his thoughts that 'before we set ourselves upon inquiries of that nature, it was necessary to examine our own abilities, and see what objects our understandings were, or were not, fitted to deal with.'* The following, from the first chapter of the first book, are a few of the passages in which he describes the scope of his speculations:—

'To inquire into the original, certainty, and extent of human knowledge, together with the grounds and degrees of belief, opinion, and assent.' 'To consider the *discerning* faculties of man, as they are employed about the objects which they have to do with.' 'To give an account of the ways whereby our understandings come to attain those notions of things we have,' and 'set down' some 'measures of the certainty of our knowledge, or the grounds of those persuasions which are to be found amongst men.' 'To search out the bounds between opinion and knowledge, and examine by what measures in things whereof we have no certain knowledge, we ought to regulate our assent, and moderate our persuasions.' And thus, 'by this inquiry into the nature of the understanding,' to 'discover the powers thereof, how far they reach, to what things they are in any degree proportionate, and where they fail us;' and thereby to 'prevail with the busy mind of man to be more cautious in meddling with things exceeding its comprehension, to stop when it is at the utmost extent of its tether, and to sit down in a quiet ignorance of those things which, upon examination, are found to be beyond the reach of our capacities.'

And because a philosopher, having placed before himself an undertaking of this magnitude, and of this strictly scientific character, and having his mind full of thoughts which were destined to effect a revolution in the philosophy of the human intellect, does not quit his subject to panegyrize the imagination, he is accused of saying that there is no such thing;—or of saying that it is a pernicious thing;—or rather (for to this pitch of ingenuity Mr. Sedgwick's criticism reaches) of

* Preface to Locke's Essay.

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saying *both* that there is no such thing, and *also* that it is a pernicious thing. He '*deprives* man of his powers of imagination;' he '*discards* these powers from his system;' and at the same time he 'speaks of those powers only to condemn them;' he '*denounces* the exercise of the imagination as a fraud upon the reason.' As well might it be asserted, that Locke denies that man has a body, or condemns the exercise of the body, because he is not constantly proclaiming what a beautiful and glorious thing the body is. Mr. Sedgwick cannot conceive the state of mind of such a man as Locke, who is too entirely absorbed in his subject to be able to turn aside from it every time that an opportunity offers for a flight of rhetoric. With the imagination in its own province, as a source of enjoyment, and a means of educating the feelings, Locke had nothing to do; nor was the subject suited to the character of his mind. He was concerned with Imagination, only in the province of pure Intellect; and all he had to do with it there, was, to warn it off the ground. This Mr. Sedgwick calls 'denouncing the exercise of the imagination as a fraud upon the reason,' and 'regarding men who appeal to the powers of imagination in their proofs and mingle them in their exhortations as no better than downright cheats.'—(p. 50.) Locke certainly says that imagination is not proof. Does the Professor then mean—and by his rhapsody about the imagination, does he intend us to understand—that imagination *is* proof? But how can we expect clearness of ideas on metaphysical subjects, from a writer who cannot discriminate between the Understanding and the Will. Locke's Essay is on the Understanding; Mr. Sedgwick tells us, amid much finery, that the imagination is a powerful engine for acting on the will. So is a cat-o'-nine-tails. Is a cat-o'-nine-tails, therefore, one of the sources of human knowledge? 'In trying circumstances,' says the Professor, 'the determination of the will is often more by feeling than by reason.'—(p. 51.) In all circumstances, trying or otherwise, the determination of the will is wholly by feeling. Reason is not an end in itself; it teaches us to know the right ends, and the way to them;—but if we desire those ends, this desire is not Reason, but a feeling. Hence the importance of the question, how to give to the imagination that direction which will exercise the most beneficial influence upon the feelings. But the Professor probably meant that 'in trying circumstances, the determination,' not 'of the will,' but of the understanding, 'is often more by feeling than by reason.' Unhappily it is; this is the tendency in human nature, against which Locke warns his readers; and by so warning them, incurs the censure of Mr. Sedgwick.

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The other accusation which the Professor urges against Locke—that of overlooking 'the faculties of moral judgment,' and 'depriving' man of his 'moral sense'—will best be considered along with his strictures on Paley's Moral Philosophy; for against Paley, also, the principal charge is that he denies the moral sense.

It is a fact in human nature, that we have moral judgments and moral feelings. We judge certain actions and dispositions to be right, others wrong: this we call approving and disapproving them. We have also feelings of pleasure in the contemplation of the former class of actions and dispositions, feelings of dislike and aversion to the latter; which feelings, as everybody must be conscious, do not exactly resemble any other of our feelings of pain or pleasure.

Such are the phenomena. Concerning their reality there is no dispute. But there are two theories respecting the origin of these phenomena, which have divided philosophers from the earliest ages of philosophy. One is, that the distinction between right and wrong is an ultimate and inexplicable fact; that we perceive this distinction as we perceive the distinction of colours, by a peculiar faculty; and that the pleasures and pains, the desires and aversions, consequent upon this perception, are all ultimate facts in our nature; as much so as the pleasures and pains, or the desires and aversions, of which sweet or bitter tastes, pleasing or grating sounds, are the object. This is called the theory of the moral sense—or of moral instincts—or of eternal and immutable morality—or of intuitive principles of morality—or by many other names; to the differences between which, those who adopt the theory often attach great importance, but which, for our present purpose, may all be considered as synonymous.

The other theory is, that the ideas of right and wrong, and the feelings which attach themselves to those ideas, are not ultimate facts, but may be explained and accounted for: are not the result of any peculiar law of our nature, but of the same laws on which all our other complex ideas and feelings depend: that the distinction between moral and immoral acts, is not a peculiar and inscrutable property in the acts themselves, which we perceive by a sense, as we perceive colours by our sense of sight; but flows from the ordinary properties of those actions, for the recognition of which we need no other faculty than our intellects and our bodily senses. And the particular property in actions, which constitutes them moral or immoral in the opinion of those who hold this theory (all of them, at least,

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who need to be noticed), is the influence of those actions, and of the dispositions from which they emanate, upon human happiness.

This theory is sometimes called the theory of utility; and is what Mr. Sedgwick means by 'the utilitarian theory of morals.'

Maintaining this second theory Mr. Sedgwick calls 'denying the existence of moral feelings.'—(p. 32.) This is, in the first place, mis-stating the question. Nobody denies the existence of moral feelings. The feelings exist, manifestly exist, and so cannot be denied. The questions on which there is a difference are—first, whether they are simple or complex feelings, and if complex, of what elementary feelings they are composed? which is a question of metaphysics; and secondly, what kind of acts and dispositions are the proper objects of those feelings? in other words, what is the principle of morals? These questions, and more peculiarly the last, the theory which Mr. Sedgwick terms 'the utilitarian theory' professes to solve.

Paley adopted this theory. Mr. Sedgwick, who professes the other theory, treats Paley, and all who take Paley's side of the question, with extreme contumely.

We shall show that Mr. Sedgwick has no right to represent Paley as a type of the theory of utility; that he has failed in refuting even Paley; and that the tone of insult which he has thought fit to assume towards all who adopt that theory is altogether unmerited on their part, and on his, from his extreme ignorance of the subject, peculiarly unbecoming.

Those who maintain that human happiness is the end and test of morality are bound to prove that the principle is true; but not that Paley understood it. Who can be entitled to found an argument against a principle, upon the faults or blunders of a particular writer who professed to build his system upon it; without taking notice that the principle may be understood differently, and has in fact been understood differently by other writers? What would be thought of an assailant of Christianity, who should judge of its truth or beneficial tendency from the views taken of it by the Jesuits, or by the Shakers? A doctrine is not judged at all until it is judged in its purest form. The principle of utility may be viewed in as many different lights as every other rule or principle may. If it be liable to mischievous misinterpretations, this is true of all very general, and therefore of all first, principles. Whether the ethical creed of a follower of utility will lead him to moral or immoral consequences, depends upon what he thinks useful;—just as, with a partizan of the opposite doctrine—that of con-

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science—it depends upon what he thinks his conscience enjoins. But either the one theory or the other must be true. Instead, therefore, of cavilling about the abuses and perversions of either, real manliness would consist in accepting the true, with all its liabilities to abuse and perversion; and then bending the whole force of our intellects to the establishment of such secondary and intermediate maxims, as may be guides to the *bonâ fide* inquirer in the application of the principle, and salutary checks to the sophist and the dishonest casuist.

There are faults in Paley's conception of the philosophy of morals, both in its foundations and in its subsequent stages, which prevent his book from being an example of the conclusions justly deducible from the doctrine of utility, or of the influences of that doctrine, when properly understood, upon the intellect and character.

In the first place, he does not consider utility as itself the source of moral obligation, but as a mere index to the will of God, which he regards as the ultimate groundwork of all morality, and the origin of its binding force. This doctrine (not that utility is an index to the will of God, but that it is an index and nothing else) we consider as highly exceptionable; and having really many of those bad effects on the mind erroneously ascribed to the principle of utility.

The only view of the connexion between religion and morality which does not annihilate the very idea of the latter, is that which considers the Deity as not *making*, but *recognizing* and *sanctioning*, moral obligation. In the minds of most English philosophers down to the middle of the last century, the idea of duty, and that of obedience to God, were so indissolubly united, as to be inseparable even in thought: and when we consider how in those days religious motives and ideas stood in the front of all speculations, it is not wonderful that religion should have been thought to constitute the *essence* of all obligations to which it annexed its *sanction*. To have inquired, Why am I bound to obey God's will? would, to a Christian of that age, have appeared irreverent. It is a question, however, which, as much as any other, requires an answer from a Christian philosopher. 'Because he is my Maker' is no answer. Why should I obey my Maker? From gratitude? Then gratitude is in itself obligatory, independently of my Maker's will. From reverence and love? But why is He a proper object of love and reverence? Not because he is my Maker. If I had been made by an evil spirit, for evil purposes, my love and reverence (supposing me to be capable of such feelings) would have been due, not to the evil, but to the good Being. Is it because He

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is just, righteous, merciful? Then these attributes are in themselves good, independently of His pleasure. If any person has the misfortune to believe that his Creator commands wickedness, more respect is due to him for disobeying such imaginary commands, than for obeying them. If virtue would not be virtue unless the Creator had commanded it—if it derive all its obligatory force from his will—there remains no ground for obeying him except his power; no motive for morality except the selfish one of the hope of heaven, or the selfish and slavish one of the fear of hell.

Accordingly, in strict consistency with this view of the nature of morality, Paley not only represents the proposition that we ought to do good and not harm to mankind, as a mere corollary from the proposition that God wills their good, and not their harm—but represents the motive to virtue, and the motive which constitutes it virtue, as consisting solely in the hope of heaven and the fear of hell.

It does not, however, follow that Paley believed mankind to have no feelings except selfish ones. He doubtless would have admitted that they are acted upon by other motives, or, in the language of Bentham and Helvetius, that they have other interests, than merely self-regarding ones. But he chose to say that actions done from those other motives are not virtuous. The happiness of mankind, according to him, was the end for which morality was enjoined; yet he would not admit anything to be morality, when the happiness of mankind, or of any of mankind except ourselves, is the inducement of it. He annexed an arbitrary meaning to the word virtue. How he came to think this arbitrary meaning the right one may be a question. Perhaps it was by the habit of thinking and talking of morality under the metaphor of a *law*. In the notion of a law, the idea of the command of a superior, enforced by penalties, is of course the main element.

If Paley's ethical system is thus unsound in its foundations, the spirit which runs through the details is no less exceptionable. It is, indeed, such as to prove, that neither the character nor the objects of the writer were those of a philosopher. There is none of the single-minded earnestness for truth, whatever it may be—the intrepid defiance of prejudice, the firm resolve to look all consequences in the face, which the word philosopher supposes, and without which nothing worthy of note was ever accomplished in moral or political philosophy. One sees throughout that he has a particular set of conclusions to come to, and will not, perhaps cannot, allow himself to let in any premises which would interfere with them. His book, in truth, is one of

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a class which has since become very numerous, and is likely to become still more so—an apology for commonplace. Not to lay a solid foundation, and erect an edifice over it suited to the professed ends, but to construct pillars and insert them *under* the existing structure, was Paley's object. He took the doctrines of practical morals which he found current. Mankind were, about that time, ceasing to consider mere use and wont, or even the ordinary special pleading from texts of scripture, as sufficient warrants for these common opinions, and were demanding something like a philosophic basis for them. This philosophic basis, Paley, consciously or unconsciously, made it his endeavour to supply. The skill with which his book was adapted to satisfy this want of the time, accounts for the popularity which attended it, notwithstanding the absence of that generous and inspiring tone, which gives so much of their usefulness as well as of their charm to the writings of Plato, and Locke, and Fénelon, and which mankind are accustomed to pretend to admire, whether they really respond to it or not.

When an author starts with such an object, it is of little consequence what are the premises he sets out from. In adopting the principle of utility, Paley, we have no doubt, followed the convictions of his understanding; but if he had started from any other principle, we have as little doubt that he would have arrived at the very same conclusions. These conclusions, namely, the received maxims of his time, were (it would have been strange if they were not) accordant in many, possibly in most, points, with those which philosophy would have dictated. But had they been accordant on all points, that was not the way in which a philosopher would have dealt with them.

The only deviation from commonplace, which has ever been made an accusation (for all departures from commonplace are made accusations) against Paley's moral system, is that of too readily allowing exceptions to important rules; and this Mr. Sedgwick does not fail to lay hold of, and endeavour, as others have done before him, to fix upon the principle of utility as one of its immoral consequences. It is, however, imputable to the very same cause which we have already pointed out. Along with the prevailing maxims, Paley borrowed the prevailing laxity in their application. He had not only to maintain existing doctrines, but to save the credit of existing practices also. He found, in his country's morality (especially, in its political morality,) modes of conduct universally prevalent, and applauded by all persons of station and consideration, but which, being acknowledged violations of great principles of morality, could only be defended as cases of exception, resting on special

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grounds of expediency; and the only expediency which it was possible to ascribe to them was political expediency—that is, conduciveness to the interests of the aristocracy. To this, and not to the tendencies of the principle of utility, is to be ascribed the lax morality taught by Paley, and justly objected to by Mr. Sedgwick, on the subject of lies, of subscriptions to articles, of the abuses of influence in the British constitution, and various other topics. The principle of utility leads to no such conclusions. Let us be permitted to add that, if it did, we should not of late years have heard so much in reprobation of it from all manner of persons, and from none more than from the sworn defenders of those very mal-practices.

When an inquirer knows beforehand the conclusions which he is to come to, he is not likely to seek far for grounds to rest them upon. Accordingly, the considerations of expediency upon which Paley founds his moral rules, are almost all of the most obvious and vulgar kind. In estimating the consequences of actions, in order to obtain a measure of their morality, there are always two sets of considerations involved: the consequences to the outward interests of the parties concerned (including the agent himself); and the consequences to the characters of the same persons, and to their outward interests so far as dependent on their characters. In the estimation of the first of these two classes of considerations, there is in general not much difficulty, nor much room for difference of opinion. The actions which are directly hurtful, or directly useful, to the outward interests of oneself or of other people, are easily distinguished, sufficiently at least for the guidance of a private individual. The rights of individuals, which other individuals ought to respect, over external things, are sufficiently pointed out by a few plain rules, and by the laws of one's country. But it often happens that an essential part of the morality or immorality of an action or a rule of action consists in its influence upon the agent's own mind: upon his susceptibilities of pleasure or pain, upon the general direction of his thoughts, feelings, and imagination, or upon some particular association. Many actions, moreover, produce effects upon the character of other persons besides the agent. In all these cases there will naturally be as much difference in the moral judgments of different persons, as there is in their views of human nature, and of the formation of character. Clear and comprehensive views of education and human culture must, therefore, precede, and form the basis of, a philosophy of morals; nor can the latter subject ever be understood but in proportion as the former is so. For this, much yet remains to be done. Even the materials, though abundant,

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are not complete. Of those which exist, a large proportion have never yet found their way into the writings of philosophers; but are to be gathered, on the one hand, from actual observers of mankind; on the other, from those autobiographers, and from those poets or novelists, who have spoken out unreservedly, from their own experience, any true human feeling. To collect together these materials, and to add to them, will be a labour for successive generations. But Paley, instead of having brought from the philosophy of education and character any new light to illuminate the subject of morals, has not even availed himself of the lights which had already been thrown upon it from that source. He, in fact, had meditated little on this branch of the subject, and had no ideas in relation to it, but the commonest and most superficial.

What may have been done in this department by the philosophers who have adopted the principle of utility subsequently to Paley, cannot be known, so long as none of them have laid before the world their ethical opinions. But the general laws of the formation of character have to no inquirers been a subject of more attentive investigation; nor, in truth, have the phenomena ever been successfully analyzed into the ultimate elements, but by them.

Thus much we have been induced to say, rather from the importance of the subject, than for the sake of a just estimate of Paley, which is a matter of inferior consequence; still less for the appreciation of Mr. Sedgwick, who, as we shall soon see, might have been more summarily disposed of.

Mr. Sedgwick's objections to the principle of utility are of two kinds—first, that it is not true; secondly, that it is dangerous, degrading, and so forth. What he says against its truth, when picked out from a hundred different places, and brought together, would fill about three pages, leaving about twenty consisting of attacks upon its tendency. This already looks but ill; for, after all, the truth or falsehood of the principle is the main point. When, of a dissertation on any controverted question, a small part only is employed in proving the author's own opinion, a large part in ascribing odious consequences to the opposite opinion, we are apt to think that, on the former point, there was not very much to be said. One thing is certain; that if an opinion have ever such mischievous consequences, that cannot prevent any thinking person from believing it, if the evidence is in its favour. Unthinking persons, indeed, if they are very solemnly assured that an opinion has mischievous consequences, may be fright-

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ened from examining the evidence. When, therefore, we find that this mode of dealing with an opinion is the favourite one—is resorted to in preference to the other, and with greater vehemence, and at greater length—we conclude that it is upon unthinking rather than upon thinking persons that the author calculates upon making an impression; or else, that he himself is one of the former class of persons—that his own judgment is determined, less by evidence presented to his understanding, than by the repugnancy of the opposite opinion to his partialities and affections; and that, perceiving clearly the opinion to be one which it would be painful to him to adopt, he has been easily satisfied with reasons for rejecting it.

All that the Professor says to disprove the principle of utility, and to prove the existence of a moral sense, is found in the following paragraph:—

'Let it not be said that our moral sentiments are superinduced by seeing and tracing the consequences of crime. The assertion is not true. The early sense of shame comes before such trains of thought, and is not, therefore, caused by them; and millions, in all ages of the world, have grown up as social beings and moral agents, amenable to the laws of God and man, who never traced or thought of tracing the consequences of their actions, nor ever referred them to any standard of utility. Nor let it be said that the moral sense comes of mere teaching—that right and wrong pass as mere words, first from the lips of the mother to the child, and then from man to man; and that we grow up with moral judgments gradually ingrafted in us from without, by the long-heard lessons of praise and blame, by the experience of fitness, or the sanction of the law. I repeat that the statement is not true—that our moral perceptions show themselves not in any such order as this. The question is one of feeling; and the moral feelings are often strongest in very early life, before moral rules or legal sanctions have once been thought of. Again, what are we to understand by teaching? Teaching implies capacity: one can be of no use without the other. A faculty of the soul may be called forth, brought to light, and matured; but cannot be created, any more than we can create a new particle of matter, or invent a new law of nature.'—pp. 52, 53.

The substance of the last three sentences is repeated at somewhat greater length shortly after (pp. 54, 55), in a passage from which we shall only quote the following words: 'No training (however greatly it may change an individual mind) can create a new faculty, any more than it can give a new organ of sense.' In many other parts of the Discourse the same arguments are alluded to, but no new ones are introduced.

Let us, then, examine these arguments.

First, the Professor says, or seems to say, that our moral

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sentiments cannot be generated by experience of consequences, because a child feels the sense of shame before he has any experience of consequences; and likewise because millions of persons grow up, have moral feelings, and live morally, 'who never traced, or thought of tracing, the consequences of their actions,' but who yet, it seems, are suffered to go at large, which we thought was not usually the case with persons who never think of the consequences of their actions. The Professor continues—'who never traced, or thought of tracing, the consequences of their actions, nor ever referred them to any standard of utility.'

Secondly; the Professor says, that our moral feelings cannot arise from teaching, because those feelings are often strongest in very early life.

Thirdly; that our moral feelings cannot arise from teaching, because teaching can only call forth a faculty, but cannot create one.

Let us first consider the singular allegation, that the sense of shame in a child precedes all experience of the consequences of actions. Is it not astounding that such an assertion should be ventured upon by any person of sane mind? At what period in a child's life, after it is capable of forming the idea of an action at all, can it be without experience of the consequences of actions? As soon as it has the idea of one person striking another, is it not aware that striking produces pain? As soon as it has the idea of being commanded by its parent, has it not the notion that, by not doing what is commanded, it will excite the parent's displeasure? Two things manifest themselves throughout the whole passage; extreme ignorance both of children and of grown persons, and an incapacity of making the most obvious distinctions. A child's knowledge of the simple fact (one of the earliest he becomes acquainted with), that some acts produce pain and others pleasure, is called by pompous names, 'seeing and tracing the consequences of crime,' 'trains of thought,' 'referring actions to a standard,' terms which imply continued reflection and large abstractions; and because these terms are absurd when used of a child or an uneducated person, we are to conclude that a child or an uneducated person has no notion that one thing is caused by another. As well might it be said that a child requires an instinct to tell him that he has ten fingers, because he knows it before he has ever thought of 'making arithmetical computations.' Though a child is not a jurist, or a moral philosopher, (to whom alone the Professor's phrases would be properly applicable,) he has the idea of himself hurting or offending some one, or of some one hurting or annoying him. These are ideas which precede

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any sense of shame in doing wrong; and it is out of these elements, and not out of abstractions, that the supporters of the theory of utility contend that the idea of wrong, and our feelings of disapprobation to it, are originally formed. Mr. Sedgwick's argument resembles one we often hear, that the principle of utility must be false, because it supposes morality to be founded on the good of society, an idea too complex for the majority of mankind, who look only to the particular persons concerned. Why, none but those who mingle in public transactions, or whose example is likely to have extensive influence, have any occasion to look beyond the particular persons concerned. Morality, for all other people, consists in doing good and refraining from harm, to themselves and to those who immediately surround them. As soon as a child has the idea of voluntarily producing pleasure or pain to any one person, he has an accurate notion of utility. When he afterwards gradually rises to the very complex idea of 'society,' and learns in what manner his actions may affect the interests of other persons than those who are present to his sight, his conceptions of utility, and of right and wrong founded on utility, undergo a corresponding enlargement, but receive no new element.

Again, if it were ever so true that the sense of shame in a child precedes all knowledge of consequences, what is that to the question respecting a moral sense? Has the sense of shame anything to do with a moral sense? A child is ashamed of doing what he is told is wrong; but so is he also ashamed of doing what he knows is right, if he expects to be laughed at for doing it; he is ashamed of being duller than another child, of being ugly, of being poor, of not having fine clothes, of not being able to run, or wrestle, or box so well as another. He is ashamed of whatever causes him to be thought less of by the persons who surround him. This feeling of shame is accounted for by obvious associations; but suppose it to be innate, what would that prove in favour of a moral sense? If all that Mr. Sedgwick can show for a moral sense is the sense of shame, we might well suppose that all our moral sentiments are the result of opinions which come to us from without; since the sense of shame so obviously follows the opinion of others, and, at least in our early years, is wholly determined by it.

On the Professor's first argument no more needs be said. His second is the following: that moral feelings cannot 'come of mere teaching,' because they do not grow up gradually, but are often strongest in very early life.

Now, this is, in the first place, a mistaking of the matter in dispute. Nobody says that moral feelings 'come of mere

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teaching.' It is not pretended that they are factitious and artificial associations, inculcated by parents and teachers purposely to further certain social ends, and no more congenial to our natural feelings than the contrary associations. The idea of the pain of another is naturally painful; the idea of the pleasure of another is naturally pleasurable. From this foundation in our natural constitution arise all our affections both of love and aversion towards human beings, in so far as they are different from those we might entertain towards mere inanimate objects which are pleasant or disagreeable to us. In this, the unselfish part of our nature, lies a foundation even independently of inculcation from without, for the generation of moral feelings.

But if, because it is not inconsistent with the constitution of our nature that moral feelings should grow up independently of teaching, Mr. Sedgwick would infer that they generally do so, or that teaching is not the source of almost all the moral feeling which exists in the world, his assertion is a piece of sentimentality completely at variance with the facts. If by saying that 'moral feelings are often strongest in very early life,' Mr. Sedgwick means that they are strongest in children, he only proves his entire ignorance of children. Young children have affections, but no moral feelings; and children whose will is never resisted, never acquire them. There is no selfishness equal to the selfishness of children, as every one who is acquainted with children well knows. It is not, indeed, the hard, cold selfishness of a grown person, for the most affectionate children have it equally; but the most selfish of grown persons does not come up to a child in the reckless seizing of any pleasure to himself, regardless of the consequences to others. The pains of others, though naturally painful to us, are not so until we have realized them by an act of imagination, implying voluntary attention; and that no child ever pays, while under the impulse of a present desire. If a child restrains the indulgence of any wish, it is either from affection or sympathy, which are quite other feelings than those of morality; or else (whatever Mr. Sedgwick may think) because he has been *taught* to do so. And he only learns the habit gradually, and in proportion to the assiduity and skill of the teaching.

The assertion that 'moral feelings are often strongest in very early life,' is true in no sense but one, which confirms what it is brought to refute. The time of life at which moral feelings are apt to be strongest, is the age when we cease to be merely members of our own families, and begin to have intercourse with the world; that is, when the teaching has continued longest in one direction, and has not commenced in any other direction. When

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we go forth into the world, and meet with teaching, both by precept and example, of an opposite tendency to that which we have been used to, the feeling begins to weaken. Is this a sign of its being wholly independent of teaching? Has a boy, quietly educated in the parental house, or one who has been at a public school, the strongest moral feelings?

We have said enough, we think, on the Professor's second argument. We proceed to his third. This is, that teaching may strengthen our natural faculties, and call forth those which are powerless because untried; but cannot create a faculty which does not exist; cannot, therefore, have created the moral faculty.

It is surprising that Mr. Sedgwick should not see that his argument begs the question in dispute. To prove that our moral judgments are innate, he assumes that they proceed from a distinct faculty. But this is precisely what the adherents of the principle of utility deny. They contend that the morality of actions is perceived by the same faculties by which we perceive any other of the qualities of actions, namely, our intellects and our senses. They contend that the capacity of perceiving moral distinctions is no more a peculiar faculty than the capacity of trying causes, or of making a speech to a jury. This last is a very peculiar power, yet no one says that it must have pre-existed in Sir James Scarlett before he was called to the bar, because teaching and practice cannot create a new faculty. They can create a new power; and a faculty is but a finer name for a power*.

The only colour for representing our moral judgments as the result of a peculiar part of our nature is, that our feelings of moral approbation and disapprobation are really peculiar feelings. But is it not notorious that peculiar feelings, unlike any others which we have experience of, are created by association every day? What does the Professor think of the feelings of ambition; the desire of power over our fellow-creatures, and the pleasure of its possession and exercise? These are peculiar

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* We cannot help referring the Professor back to Locke, and to that very chapter 'On Power' which he singles out for peculiar objurgation. We recommend to his special attention the admirable remarks in that chapter on the abuse of the word faculty.

Mr. Sedgwick falls into the blunder of the prevailing sect among the Schoolmen of the middle ages, the people called the Realists. These people gave to some classes of objects the name *species*, to others not; and then imagined that the classes to which they had given a peculiar name had a peculiar nature. Mr. Sedgwick gives to some of the powers of the mind the name faculties, to others not; and then falls into a like error. He loses sight of the very meaning of the word faculty—*facultas*. He talks of a faculty 'powerless because untried.' A power powerless!

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feelings. But they are obviously generated by the law of association, from the connexion between power over our fellow-creatures, and the gratification of almost all our other inclinations. What will the Professor say of the chivalrous point of honour? What of the feelings of envy and jealousy? What of the feelings of a miser to his gold? Who ever looked upon these last as the subject of a distinct natural faculty? Their origin in association is obvious to all the world. Yet they are feelings as peculiar, as unlike any other part of our nature, as the feelings of conscience.

It will hardly be believed that what we have now answered is all that Mr. Sedgwick advances, to prove the principle of utility untrue; yet such is the fact. Let us now see whether he is more successful in proving the pernicious consequences of the principle, and the 'degrading effect' which it produces 'on the temper and conduct of those who adopt it.'

The Professor's talk is more indefinite, and the few ideas he has are more overlaid with declamatory phrases, on this point, than even on the preceding one. We can, however, dimly descry through the mist some faint semblance of two tangible objections: one, that the principle of utility is not suited to man's capacity—that if we were ever so desirous of applying it correctly, we should not be capable; the other, that it debases the moral practice of those who adopt it—which seems to imply (strange as the assertion is) that their adoption of it as a principle inspires them with a desire *not* to apply it correctly.

We must quote Mr. Sedgwick's very words, or it would hardly be believed that we quote him fairly:—

'Independently of the bad effects produced on the moral character of man, by a system which makes expediency (in whatever sense the word be used) the test of right and wrong, we may affirm, on a more general view, that the rule itself is utterly unfitted to his capacity. Feeble as man may be, he forms a link in a chain of moral causes, ascending to the throne of God; and trifling as his individual acts may seem, he tries in vain to follow out their consequences as they go down into the countless ages of coming time. Viewed in this light, every act of man is woven into a moral system, ascending through the past—descending to the future—and preconceived in the mind of the Almighty. Nor does this notion, as far as regards ourselves, end in mere quietism and necessity. For we know right from wrong, and have that liberty of action which implies responsibility; and, as far as we are allowed to look into the ways of Providence, it seems compatible with his attributes to use the voluntary acts of created beings, as second causes in working out the ends of his own will. Leaving, however, out of question that stumbling-block which the prescience of God has often thrown in the way of feeble and doubting minds, we are, at least, certain, that man

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has not foreknowledge to trace the consequences of a single action of his own; and hence that utility (in the highest sense of which the word is capable) is, as a test of right and wrong, unfitted to his understanding, and therefore worthless in its application.'—pp. 63, 64.

Mr. Sedgwick appears to be one of that numerous class who never take the trouble to set before themselves fairly any opinion which they have an aversion to. Who ever said that it was necessary to foresee all the consequences of each individual action, 'as they go down into the countless ages of coming time?' Some of the consequences of an action are accidental; others are its natural result, according to the known laws of the universe. The former, for the most part, cannot be foreseen; but the whole course of human life is founded upon the fact that the latter can. In what reliance do we ply our several trades—in what reliance do we buy or sell, eat or drink, write books or read them, walk, ride, speak, think, except on our foresight of the consequences of those actions? The commonest person lives according to maxims of prudence wholly founded on foresight of consequences; and we are told by a wise man from Cambridge, that the foresight of consequences, as a rule to guide ourselves by, is impossible! Our foresight of consequences is not perfect. Is anything else in our constitution perfect? *Est quodam prodire tenus, si non datur ultra: Non possis oculo quantum contendere Lynceus; Non tamen idcirco contemnas lippus inungi.* If the Professor quarrels with such means of guiding our conduct as God has given us, it is incumbent on him to show that, in point of fact, God has thought fit to furnish us with better. Does the moral sense, allowing its existence, point out any surer practical rules? If so, let us have them in black and white. If nature has given us rules which suffice for our conduct, without any consideration of the probable consequences of our actions, produce them. But no; for two thousand years, nature's moral code has been a topic for declamation, and no one has yet produced a single chapter of it: nothing but a few elementary generalities, which are the mere alphabet of a morality founded upon utility. Hear Bishop Butler, the oracle of the moral sense school, and whom our author quotes:—

'However much men may have disputed about the nature of virtue, and whatever ground for doubt there may be about particulars, yet in general there is an universally acknowledged standard of it. It is that which all ages and all countries have made a profession of in public; it is that which every man you meet puts on the show of; it is that which the primary and fundamental laws of all civil constitutions over the face of the earth make it their business and endeavour to enforce the practice of upon mankind: namely, justice, veracity, and regard to the common good.'—p. 130.

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Mr. Sedgwick praises Butler for not being more explanatory.* Did Butler, then, or does Mr. Sedgwick, seriously believe that mankind have not sufficient foresight of consequences to perceive the advantage of 'justice, veracity, and regard to the common good?' That, without a peculiar faculty, they would not be able to see that these qualities are useful to them?

When, indeed, the question arises, *what is* justice?—that is, what are those claims of others which we are bound to respect? and *what is* the conduct required by 'regard to the common good?' the solutions which we can deduce from our foresight of consequences are not infallible. But let any one try those which he can deduce from the moral sense. Can we deduce any? Show us, written in the human heart, any answer to *these* questions. Bishop Butler gives up the point; and Mr. Sedgwick praises him for doing so. When Mr. Sedgwick wants something definite, to oppose to the indefiniteness of a morality founded on utility, he has recourse not to the moral sense, but to Christianity. With such fairness as this does he hold the scale between the two principles: he supposes his moral-sense man provided with all the guidance which can be derived from a revelation from heaven, and his 'utilitarian' destitute of any such help. When one sees the question so stated, one cannot wonder at any conclusion. Need we say, that Revelation, as a means of supplying the uncertainty of human reason, is as open to one of the two parties as to the other? Need we say that Paley, the very author who, in this Discourse, is treated as the representative of 'the utilitarian system,' appeals to Revelation throughout? and gets no credit from Mr. Sedgwick for it, but the contrary; for Revelation, it seems, may be referred to in aid of the moral sense, but not to assist or rectify our judgments of utility.

The truth, however, is; that Revelation, as Paley has justly observed, gives little guidance in the details of ethics. Christianity does not deliver a code of morals, any more than a code of laws. Its practical morality is altogether indefinite, and was meant to be so. This indefiniteness has been considered by some of the ablest defenders of Christianity as one of its most signal merits, and among the strongest proofs of its divine origin: being the quality which fits it to be a universal religion, and distinguishes it both from the Jewish dispensation, and from all other religions, which, as they invariably enjoin, under

* 'Here everything,' says he, 'remains indefinite: yet all the successive propositions have their meaning. The author knew well that the things he had to deal with were indefinite, and that he could not fetter them in the language of a formal definition, without violating their nature. But how small has been the number of moral writers who have understood the real value of this forbearance!'

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their most awful sanctions, acts which are only locally or temporarily useful, are in their own nature local and temporary. Christianity, on the contrary, influences our actions only by shaping the character itself: it aims at so elevating and purifying the desires, that there shall be no hindrance to the fulfilment of our duties when recognised; but of what our duties are, at least in regard to outward acts, it says very little but what all moralists have said. If, therefore, we would have any definite morality at all, we must perforce resort to that 'foresight of consequences' of the difficulties of which the Professor has so formidable an idea.

But this talk about uncertainty is mere exaggeration. There might be uncertainty, if each individual had all to do for himself, and only his own experience to guide him. But we are not so situated. Every one directs himself in morality, as in all his conduct, not by his own unaided foresight, but by the accumulated wisdom of all former ages, in the form of traditional aphorisms. So strong is the disposition to submit to the authority of such traditions, and so little danger is there of erring on the other side, that the absurdest customs are perpetuated through a lapse of ages from no other cause. A hundred millions of human beings think it the most exalted virtue to swing by a hook before an idol, and the most dreadful pollution to drink cow-broth—only because their forefathers thought so. A Turk thinks it the height of indecency for women to walk in the streets unveiled; and when you tell him that in some countries they do so without any evil result, he shakes his head and says, 'If you hold butter to the fire it will melt.' Did not many generations of the most educated men in Europe believe every line of Aristotle to be infallible? So difficult is it to break loose from a received opinion. The progress of experience, and the growth of the human intellect, succeed but too slowly in correcting and improving traditional opinions. There is little fear, truly, that the mass of mankind should insist upon 'tracing the consequences of actions' by their own unaided lights;—they are but too ready to let it be done for them once for all, and to think they have nothing to do with rules of morality (as the Tories say they have with the laws) but to obey them.

Mr. Sedgwick is master of all the hack phrases of those who know nothing of the principle of utility but the name. To act upon rules of conduct, of which utility is recognised as the basis, he calls 'waiting for the calculations of utility'—a thing, according to him, in itself immoral, since 'to hesitate is to rebel.' Upon the same principle, navigating by rule instead of

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by instinct might be called waiting for the calculations of astronomy. Who puts off his calculations till the vessel is in the middle of the South Sea? Because a sailor has not verified all the computations in the Nautical Almanac, does he therefore 'hesitate' to use it?

Thus far Mr. Sedgwick on the difficulties of the principle of utility, when we mean to apply it honestly. It will scarcely be required of us to say more on this part of the question. But he further charges the principle with having a 'debasing' and 'degrading' effect.

A word like 'debasing,' applied to anything which acts upon the mind, may mean several things. It may mean making us unprincipled; regardless of the rights and feelings of other people. It may mean, making us slavish; spiritless, submissive to injury or insult; incapable of asserting our own rights, and vindicating the just independence of our minds and actions. It may mean, making us cowardly; slothful; incapable of bearing pain, or nerving ourselves to exertion for a worthy object. It may mean, making us narrow-minded; pusillanimous, in Hobbes's sense of the word: too intent upon little things to feel rightly about great ones: incapable of having our imagination fired by a grand object of contemplation; incapable of thinking, feeling, aspiring, or acting, upon any but a small scale. An opinion which produced any of these effects upon the mind would be rightly called debasing. But when, without proving, or even in plain terms asserting, that it produces these effects, or any effects which he can make distinctly understood, a man merely says of an opinion that it is debasing,—all he really says is, that he has a dislike to the opinion, and that he does not know why, but finding himself dislike it, concludes that it must be very bad. What definite proposition concerning the effect of any doctrine on the mind can be extracted from such a passage as this?—

'If expediency be the measure of right, and every one claim the liberty of judgment, virtue and vice have no longer any fixed relations to the moral condition of man, but change with the fluctuations of opinion. Not only are his actions tainted by prejudice and passion, but his rule of life, under this system, must be tainted in like degree—must be brought down to his own level: for he will no longer be able, compatibly with his principles, to separate the rule from its application. No high and unvarying standard of morality, which his heart approves, however infirm his practice, will be offered to his thoughts. But his bad passions will continue to do their work in bending him to the earth; and unless he be held upright by the strong power of religion (an extrinsic power which I am not now considering) he will inevitably be carried down, by a degrading standard of action, to a sordid and gro-

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velling life.—It may perhaps be said, that we are arguing against a rule, only from its misapprehension and abuse. But we reply, that every precept is practically bad when its abuse is natural and inevitable—that the system of utility brings down virtue from a heavenly throne, and places her on an earthly tribunal, where her decisions, no longer supported by any holy sanction, are distorted by judicial ignorance, and tainted by base passion.'—p. 63.

What does this tell us? First, that if utility be the standard, different persons may have different opinions on morality. This is the talk about uncertainty, which we have already disposed of. Next, he says, that where there is uncertainty, men's passions will bias their judgment. Granted; this is one of the evils of our condition, and must be borne with. We do not diminish it by pretending that nature tells us what is right, when nobody ever ventures to set down what nature tells us, nor affects to expound her laws in any way but by an appeal to utility. All that the remainder of the passage does, is to repeat, in various phrases, that Mr. Sedgwick feels such a 'standard of action' to be 'degrading;' that Mr. Sedgwick feels it to be 'sordid' and 'grovelling.' If so, nobody can compel Mr. Sedgwick to adopt it. If he feels it debasing, no doubt it would be so to him. But until he is able to show some reason why it must be so to others, may we be permitted to suggest, that perhaps the cause of its being so to himself, is only that he does not understand it?

Read this :—

'Christianity considers every act grounded on mere worldly consequences as built on a false foundation. The mainspring of every virtue is placed by it in the affections, called into renewed strength by a feeling of self-abasement—by gratitude for an immortal benefit—by communion with God—and by the hopes of everlasting life. Humility is the foundation of the Christian's honour—distrust of self is the ground of his strength—and his religion tells him that every work of man is counted worthless in the sight of heaven, as the means of his pardon or the price of his redemption. Yet it gives him a pure and perfect rule of life; and does not for an instant exempt him from the duty of obedience to his rule: for it ever aims at a purgation of the moral faculties, and a renewal of the defaced image of God; and its moral precepts have an everlasting sanction. And thus does Christian love become an efficient and abiding principle—not tested by the world, but above the world; yet reaching the life-spring of every virtuous deed, and producing in its season a harvest of good and noble works incomparably more abundant than ever rose from any other soil.

'The utilitarian scheme starts, on the contrary, with an abrogation of the authority of conscience—a rejection of the moral feelings as the test of right and wrong. From first to last, it is in bondage to the world, measuring every act by a worldly standard, and estimating its value by worldly consequences. Virtue becomes a question of calcula-

tion—a matter of profit or loss; and if man gain heaven at all on such a system, it must be by arithmetical details—the computation of his daily work—the balance of his moral ledger. A conclusion such as this offends against the spirit breathing in every page of the book of life; yet is it fairly drawn from the principle of utility. It appears, indeed, not only to have been foreseen by Paley, but to have been accepted by him—a striking instance of the tenacity with which man ever clings to system, and is ready to embrace even its monstrous consequences rather than believe that he has himself been building on a wrong foundation.'—pp. 66, 67.

In a note, he adds,—

'The following are the passages here referred to:—

'"The Christian religion hath not ascertained *the precise quantity of virtue* necessary to salvation."

'"It has been said, that it can never be a just economy of Providence to admit one part of mankind into heaven, and condemn the other to hell; since there must be very little to choose between the worst man who is received into heaven, and the best who is excluded. And how know we, it might be answered, but that there may be as little to choose in their conditions?"'—*Moral Philosophy*, book i. ch. 7.

'In the latter years of his life, Paley would, I believe, have been incapable of uttering or conceiving sentiments such as these.'

So that a 'purgation of the moral faculties' is necessary: the moral feelings require to be corrected. Yet the moral feelings are 'the test of right and wrong'; and whoever 'rejects' them as a test, must be called hard names. But we do not want to convict Mr. Sedgwick of inconsistency; we want to get at his meaning. Have we come to it at last? The gravamen of the charge against the principle of utility seems to lie in a word. Utility is a *worldly* standard; and estimates every act by *worldly* consequences.

The Professor is like other persons whose intellects are not used to grapple with things: all his feelings hang upon words. There is nothing you might not disgust him with, if, by taking advantage even of an ambiguity, you could fasten upon it a bad word. To make his assertion about the *worldliness* of the standard of utility, true, it must be understood in one sense; to make it have the invidious effect which is intended, it must be understood in another. By 'worldly,' does he mean to insinuate what is commonly meant when we use the word as a reproach—an undue regard to interest in the vulgar sense, our wealth, power, social position, and the like, our command over agreeable outward objects, and over the opinion and good offices of other people? If so, to call utility a worldly standard is misrepresentation. It is not true that utility estimates actions by this sort of consequences; it estimates them by *all* their consequences. If he means that the principle of utility

regards only (to use a scholastic distinction) the *objective* consequences of actions, and omits the *subjective;* attends to the effects on our outward condition, and that of other people, too much—to those on our internal sources of happiness or unhappiness, too little; this criticism is, as we have already remarked, in some degree applicable to Paley; but to charge this blunder upon the principle of utility, would be to say, that if you judge of a thing by all its consequences, you will judge only by some. Again, if Mr. Sedgwick meant to speak of a 'worldly standard' in contradistinction to a religious standard, and to say that if we adopt the principle of utility, we cannot admit religion as a sanction for it, or cannot attach the fitting importance to religious motives or feelings, the assertion would be simply false, and a gross calumny even against Paley. What, therefore, can Mr. Sedgwick mean? Simply this: that our actions take place in the world: that their consequences are produced in the world; that God has placed us in the world; and that there, if anywhere, we must earn a place in heaven. The morality founded on utility allows this, certainly: does Mr. Sedgwick's system of morality deny it?

Mark the trick of words involved in this sentence: 'Christianity considers every act grounded on mere worldly consequences as built on a false foundation.' What is saving a father from death, but saving him from a worldly consequence? What are healing the sick, clothing the naked, sheltering the houseless, but acts which wholly consist in producing a worldly consequence? Confine Mr. Sedgwick to unambiguous words, and he is already answered. What is really true is, that Christianity considers no act as meritorious which is done from mere worldly *motives;* that is, which is in no degree prompted by the desire of our own moral perfection, or of the favour of a perfect being. These motives, we need scarcely observe, may be equally powerful, whatever be our standard of morality, provided we believe that the Deity approves it.

Mr. Sedgwick is scandalized at the supposition that the place awarded to each of us in the next world will depend upon the balance of the good and evil of our lives. According to his notions of justice, we presume, it ought to depend wholly upon one of the two. As usual, Mr. Sedgwick begins by a misapprehension; he neither understands Paley, nor the conclusion which, he says, is 'fairly drawn from the principles of utility.' Paley held, with all Christians, that our place hereafter would be determined by our degree of moral perfection; that is, by the balance, not of our good and evil *deeds,* which depend upon opportunity and temptation, but of our good and evil *dispositions;* by the intensity and continuity of our *will* to

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do good; by the strength with which we have *struggled* to be virtuous; not by our accidental lapses, or by the unintended good or evil which has followed from our actions. When Paley said that Christianity has not ascertained 'the precise quantity of virtue necessary to salvation,' he did not mean the number or kind of beneficial actions; he meant, that Christianity has not decided what positive strength of virtuous inclinations, and what capacity of resisting temptations, will procure acquittal at the tribunal of God. And most rightly is this left undecided. Nor can there be a solution more consistent with the attributes which Christianity ascribes to the Deity, than Paley's own—that every step we gain in moral perfection, will be something gained towards our everlasting welfare.

The remainder of Mr. Sedgwick's argument—if argument it can be called— is a perpetual *ignoratio elenchi*. He lumps up the principle of utility—which is a theory of right and wrong—with the theory, if there be such a theory, of the universal selfishness of mankind. We never know for many sentences together, which of the two he is arguing against; he never seems to know it himself. He begins a sentence on the one, and ends it on the other. In his mind they seem to be one and the same. Read this:—

'Utilitarian philosophy and Christian ethics have in their principles and motives no common bond of union, and ought never to have been linked together in one system: for, palliate and disguise the difference as we may, we shall find at last that they rest on separate foundations; one deriving all its strength from the moral feelings, and the other from the selfish passions of our nature.'—p. 67.

Or this,—

'If we suppress the authority of conscience, reject the moral feelings, rid ourselves of the sentiments of honour, and sink (as men too often do) below the influence of religion; and if, at the same time, we are taught to think that utility is the universal test of right and wrong; what is there left within us as an antagonist power to the craving of passion, or the base appetite of worldly gain? In such a condition of the soul, all motive not terminating in mere passion becomes utterly devoid of meaning. On this system, the sinner is no longer abhorred as a rebel against his better nature—as one who profanely mutilates the image of God; he acts only on the principles of other men, but he blunders in calculating the chances of his personal advantage: and thus we deprive virtue of its holiness, and vice of its deformity; humanity of its honour, and language of its meaning; we shut out, as no better than madness or folly, the loftiest sentiments of the heathen as well as of the Christian world; and all that is great or generous in our nature droops under the influence of a cold and withering selfishness.'—pp. 76, 77.

A writer who heaps abuse in this style upon an opinion, and

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upon those who profess it, when every word he writes proves that he has never taken the trouble even to know the meaning of the terms in which it is conveyed, is not free from moral culpability. What has 'calculating the chances of personal advantage' to do with the principle of utility? The object of Mr. Sedgwick is, to represent that principle as leading to the conclusion, that a vicious man is no more a subject of disapprobation than a person who blunders in a question of prudence. If Mr. Sedgwick did but know what the principle of utility is, he would see that it leads to no such conclusion. Some people have been led to that conclusion, not by the principle of utility, but by a theory of motives, which has been called the selfish theory; and even from that it does not justly follow.

The finery about shutting out 'lofty sentiments' scarcely deserves notice. It resembles what he says in the next page, about 'suppressing all the kindly emotions which minister to virtue.' This may not be wilful misrepresentation, but it is the very next thing to it—misrepresentation in voluntary ignorance. Who proposes to suppress a single kindly emotion? Human beings, the Professor may be assured, will always love and honour every sentiment, whether 'lofty' or otherwise, which is either directly pointed to their good, or tends to raise the mind above the influence of the petty objects for the sake of which mankind injure one another. The Professor is afraid that the sinner will be 'no longer abhorred.' We imagined that it was not the sinner who should be abhorred, but sin. Mankind, however, are sufficiently ready to abhor whatever is obviously noxious to them. A human being filled with malevolent dispositions, or coldly indifferent to the feelings of his fellow-creatures, will never, the Professor may assure himself, be amiable in their eyes. Whether they will speak of him as 'a rebel against his better nature,'—'one who profanely mutilates the image of God,' and so on, will depend upon whether they are proficients in common-place rhetoric. But whatever words they use, rely on it, that, while men dread and abhor a wolf or a serpent, which have no 'better nature,' and no image of God to mutilate, they will abhor with infinitely greater intensity a human being who, outwardly resembling themselves, is inwardly their enemy, and, being far more powerful than 'toad or asp,' voluntarily cherishes the same dispositions to evil.

If utility be the standard, 'the end,' in the Professor's opinion, 'will be made to sanctify the means' (p. 78). We answer—just so far as in any other system, and no further. In every

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system of morality, the end, when good, justifies all means which do not conflict with some more important good. On Mr. Sedgwick's own scheme, are there not ends which sanctify actions, in other cases deserving the utmost abhorrence—such, for instance, as taking the life of a fellow-creature in cold blood, in the face of the whole people? According to the principle of utility, the end justifies all means necessary to its attainment, except those which are more mischievous than the end is useful. What fault can the Professor find with this?

We have now concluded our exhibition of Mr. Sedgwick: first, as a commentator upon the studies which form part of a liberal education; and next, as an assailant of the 'utilitarian theory of morals.' We have shown that, on the former subject, he has omitted almost every thing which ought to have been said; that almost all which he has said is trivial, and much of it false. With regard to the other part of his design, we have shown that he has not only failed miserably to refute the doctrine that human happiness is the foundation of morality, but has, in the attempt, proved himself not to understand what the doctrine is; to be ignorant of almost everything which it is peculiarly incumbent upon a philosopher to know; and to be capable of blackening other men's opinions, and themselves, without the slightest pretensions to a knowledge of either.

Such is a man whom general opinion places in the foremost rank of Cambridge minds. Such, if we might judge from this specimen, is Cambridge herself.

It would be unjust, however, even to Cambridge, to assume that she, in reality, produces no minds entitled to look down upon such a specimen of thinking and writing as this Discourse. We trust there are, and that they are ashamed of it. Neither do we impute to all who reject, even in the most violent manner, the principle of utility, such a character of intellect as, after the above evidence, we cannot help assigning to Mr. Sedgwick. We know that there are among them minds of almost every degree of power and intellectual accomplishments. But we have never heard one of their arguments which did not appear to us unworthy of such men; and although they are far from coinciding in all Mr. Sedgwick's sentiments, yet in answering him, we have often, by implication, answered them.

The question is not one of pure speculation. Not to mention the importance, to those who are entrusted with the education of the moral sentiments, of just views respecting their origin and nature; we may remark that, upon the truth or falseness of the doctrine of a moral sense, it depends whether

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morality is a fixed or a progressive body of doctrine. If it be true that man has a sense given him to determine what is right and wrong, it follows that his moral judgments and feelings cannot be susceptible of any improvement; such as they are, they ought to remain. The question, what mankind in general *ought* to think and feel on the subject of their duty, must be determined by observing what, when no interest or passion can be seen to bias them, they think and feel already. Accordingly this is an admirable doctrine for those who have hitherto, by education and government, had the framing of the opinions and feelings of mankind mainly in their own hands. A general prejudice may, on this scheme, be at any time erected, by those who are disinterestedly attached to it, or by those whose convenience it suits, into a law of our universal nature.

According to the theory of utility, on the contrary, the question, what is our duty, is as open to discussion as any other question. Moral doctrines are no more to be received without evidence, or to be sifted less carefully, than any other doctrines. An appeal lies, as on all other subjects, from a received opinion, however generally entertained, to the decisions of cultivated reason. The weakness of human intellect, and all the other infirmities of our nature, are considered to interfere as much with the rectitude of our judgments on morality, as on any other of our concerns; and changes as great are anticipated in our opinions on that subject, as on every other, both from the progress of intelligence, from more authentic and enlarged experience, and from alterations in the condition of the human race, requiring altered rules of conduct.

The question, therefore, is of the utmost importance. And it deeply concerns the greatest interests of our race, that the only mode of treating ethical questions, which even *aims* at correcting existing maxims, and rectifying any of the perversions of existing feeling, should not be borne down by clamour. All who do not think the morality taught to English gentlemen at English universities perfect, are interested in withstanding the attempt. The contemners of analysis have long enough had all the pretension to themselves. They have had the monopoly of the claim to pure, and lofty, and sublime principles; and those who gave reasons to justify their feelings have submitted to be cried down as low, and cold, and degraded. We hope they will submit no longer. Our part, at least, shall not be wanting; and whoever shall hereafter deal with this question in Mr. Sedgwick's manner, may expect, if he be a person whose reputation or influence render it needful, a no less unsparing exposure. A.

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Art. VI.

SOUTH AMERICA.

Journal of the Royal Geographical Society of London, 1830-1-2.

1. *Lloyd's Notes respecting the Isthmus of Panama.*
2. *Some Observations upon the Geography of the Southern Extremity of South America, Tierra del Fuego and the Strait of Magalhaens. By Captain Philip Parker King.*
3. *On the State of Civil and National Right among the Aboriginal Inhabitants of Brazil. An Essay by Dr. C. F. Ph. Von Martius.*
4. *Notices of the Indians settled in the Interior of British Guiana. By William Hilhouse, Esq.*
5. *On the Hydrography of South America. Pamphlets published in Buenos Ayres in* 1831, *and sent to the Geographical Society.*

PAMPHLETS published in Buenos Ayres on the subject of inland water-transport! How much this little fact speaks in evidence of progressive improvement in a country, whose tales of weekly revolutions have impressed the minds of credulous Tory-stirred alarmists with the conviction that the inhabitants are of the nature of the famed cats of Kilkenny, who, as the tale goes, utterly disappeared in the process of combat for mastery. People who are bent on extending their commerce, are not very likely to waste their time in internal struggles, for any long period. Printing and travelling—a newspaper and a road—are the surest instruments of mental and physical progression; and did we not know from other sources, that civilization is rapidly advancing in Buenos Ayres, these simple facts would be sufficient to prove it.

Mr. Lloyd, too, has been long at Panama, gathering knowledge '*pour servir à l'œuvre*' (as the French say of their innumerable memoirs) of facilitating commerce by constructing a water-road between the Atlantic and the Pacific oceans, and thus lessening the total amount of human labour imposed upon the inhabitants of this beautiful earth. Mr. Lloyd tells us of excellent materials for human uses to be found in this far-famed isthmus: 'limestone, flint, chalcedony, jasper, ironstone, firestone, clay, loam, sand, copper, and iron—together with ninety-seven species of wood, producing fruit, and serving as timber to the cabinet-maker, turner, builder; shipwright, and wheelwright.'

Nor have the water-roads of the South been neglected. The famed strait of Magalhaens has been once more explored, and the results given to the world by Captain King, who tells us of

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things which prove that the long-dreaded region of the stormy Horn, is not fearful to human beings capable of observation and examination;—that, if necessary, a colony might exist there with far greater comfort than on our own Scilly or Shetland isles. His notes, in passing, tell of

'Good harbours—wood and water equally abundant—fish easily caught—race-horse ducks, geese, wild ducks—woods—undulating grassy plains, occasionally watered by rivulets—luxuriant grass and trefoil, soil light and tolerably good—guanacoes—country open, and covered with luxuriant grass—herds of deer—sea-otters—black-necked swans—ever-green beeches of four feet diameter—a tree with the appearance and habit of a cypress—aromatic bastard cinnamon, and red wood—abundant grasses, forming the chosen and nourishing food of large herds of guanacoes—large woody-stemmed trees of *Fuchsia* and *Veronica*, the latter growing in the very wash of the sea—parrots and humming-birds very numerous in the southern and western part of the strait.'

A tolerably full catalogue of things useful to man, and assuredly only to be found in a favourable climate. There are people in the north of Scotland, and the north of Ireland too, who would gladly exchange the penury of their own homes for so plentiful a wilderness, evidently capable of improvement. In after years, when the southern end of Chile shall have become a ship-producing territory, the Straits of Magalhaens will not be left without civilized inhabitants. We owe thanks to Captain King for the information he has given us; and we rejoice to think that English national vessels have been once more employed in rendering a service to humanity, less questionable than their more vulgar employment of bloodshed. English mental energy is bursting the bonds of prescription; and it is no slight cause of human triumph to find, that from amongst soldiers and sailors, a host of men are arising, who both directly and indirectly, are promoting alike human knowledge and human freedom. The Geographical Society, by gathering together in their published journal the results of the labours of travellers, do much to stimulate the spirit of enterprise, which, though not always directed to the best objects, still serves to swell the aggregate amount of useful knowledge.

It is desirable that every portion of the world which can be made available to human happiness should be peopled; and to obtain this end, the physical aspect and capabilities of every portion of the world must first be made known. For want of this knowledge it is, that first colonists almost invariably suffer a great amount of misery in 'taming the wilderness;' and it is by the possession of the needful portion of such knowledge that the pioneers of the Northern American wilderness contrive

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scarcely to suffer at all in their removals from the haunts of the civilized man to those of the savage.

A traveller of great powers of observation is not always synonymous with one of sound judgment and philosophic insight. Dr. Von Martius* does not go quite the length of Buffon and Baron de Pauw, in regarding all American organization as degenerate; but with regard to man himself, the chief of all, his depreciating estimate and sweeping condemnation are unjust. He has examined the worst parts of the race, and taken them as a fair sample of the whole—seeming not to be aware that there is as much difference among aboriginal Americans as there is among aboriginal Europeans.

'While in other parts of the world we see various degrees of intellectual development and retardation simultaneously and proximately occurring—the ever-varying consequences of the changing course of events—the whole aboriginal population of America, on the contrary, exhibits one monotonous poverty of intellect and mental torpor: as if neither internal emotions nor the impression of external objects had been able to rouse and release them from their moral inflexibility. This is the more astonishing, as it appears to extend from pole to pole, and applies to the inhabitants of the tropics as well as to the natives of the frozen zones.'

A simple reference to the history of the American conquest is sufficient to prove that this is not the fact. The natives of the Antilles were a gentle race, and easily conquered. The natives of Mexico, on the contrary, were fierce and energetic, and were only overcome, because their assailants possessed more effective weapons and better discipline. The natives of Peru were immeasurably inferior to the Mexicans, both in courage, energy, and intellect, and they fell without a struggle. The natives of Chile maintained a war with their Spanish invaders for upwards of two hundred years; and they are free even at the present day—free upon the very soil whose possession they have maintained by the strength of their right arms and the power of their intellect. Had Dr. Von Martius visited Peru and Chile, his powers of observation would not have been slow to recognise the difference between the dull, coward-hearted Indian peasant of Peru—physically and mentally a slave—and the hilarious, healthy-looking, Indian-descended, civilized Chileno, alike brave and docile.

It is a remarkable fact, that the characteristics of the present inhabitants of the various portions of Southern America differ little from those of the Aborigines—a proof that soil and climate, as well as hereditary descent, have much to do in determining the qualities of the inhabitants of any portion

* So spelt in the Geographical Transactions. Should not the name be *Von Martens?*

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of the earth. Yet, though these causes are powerful, they are not all-powerful. Indian peculiarities—like German, or English, or Irish peculiarities—are the result of peculiar circumstances acting upon peculiar temperament; and different circumstances would produce a different result.

Notwithstanding all that has of late years been written concerning South America, the condition and prospects of that great continent, and the character of its various inhabitants, are still far from being well understood. We are enabled, from a personal residence, to furnish something towards increasing the general stock of knowledge on the subject. On the present occasion, we shall principally confine ourselves to the federal republic of Buenos Ayres—one of the most prosperous and civilized of the ancient Spanish colonies, and the first which threw off the yoke of the mother country. The revolution of Buenos Ayres, and the brave resistance to foreign invasion which preceded it, mark a people possessed of the same characteristics as the aborigines of their own provinces—strong hatred of coercion, love of perilous enterprise, and dislike of consecutive labour.

But for the English invasion of Buenos Ayres, under Beresford, it is probable that freedom would there have remained in abeyance some years longer. The whole circumstances of that invasion's progress, from the very outset, are strongly indicative of the cruelty, ignorance, and rapacity by which Tory government in England has ever been characterised. The Cape of Good Hope had been taken from the Dutch by an English expedition, and General Beresford found himself there in command of some sixteen hundred troops, ready for the licensed robbery of war, but without any specific purpose in view. Some two or three ignorant men, who had been at Buenos Ayres, happened at that time to be at the Cape, and upon their representations of the defenceless condition of the Spanish colonists, and possibly, also, from some vague notions of boundless wealth existing in a territory called by the fascinating name of La Plata, it was resolved, with sixteen hundred men, to invade and plunder Buenos Ayres, and then retain it as a colony for the perpetuation of Tory misrule. The expedition was in part successful. The energy of the people of Buenos Ayres had been crushed by Spanish tyranny and imbecility. It had never been called forth, and the people were unconscious that they possessed it. The puppet Spanish Viceroy fled with his troops and treasure on the landing of the English, and General Beresford became military ruler in his stead. But a short time elapsed ere the people, who were supposed to be conquered, found out that it

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was their own business to defend themselves against invaders, a matter which, up to that period, they had supposed to be the peculiar business of the king, his officers and soldiers. A French merchant, named Liniers, took the part of leader, and gave the people the training and organization they were lacking. The result was, that the English were attacked in turn, and complained bitterly that their enemies did not observe the exact rules of war in overpowering them. Invaders—who, for their own plundering purposes, disturbed a peaceable people who had never so much as heard of them; killing, wounding, robbing, and domineering over them at their pleasure, and then, forsooth, complaining, and talking of 'rules of war' when their own turn came! The invaders were conquered, forced to surrender, and scattered through the land. Good then began to work out of evil. The vanquished soldiers began to prate of English *freedom*. It was like inoculation to the Spanish colonists, and public opinion for the first time spread rapidly. But the hour was not yet come. The Tory faction, which ruled England and warred with France, sent ten thousand men, under Whitelock, to maintain in permanence the conquest which Beresford somewhat prematurely had boasted of. It was in vain: the ten thousand were defeated so soon as they had landed, by an enthusiastic population, who fought for their own hearths; who, in the course of a few months, had learned skilfully to wield weapons without hire. The would-be conquerors capitulated in panic terror. Monte Video was at that time in the undisturbed possession of the English, and being a fortified town, it might have been maintained; but to escape further scath, that also was resigned by the spirit-crushed red-coats.* No long period elapsed ere the people of Buenos Ayres declared themselves freemen, independent of the yoke of Spain. It needed little intellect to draw the conclusion, that if Spain was unable to defend her colonies against foreigners she could scarcely hold them against the will of the colonists themselves. And the colonists owed Spain no love. She had been a harsh stepmother to them, making them hewers of wood and drawers of water, for the benefit of her own proud children. She had prohibited them from planting the vine and the olive, and when they had been planted in violation of her commands, she was about to issue an order for their extirpation, when the revolution prevented her.

* When the capitulation was drawing up by the native leaders, its first purport was merely to surrender and yield undisturbed possession of Buenos Ayres. One of the leaders, named Alzaga, on perusing it, desired that Monte Video might also be inserted. He was laughed at by the others, as it was considered absurd to ask such a thing; but he persevered, and the capitulation was signed without question by Whitelock.

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When Buenos Ayres was declared free, the foreign commerce which had commenced with the British invasion began rapidly to increase. The Spaniards had possession of Monte Video, and a large squadron of their ships of war blockaded Buenos Ayres, to prevent the egress or regress of foreign vessels. Many English merchants had, by that time, established themselves in the town, and their attachment to South American freedom was by no means lessened by the prospect of the extinction of their fortunes under Spanish despotism. Had the contest been on firm land, the newly appointed republican rulers would soon have assembled an army of mounted Gauchos, aided by a town infantry, to bring the matter to a favourable issue, but on the waters they were powerless, having neither ships nor sailors. But they were not long at a loss. The personal interests of the foreigners sharpened their faculties, and developed resources in the time of need. Blockaded merchant-vessels could not possibly work to profit, and their owners sold to the republican government as many as they were willing to buy. One of those owners, an Irishman named Brown, whose property had been acquired by trading to Buenos Ayres, and subsequently much injured by the Spanish blockade, considered that, as he himself was of no use without his ships, he might as well sell himself with them. Accordingly, from Mr. Brown, merchant, he became Admiral Brown, of the Independent Republic of Buenos Ayres. Courage he possessed in abundance, and much of that peculiar skill which is acquired in a smuggling life, the art which enables a small force to out-manœuvre a large one. He quickly converted his merchantmen into half-painted, half-pitched, piratical-looking men-of-war, and though the guns he was enabled to procure for the armament were all ill-sorted and suited, his men were first-rate. He had the choice of the foreign unemployed seamen, who had a personal grudge against the Spaniards for throwing them out of work: and many of the black-haired, black-eyed, half-Indian half-Spanish race, were well pleased to try the fortune of war on a new element, under foreign tuition. The Spaniards, with their usual pompous vaunting, scoffed at the idea of being attacked by a fleet of transformed merchantmen, but when the motley armament of the patriots sailed, their boasting was changed into humiliation. After a desperate fight of several hours' continuance the Spanish fleet abandoned the River Plata, never more to return. Some of their number were left in the power of the patriots. Not satisfied with this achievement, Admiral Brown landed his men at night-fall, and carried by storm the town of Monte Video, which, but for his promptitude, might have remained in the power of the Spaniards for an

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indefinite period of time, a constant plague to Buenos Ayres. Having thus triumphantly accomplished more than his bargain, Admiral Brown returned to his republican employers, to claim his reward and prize-money. But the state treasure-chest was empty; and as a set-off, the government granted him a privateering commission, and lent him a ship, guns, and ammunition, stipulating for a share of the plunder. Brown was well pleased with this arrangement, and proceeded forthwith round Cape Horn, to plunder the sea-ports of the Pacific, which yielded him a golden harvest, having been untouched by invading enemies since the time of Anson. The history of the various turns of fate subsequently experienced by this man, would form a volume of romance.

Buenos Ayres has ever since remained an independent state, holding much influence over the large continent to which she set the first example of freedom. The civil struggles for power have been almost incessant amongst her influential citizens from that time to this, and she has moreover maintained an obstinate war with Brazil and the frontier Indians. Perfect peace has hardly been known, but the evils of war have scarcely reached the mass of the community, and the progress of improvement has been constant. Some of the consequences of the war with Brazil were even beneficial, for it served still further to develope the national energy, and led to the opening of new sea-ports, and establishment of colonies to the south of Buenos Ayres.

The almost constant state of more or less turbulence, in which most parts of Southern America have existed since the commencement of the various revolutions, has induced many people to think that they are entirely unfitted for freedom, and therefore that it would not be difficult to restore the old mode of rule, or, in default of that, to establish native monarchies, or at least place European monarchs on South American thrones. Those who might calculate on such things would find themselves wofully deceived were they to make the attempt.* The political troubles of America have arisen not so much from the turbulence of the people, as from the ill-guided ambition of the 'families'—'a plague of *all* your houses.' The 'families,' who in America supply the place of our European aristocracies, have, like most aristocracies, keen appetites for power and plunder, but

* Yturbide, the head of one of the Mexican 'families,' got himself proclaimed emperor, and kept his dignity but a short period ere he was deposed and a pension settled on him, with a provision that he was to leave the country and never more set foot in it, on pain of death as an outlaw. He complied, and came to England, but ambition deluded him, and he returned in the hope of becoming emperor once more. Within six hours after being landed from an English ship he was taken prisoner, identified, and shot by summary process.

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little intelligence to guide them in the pursuit of their object. Their power is not legal but merely moral. In the present condition of society in most parts of the world, he who possesses more wealth than his neighbours possesses influence over them; but in Southern America, with few exceptions, popular manners must be added to wealth, or it will prove unavailing. From north to south, east to west, America is republican in her manners and customs, whatever the existing institutions or nominal governments may be; always excepting the relations between whites and blacks.

In those districts where the population is scanty as compared with the available land, as for example Buenos Ayres, and the interior provinces of which it is the key, personal independence is carried to the greatest possible extreme. Some written laws exist, it is true, but the real laws are merely laws of custom, arising out of a peculiar system of morality engendered by circumstances, and which are enforced because every one is interested in their maintenance. In each town there is a governor, and a certain number of alcaldes, answering to our aldermen. In the country districts appertaining to the towns, there are local alcaldes, who administer justice after the fashion of the Eastern cadis. As the alcaldes are appointed by the governor, who is mostly a military man, or a man of military pretensions, though in reality dependent on public opinion for his own continuance in office, they of course are mere creatures of the governor, and to preserve their places must make his pleasure their first consideration; next to that they consult their own interest. In disputes between man and man, he who can bribe highest is mostly sure to have the decision in his favour: but the alcalde, as well as the governor, must take care not to stretch this prerogative too far, or the disaffected minority on which he fattens would be swelled to a majority, and the office be altogether lost, if even 'wild justice' did not entirely terminate the existence of the office-holder. The knife is in many cases made the arbiter of disputes, and this excites great horror amongst those who have not examined the philosophy of the matter, and who yet will perhaps unhesitatingly approve of duelling. The existence of duelling is always an evidence of an imperfect state of the social institutions; it proves that there are offences which the law has not yet learned to reach, and for which public morality has made no peaceable provision. In a country like South America many such cases occur amongst the common people. They do not understand, or do not like, the fistic art, and they fight duels with knives. If death ensues as a consequence, foreigners call it by the name

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of assassination, though probably the inflictor of the death would feel as much horror at the cold-blooded slaughter of an unarmed foe—'a contrived murder'—as the most determined practiser of modern chivalry would. And, after all, the amount of these plebeian duels is but small; smaller still those which end in death. Abundance of bickering and quarrelling exists amongst the 'families;' but it is a remarkable fact, that there is hardly an instance of private duelling known amongst them. Many of them we have heard express their astonishment and disgust at the existence of the practice amongst Englishmen. The quarrels of the South American aristocracy are prompted by political ambition or pecuniary interest: the former they gratify by intriguing to effect petty revolutions; the latter by law-suits. We have known a man to leave thirty-four *pleitos*, or unfinished chancery suits, as a legacy to his children.

Another peculiarity of the Southern Americans, which strikes Englishmen, is what they call 'bigotry,' and intolerance of foreigners. This is a mistake; the South Americans are not bigoted, but the contrary. Foreigners go to South America not to benefit the natives, but to benefit themselves, and by their superior skill and energy they realize large profits, which the natives cannot do; and, therefore, the short-sighted amongst the natives, comprising a very large majority, grow envious and covetous, seeking to share the profits either by the strong hand or by false pretexts. Difference of religion, under such circumstances, is a very convenient pretext. A South American Catholic thinks the *plunder* of a 'heretic' a very meritorious act; just as Orangemen think it meritorious to take tithes by force from an Irish Catholic. But if an Englishman goes to South America, no matter to what part, merely as a resident or a sojourner, subsisting on his own means, without the desire of any exclusive advantage, he will remain not only unmolested, but respected, in proportion to the superior knowledge he may possess, or be supposed to possess. The curate will probably be his chief friend—if his table be good—and will tell his parishioners, that it is a thousand pities so good a man should be a heretic, but that he lives in hopes of converting him. True, if the Englishman be very wealthy, and his wealth be vested in tangible property on the spot, it will go hard but some of his powerful neighbours will attempt to plunder him of it; if he mingle himself with political affairs, he will be marked out for destruction by those to whose party he may be opposed: but let him not be in a situation to excite cupidity, but possessed of the power to benefit those around him by advice and occasional pecuniary assistance, without trenching upon the

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peculiar province of the 'families,' and he will not only be unharmed, but respected and popular. He would be like one of the Jesuits of old among the Indian tribes; he would rule in the majesty of a strong mind over weak ones, if his intellect and morality were of a high order. We know no sphere of human action which could produce so much of pleasurable result to a high nature, as the undertaking to civilize—really to civilize—by the mere force of intellect and example, one of the beautiful districts of the interior of La Plata—Tucuman, or Salta, for example. Some of those districts are at present ruled despotically by single minds, strong, but unfortunately selfish, and acting more upon the fear than the love of those around them; of course tempering that fear with other qualities, without the intermixture of which the fear would not be sufficient for their purposes.

As we have before remarked, the bearing of most of the poorer inhabitants of La Plata, and all those districts where land is plentiful, is perfectly independent; unless perhaps in the case of an immediate domestic, or one specially employed by another. All foreigners who have visited La Plata must have remarked the nonchalance wherewith the poor, ragged, mounted Gaucho of the Pampas gallops past the wealthiest man of the province, unless he happen to know him personally, in which case he may perhaps vouchsafe the civility of the hat, but this more as a duty to his own sense of politeness than to the claim of a superior. Yet, on the western side of the Andes, in the beautiful land of Chile, a marked difference takes place; a rider in broad cloth is invariably saluted on his road with marks of respect by the riders in baize whom he may happen to meet or overtake. Chile, like Peru, is a land of feudality. The whole of the land is owned and occupied; and, till the period of the revolution, there scarcely existed any small holdings. The population being considerable, the landholders had their own way with their tenantry, as Irish landlords have. Yet the civility of the poor Chilenos to their worldly superiors must not be wholly attributed to habits of dependency. They are also extremely civil and polished in their intercourse with each other; as was the characteristic of their Indian ancestry. Something also is owing to their peculiar habits and training. The peasant of the Pampas lives upon flesh alone, and passes a solitary life with intervals of sociality. The food of the Chileno, on the contrary, is almost entirely vegetable, except in the large towns. He lives constantly in society, and is of a most hilarious temperament; he is not so quarrelsome as the inhabitant of the eastern side of the Cordillera, and 'knife-duels' are less

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prevalent. He is a cultivator, and not a herdsman; and in the irrigated districts he is accustomed to hire land for a single crop, at the rate of ten shillings per acre. The Chileno 'families' are as great nuisances to him as the Tory families are to England; but he is finding this out, and the quarrel of *Pipioles* and *Pelucones*, i. e., democrats and aristocrats, or *Reasoners* and *Prescriptives*, bids fair to be as pretty a quarrel as any people could desire, and finally to end in the victory of the Reasoners.

We cannot better illustrate the actual state of the law in Buenos Ayres and its neighbourhood, than by an anecdote which came to our knowledge during a residence there. We were acquainted with an Englishman, who, amongst other weaknesses common to humanity, numbered that of a strong attachment, in some cases amounting to almost absurdity, for noble horses; so much so, that if the doctrine of the metempsychosis be true, his spirit must at one time have inhabited the body of an Arab. In Chile, which is not a wild country altogether, the people are usually very much attached to favourite horses, and are careful in breeding them. An ordinary farm-horse is worth from eight to ten dollars, while one of first-rate breed and training is worth from fifty to three hundred. The Gauchos on the Pampas, on the contrary, value horses, but not an individual horse; they are to them mere instruments of locomotion, and one is to them as good as another, if of equal endurance. The horses of the Pampas are exceedingly ordinary animals, compared with those of Chile; consequently, many of the town residents of Buenos Ayres import Chileno horses for their own especial riding, and, contrary to the custom of the country, keep them in stables.

Intending to stay some time in Buenos Ayres, our friend had brought one of these animals from Chile, overland, travelling across the Andes, and by slow progress across the Pampas, with a waggon caravan, for safety, as the marauding Indians were at open war with the Christians. After his arrival, it was his custom to ride, every afternoon or evening, to the outskirts of the city, and his beautiful four-footed friend attracted many observers who wished to become purchasers. Some time before his arrival, in order to prevent the nuisances arising from drunken and quarrelsome people in the streets, and the still more dangerous nuisance of Gauchos galloping at full speed, a municipal regulation had been revived, appointing a number of *celadores*, or police, to patrol the streets, and take into custody all such offenders. This our friend was ignorant of. One evening, his horse was more than usually vivacious as he scented the green turf in the distance—he fairly quarrelled with the

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rein, champed the bit, whinnied impatiently, and sidled from one side of the street to the other. Dismounting, his master gave him a water-melon, and then again went on. But he wanted to stretch his limbs into a gallop, and his master would not baulk him longer. Scarcely had he got into a canter, ere a man on horseback, in a half-military dress, overtook him at full speed, and laid his hand on the rein, giving an order to stop. Our friend raised his own whip handle, after the fashion of Pampas pleading, when the assailant let go his hold and drew a pistol, ordering him, in the name of La Patria, to surrender to the police. Our friend did not exactly comprehend what crime he had committed, but was informed that his horse and equipage were forfeited to the law for the crime of galloping in the streets. Several shopkeepers confirmed the fact, and he was under the necessity of riding back with his captor, to deliver his beautiful horse into the hands of the officers of justice. Once or twice he unlawfully deliberated whether it would not be better to disable his companion's bridle-arm, and take the benefit of spur-law, but he was too deep in the streets to distance the hue and cry; and, moreover, *lese*-law is in South America always a greater crime in the city than in the field: and yet more, upon second thoughts he doubted not that at the worst he could make an *empeño*. This latter piece of art-magic his captor did not give him credit for, as his garb savoured more of the wild Gaucho than of a city indweller, his baggage not having arrived. He tried his best to make a short cut to his horse's freedom, by proffering first one and then two five-dollar notes, which was the total amount of cash on his person, to his unpleasant companion, whose virtue, however, scoffed at the idea of a bribe to forego his duty. It afterwards appeared that his virtue was well secured against any ten-dollar temptation, for the law, if carried into effect, doomed the horse and caparison to be sold at public auction, and the proceeds would probably have been two hundred dollars, half of which would have gone to the captor, and half to La Patria,* or some of La Patria's upper servants. With a heavy heart, our friend dismounted at the gate of the Tribunal of Police, and his poor bay was locked up, saddle, bridle, and all, amongst a number of other horses, who were more sinned against than sinning, for their reeking sides and bloody girths showed that their galloping had been by force of their master's will; whereas our friend's four-legged companion was the sole cause of the crime committed. As the door clanged after him, shutting him up in so unwholesome a lodging, his prolonged whinny seemed

* The country or republic.

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to chide his master for unkindness in leaving him. 'On foot, in poncho and large spurs,' the most painful circumstances a Pampas rider can imagine, but with the shadows of evening to shroud him, our friend strolled into the Plaza to consider where he could make the best *empeño*. He recollected a letter he had not delivered, from a lady of the interior to her sister, the wife of a member of the government, or army—for they are synonymous—the chief of the engineer department. Thither he bent his steps, and clanked his spurs in the court-yard, while a negress carried in the letter. In a few seconds he was ushered in and welcomed. While sucking a cup of *maté*, he told the story of his horse. '*Picaro!*' said the lady, indignantly, 'does this animal of a *celador* think the law was made to prevent *cavaliers* from galloping. Sit down, Don * * * *, while the girls play and sing; it wants an hour yet to the sitting of the judge to hear the charges of the day; my husband will be in by that time, and will go with you to him.'

At the appointed time they went together to the seat of justice—or law, or *empeño*. The judge was seated in gravity, and clerks and secretaries were seated around him, and a crowd of criminals, and supplicants, and policemen, were awaiting the results of examinations. The officer went up to the judge, and whispered to him. In an instant the horse's foe was called to make his complaint—that the horse had been galloped within the forbidden precincts. The horse's master replied, that he had but lately arrived, and was not aware of the existence of the law. 'Enough,' said the judge, 'let the cavalier have his horse delivered up, it has evidently been a mistake.' 'But,' said the pertinacious *celador*, 'he has attempted to bribe me, an officer of the law.' 'Hold your tongue, fellow!' said the judge, 'and do not interrupt us! let the other causes come on.' 'How is this?' asked one of the bystanders. 'Oh,' replied another, 'Don * * * * has made an *empeño* with the judge!'

There was a different intonation in the horse's whinnying as his master again greeted him. 'Señor Don * * * *,' he said to the officer, 'I feel obliged for the trouble you have taken, and will not infringe the law again.' '*Mi avuela*,'* he made answer, 'the fellow did not know you, or he would not have interfered; gallop when you like, and say you have business in hand for me.' Many times afterwards our friend encountered the *celador* in the streets, and greeted him with a '*Lindo esta el bayo, no? Viva el empeño!*' † The fellow would grin, half in mirth and half in malice, as he rode by.

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* My old grandmother.

† Is not the bright bay beautiful? *Empeño*—*i.e.* influence—for ever!

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The district known as the Indian Pampas, and pertaining to the Indian tribes of the south, is bounded on the west by the Andes, on the east by the Atlantic Ocean, on the south by the straits of Magellan, and on the north by the provinces of Buenos Ayres, Santa Fé, Cordova, San Luis, and Mendoça. The total number of Indians therein inhabiting may be roughly estimated at somewhere about ten thousand adults, five thousand of whom may be fighting men. Had these people inhabited fixed residences, they would long ago have been exterminated, but the negro motto obtains with them, 'No catchee no havee, massa.' They wander in small bodies, according as grass and water for the sustenance of their horses and mares may happen to be found. They are all trained to war, and their weapons are long lances of cane with iron heads, knives, and sabres. A great part of the country they inhabit is destitute of water, and another portion, though it has water, is so sandy and barren that it yields no pasture, an insuperable objection with the Indians, whose food is entirely animal. The food of their choice is mare's flesh, but they eat of all other flesh, as horse, mule, black cattle, deer, guanaco, ostrich, viscacha, even to the zorrillo or polecat, with the musky odour of which last they perfume themselves. The wild animals they catch with their balls, or *bolas,** in the use of which they are unerring. Their dress consists of one poncho over the shoulders, and another round the waist. Their huts are portable, generally about six feet by eight in size, consisting of light frames of sticks, tied together and covered with hides. The floor is covered with very soft carpets of otter skins, sewed together. Most of the Indian tribes are at war with one another when not engaged in plundering the Christians, and they carry the children they may capture, after slaying their parents, to sell as slaves to the Christians, at the price of eighteen to twenty dollars each. They also carry with them native manufactures, such as bridle-reins, lazos, balls, headstalls, tethers, horse-fetters, and woollen ponchos of their own weaving and dyeing, of beautiful colour and texture. In exchange for these, they get silver-mounted bridles, and saddles, sabres, knives, bridle-bits, silver and iron spurs, coloured porcelain beads, brandy, and tobacco.

In addition to the difficulty which the Christian troops experience in bringing these Indians, with whom they are continually at war, to action, there is a want of concert amongst the rulers of the five provinces above named, who have all sinister interests

* A missile of a peculiar construction; composed of three round stones, of about a pound weight each, bound up in a piece of hide, and attached together, at the distance of six feet, by strips of plaited hide. They are swung round the head till they acquire a centrifugal force, and then let fly at the legs of the animal chased, when they twist round, and stop its further progress.

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to gratify. The Indians on their part, with a similar policy to that of the Algerines, contrive not to be at war with all the provinces at once, but to take each in turn, as suits their purpose. The inhabitants of Mendoça contrive mostly to be at peace with the Indians, being more exposed to annoyance than the inhabitants of the other provinces, on account of their numerous waggon-caravans which carry their produce to the sea-coast. But there is a *prestige* attaching to the Mendocino name in the Indian minds, on account of a formidable incursion which the Mendocians made many years back into the Indian territories, under the command of a skilful leader named Amigoreyna. Some of the Indians are almost constantly in Mendoça, or the fort of San Carlos to the south, for the purpose of trading, and the Mendoça merchants make trading expeditions amongst the tribes almost every year. The inhabitants of San Luis suffer considerably from the Indian inroads and the loss of their cattle, but they are generally a people deficient in intelligence and energy, and rarely make reprisals. The inhabitants of Cordova are much in the same position. The governor of that province keeps troops, to take the field occasionally against the Indians; but they generally contrive to let the marauders drive off a large portion of cattle, in order that they may get salvage on them, or a portion of them, and sometimes it is considered good policy to contrive that a political enemy shall sustain a heavy loss. The natives of Santa Fé are frequently very heavy sufferers; the governor, Don Estanislao Lopez, who is a gentleman of the strong arm and long sword, preferring much that one dollar should find the way to his pocket, rather than that one thousand should do the same by the pockets of his very obedient subjects. One anecdote of the doings of this worthy gentleman in the year 1825 will suffice. It was related to us by a grim-looking Gaucho who served under him.

The Indians had made an inroad in detachments of considerable numbers, sweeping the frontiers of both Cordova and Santa Fé. Lopez got information from his scouts, that several hundred Indians were encamped at a place called Melinque, near a large salt lake on the frontier. He rode in pursuit at the head of 500 of his Gauchos, and came upon the enemy early in the morning, while the Indians were dismounted and lying on the grass. His men wished to attack them immediately, but Lopez, to whom Indian warfare was an excitement like hunting, refused permission, in the same way that an English sportsman gives law to a fox, and refuses to shoot a partridge off the wing. 'No, my boys,' said the governor, 'let them mount their horses, it is too much trouble to chop at them on the grass.' They were accordingly permitted to mount, and in desperation they

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couched their lances and came to the charge. At the first onset, they killed Lopez a hundred and fifty men, and the remainder, struck with a sudden panic, took to flight. Lopez in vain endeavoured to rally them, and was unwillingly obliged to follow their example. He was galloping off at full speed by the side of one of his troopers, when his horse pitched his fore feet into a viscacha hole, and rolled on the ground unable to move. The Indians gained on him, and the trooper was about to make off, when Lopez drew a pistol from his girdle, shot him dead, mounted his horse, and escaped.

Savage at his defeat, Lopez determined to be revenged, and hastily collecting together some two hundred and fifty men on whom he could rely, he penetrated into the Indian territory upwards of a hundred leagues to the southward, and falling in with a *tolderia,* a collection of Indian huts, he murdered the whole of the inhabitants, men, women, and children, to the number of two hundred, in cold blood; and, as the hide huts could not be burned, they were cut in pieces with knives. The warriors were absent from home at the time. After the massacre, the male Indians were flayed for the sake of their skins, in order to convert them into lazos and other horse-gear, and articles of ordinary use. This brutal practice is far from uncommon amongst the border Gauchos, who boast with great glee of such spoils of war, and say that Indian hide is tougher and of more even consistence than any other, besides being free from hair. The Indians, not finding the hides of the Christians tough enough for their purposes, revenge themselves while they are living. They always make the males prisoners if they can, and when out of danger of pursuit, they strip them naked, and set them to run on the grass, riding at them with lances, and inflicting as many flesh wounds as possible before they kill them outright, in order to protract their tortures. Women-prisoners they make slaves of, and lacerate the soles of their feet and the palms of their hands, to prevent them from making their escape on the journey homewards. In the massacring expedition before related, Lopez made prize of a very large number of horses and mules belonging to the Indians, which was considered a good booty. This occurrence is only one out of many of a similar kind in which he has been engaged. In fact, the man is a sort of Ali Pasha in his way, and maintains his power over his people by being as brave and as cold-blooded, and more cunning, than any other man in the province.

The frontiers of the province of Buenos Ayres are usually very rich in cattle, save when a period of drought occurs, when they perish by wholesale. The people of the province do not lack valour, yet somehow, perhaps from their superior civiliza-

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tion, they entertain a greater dread of the Indians than the natives of the other provinces do. The Indians have mostly looked upon them as their 'natural enemies,' and plunder their cattle as though it were a matter of right. One question must naturally strike the reader,—Why do the Indians steal cattle which they do not themselves consume? The answer is very simple. They steal from one set of Christians, and sell to another. The Mendoça people will buy *bargains* of cattle from them, to sell in Chile, because there the brandmarks are not recognized. The northern Chilenos have no objection to a *bargain* of the same kind, when the Indians drive the cattle through the southern passes of the Andes. And at one period the merchants of Buenos Ayres had a thriving trade in the cattle stolen from their own friends who were graziers on the frontier. A small settlement or colony has for many years existed in one of the harbours on the coast of Patagonia, the inhabitants of which cultivated a little land, and traded with the Indians. Occasionally, they sent a few dried hides to Buenos Ayres, and at length some merchants set up salting establishments for the supply of the West Indian markets. Rumours soon began to spread, that some of the hides which came from Patagonia bore very frequently the brandmarks of the estancias of the frontier, which were plundered by the Indians. What was everybody's business was nobody's so far as the government was concerned, and the losers of the cattle were obliged to put up with their losses quietly. But the receivers of the stolen goods at last carried their speculations too far. The colonial trade throve so rapidly, that the inhabitants were at a loss for a circulating medium. In this dilemma they employed a printer in Buenos Ayres to print paper-money for them. This came to the knowledge of the government, and, taking offence at the presumption shown in infringing their prerogative of money-making, they ordered a brig-of-war to proceed to Patagonia to take possession of all the stolen hides which could be found with suspicious marks, and also of the paper-money, the printer of which was committed to prison. The captain of the brig had the misfortune to run aground at the mouth of the River Plate, and thus lost a week, for which it was said the interested parties paid him very handsomely, and in the mean time a messenger was despatched over-land to the colony. It is needless to add, that when the brig arrived, nothing suspicious was found.

From the time of the revolution which set her free from Spain, Buenos Ayres has been ruled by an almost infinity of governors. Puerredon, a skilful intriguer, was amongst the first, but he was obliged to fly when it was discovered that he wished

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to make his native land a monarchy, under the yoke of a French prince. Then, like 'Banquo's issue,' his successors were rapid in their 'ins and outs;' sometimes there were three revolutions and three governors in the space of a week; the 'out' seeking refuge on board the British frigate, the 'in' taking possession of the moat-surrounded palace or fortress; a tumultuous collection of armed men in the streets being the signal for the occupant of office to retire. To ask who was governor *in esse* became a common jest, the reply being 'ready as a borrower's cap'—*Quien sabe?* Who knows? These were glorious times for those who called themselves 'British merchants;' low agents, mostly remarkable for nothing but cunning chicanery and boundless rapacity, who had originally gone out as clerks on a sort of desperate adventure, and throve well in a field of enterprise from which honesty and morality were banished. Though much money had been lost by mercantile speculations to La Plata, there were still to be found gulls willing to embark in them. The practice of the 'merchants' was to write to England to a speculator, stating that a certain kind of cargo must infallibly sell at fifty per cent. profit. Out came the cargo, and then the 'merchant' went to the head of the custom-house, or his chief agent for the time being, to know for how much per cent. on the duties he could have the goods landed. This was frequently accomplished for one quarter of the total amount; and to make the bargain sure, the custom-house stamps were commonly carried on board: thus the smuggler ran no risk whatever, and the custom-house people thought it a far better arrangement to put twenty-five per cent. into their own coffers, than one hundred per cent. into those of La Patria. So soon as landed, the goods were sold by auction, frequently at a positive loss. The account sales and residue of the proceeds were then forwarded to the shipper, charging him the whole duties, five per cent. commission on sale, five per cent. more for purchasing a return cargo, and five per cent. more for cheating, warehousing, landing, and all other customary etceteras. The 'Flemish account' was then forwarded, with a letter, stating how unfortunate it was, that just at the period of arrival there should happen to be a glut in the market, but that the shipper might certainly calculate upon making up his loss and realising a considerable profit, if he sent another cargo instantly to meet a rising market. A man gulled once was no bad prize, but if it could be done twice they needed no more of him. Such a charming trade of course could not last for a very long period. Governors became less mobile; one of them, on the occasion of the tumultuous assemblage of armed men, so fatal to his prede-

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cessors, had a sudden thought strike him, like Abel Handy— 'Perhaps they'll go away if I shoot at them.' He accordingly shut himself up in the fort with the troops, and played some grape shot on them. His fall was thus retarded some odd months, and thenceforward a constant increase of force was demanded to accomplish the deposition of succeeding governors. The custom-house duties began to find their way into the treasury of La Patria, things in general assumed a securer aspect, and the 'British merchants' began to invest their gains in house-building and land-purchasing; established some 'commercial rooms,' and talked 'very respectably' of getting a license from the government to build a 'Protestant church.' Bernadino Rivadavia, unquestionably the shrewdest public man in the country, then became governor, and was highly popular, for he affected popular manners, a style which had not been tried by former governors. One day—so goes the anecdote—Rivadavia and his wife were walking in the street without the military attendance common to their rank. A boy behind them was making a most intolerable noise with some wind-instrument, when Rivadavia accosting him, asked, 'Whether he should take another road, or the boy abstain from the noise?' This story spread far and wide, and did good service. The common people were accustomed to speak of him affectionately as *nuestro guaton*—our old fat-belly. Rivadavia did many useful things. He established a bank, caused the town to be improved and paved, better municipal regulations to be adopted, efficient public servants to be employed, a public loan to be negociated in England, and arrangements to be made for procuring intelligent foreigners as instructors in various public departments, for promoting the immigration of European agriculturists and artisans in large numbers, for introducing new breeds of cattle, and horses of a better quality, and for constructing an efficient mole for landing goods. He was, in short, a discerning and intelligent man, possessed of much energy and public spirit. Had he been an honest man, he would have been invaluable, but he was afflicted with the crying sin of his countrymen; he was a trickster and an intriguer, and he fell. He deservedly lost his hold on public opinion.

The person who contracted for the loan with England was a Mr. ** ****. He realised by it a large fortune, and lost his balance. From being a small huckstering dealer, for which work his capacity was fitted, he found himself suddenly in the possession of considerable wealth, which at first made him feel like a sailor newly landed with prize-money; and, as he was what the world calls a 'good fellow,' he gained the cognomen

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of the 'little prince,' being, in fact, regarded as the greatest man in Buenos Ayres, in point of worldly consequence. He soon after visited England, and was much disappointed to find himself out of his sphere, and a person of no consequence whatever. This did not suit him; and being one of those active persons who could not live without 'doing,' no matter what the result might be, he embarked in all the schemes and companies which had for their object to arouse the dormant capabilities of La Plata: agricultural associations, and building associations, and gardening associations, and dairy farms, and water embankments, and cattle-breed-improving, and mine-working,—in short, all the ill-concocted schemes which were so rife in the years 1825-6. The results were what might have been anticipated by whoever was capable of thinking on the matter—ruin to the fools and plunder to the knaves. Mr. ****** became a bankrupt, like the major part of the 'British merchants,' and sinking into his original insignificance, became once more the proprietor of a retail store, in which he still continues to vend wine and spirits, sugar, soap, candles, eatables of various kinds, and a heterogeneous assortment of other articles, to the people of Buenos Ayres. The builders, and other mechanics, whom he sent from England in pursuit of his plans, and whose first occupation was to have been that of building him a palace to surpass all other buildings in Buenos Ayres, were turned on their own hands, and have many of them risen to comparative opulence. The whole of this process of fortune-making and fortune-losing occupied a period not amounting to three years.

After Rivadavia ceased to be governor, many others occupied his place in turn, but without a single man of commanding talent amongst them. They have been mere soldiers, or ignorant landowners or cattle-breeders. The water-war with Brazil was a serious evil, not so much by checking commerce, as by fostering a spirit of piracy and wholesale immorality, to say nothing of the system of impressment which was put in force to man the navy, for some time. But, in return, it did something in the way of developing energy. More mischief was afterwards done in the civil war, which desolated the land and destroyed many cattle, and still worse, paralyzed the exertions of the foreign settlers who had begun to cultivate the land. But worst of all was the fact, that the war which convulsed the whole of the interior provinces, as well as Buenos Ayres, was not a war in which the interests of the people were concerned, but simply a question, whether the provinces which formed the ancient viceroyalty of La Plata should be united or separate. Each

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province would have been willing to agree to the union, provided only, that each individual province or its capital might have been the seat of the central government. Failing this, none were willing. The officers of the regular army were mostly for a union, and for making Buenos Ayres the metropolis; and, if intrigue could have accomplished the matter, this plan would have succeeded. But opposed to it were ranged the wealthy landholders, and the rulers of the interior provinces, who had been accustomed to govern their native districts with a sort of feudal authority, more or less resembling that of Francia in Paraguay. Semi-barbarians they mostly were, and are; but still, he who succeeds in gaining and maintaining a kind of absolute rule over twenty or thirty thousand people must be a man of considerable energy and resource, both of body and mind. There are always many who are ready to struggle for such an office, and neither a fool nor a coward could keep down opposition.

The province of La Rioja, for example, is ruled over by a man named Facundo Quiroga, more absolutely than France was ruled by Napoleon—as absolutely as Ali Pasha ruled over the territories he won in the game of war. This man has a will; and more than that, he can mentally define what that will is, and if he finds any person opposed to his will, he sets all his energies at work to crush his enemy, both by force and finesse. He is not cruel by nature, but, on the contrary, a very agreeable person—when he has his own way; but he values man's blood as little as that of a sheep or an ox, when he makes up his mind that it is essential to his authority to commit a slaughter. The history of this man's life would fill a romance, but our space is not sufficient even to glance it over. In his own province the words of his mouth are the law of the land, and over the neighbouring provinces his influence is great. The governor of Catamarca always inquires what Quiroga's opinion may be, before he makes any public movement. The governor of Tucuman, a thorough-trained soldier, set his threats at defiance: Quiroga attacked him at the head of his Gauchos, and after a hard battle left him for dead on the field. The provinces of San Juan and Mendoça happened to be ruled by liberal-minded men. The priests of San Juan fomented a revolt, and turned out the governor, Carril. Mendoça sent armed men, and the priestly party were defeated and driven away. The liberals were favourable to a union, with Buenos Ayres for the capital. Upon this pretence Quiroga collected his Gauchos, attacked and plundered first San Juan, and then Mendoça; defeated the liberals, and restored the old mode of priestly rule, not from any liking for

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priests, but because the liberal plan of union would have proved in the end subversive of his power. The beautiful province of Salta does not possess much influence; it is divided in itself. The chief city, Salta, rules paramount over a little city called Jujuy, containing some three thousand souls: this little city is a refuge for discontented people, and its inhabitants earnestly desire to separate themselves from Salta, and form an independent community. The province of Santiago del Estero, famous for its superior breed of cart-drivers, and sturdy Gauchos, who have a vocation to fighting, without knowing or caring for what,—this province is the especial property of El Señor Don Felipe de Ybarra. His *métier* is similar to that of the small German potentates in the last century. He converts his surplus population into soldiers, and lets them out on hire to any one in the revolution line, who may speculate on becoming a governor. This potentate's trade would be ruined by any system of union with a central government. The city of Cordova, capital of the province of that name, is to Buenos Ayres what Oxford and Cambridge are to London. It possesses a university, where much antiquated learning is taught; or rather was taught, for foreign teachers have now introduced more modern studies into Buenos Ayres. Cordova, more than any other part of La Plata, still feels the influence of the Jesuits, in the various woollen fabrics which are carried on, and for the support of which large flocks of sheep are maintained. Of late years the foreign imports have caused this trade to fall off. The governor of this province for many years was a man named Bustos, a military adventurer, who maintained his authority by means of a sufficient body of soldiery. He is since dead, and some other person of the same cast has supplied his place. The authority maintained is of a superior kind to that of Quiroga, as the inhabitants of the city are an intelligent race, who would not submit to coarse violence, though somewhat priest-ridden. Like other cathedral towns, Cordova is very fruitful in most vices which are pleasant to the senses. The province of which it is the chief town is wealthy, and the mountains contain mines of the precious metals. The governor of Santa Fé, Estanislao Lopez, has been already described. His mode of rule is precisely the same as that of Facundo Quiroga, though he is a man of less mental calibre. There will not for many years be a chance of general union; and the present despotic mode of rule may be considered permanent, at least so long as the present leaders shall exist. Buenos Ayres is not placed in the same predicament; the general intelligence of the citizens, contracted in

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great part by their intermixture with foreigners, forbids the chance of despotic control on the part of any single individual. The worst feature of the last civil war has been the introduction of the wild Indian tribes into the ranks of the Christians, who were besieging the city. But even this may produce good, for it tends to accelerate the subjugation of the whole race of the southern Red Men, without which there can be no peace with them. The changes of governors in Buenos Ayres have latterly been frequent, and within these few months the office has literally gone begging without finding an occupant. This marks that there is no longer any hope for successful roguery in the office, and, moreover, to take it by force has latterly required as many thousand men as formerly it required hundreds.

Amidst all this apparent confusion, the progress towards better things is fast going on. All the struggles of the petty tyrants are but preludes to the ultimate mastery of a powerful democracy throughout the whole land, which an increasing commerce will push on with compound force. The internal custom-houses will be swept away when men begin to see their interest more clearly; and the external ones on the margin of the water-ways will be somewhat difficult of maintenance when produce shall become more plentiful. Vessels of two hundred tons burthen can sail from the shores of Europe to the very doors of the city of Paraguay, which is twelve hundred miles from Buenos Ayres, and the whole track of the river through lands fitted for human habitation, yet but a small portion inhabited. The capabilities of La Plata are but on the eve of their development; and the commerce which England may yet carry on with it will be enormous, when the human impediments to human civilization shall be removed.

Notwithstanding all that has been said of Buenos Ayres, neither the city nor the province are rich in themselves. Buenos Ayres has risen to factitious importance by being the mouth of many rich provinces, deriving tolls both from their imports and exports. The province of Buenos Ayres itself produces nothing but cattle, corn, grass, peaches, and thistles, unless we take into the account the muddy fish caught in the river.* As an article of export, cattle alone can be reckoned. With peace and favourable weather, the cattle multiply prodigiously. Peace is a requisite which may be counted on at a future time; but what security can be looked for against the

* Owing to the scarcity of fuel, bones, fat, cow-dung, and horse-dung, are considered most valuable articles. The kilns for burning bricks are commonly heated with bullocks' heads, which sell for that purpose at the rate of two dollars per hundred, after the tongue only has been extracted.

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droughts which occur so frequently, and render the Pampas mere parching deserts? There is no certain supply of water in the Pampas;—there are no mountain-reservoirs to hoard up surplus rain—no deep ravines, in which the winter's deposit of snow can gradually melt throughout the summer, and supply irrigable lands. When the south-west winds, called the Pampero gales, prevail, they are accompanied, at intervals of six weeks, in favourable years, by furious storms of thunder and lightning, and torrents of rain, which seem as though they would inundate the whole land. The steeple of San Nicolas Church, situated in the highest part of Buenos Ayres, was one year stricken and damaged by the lightning three times in four months. The rain which falls on the broad alluvial surface forms, in the lower levels, shallow lakes of great extent, communicating with the water-courses called *arroyos*, which are sluggish, muddy, natural ditches, scooped in the alluvial soil—in some parts, to the level of the clayey limestone-bed called *tosca*, which appears to form the substratum throughout the whole extent of the Pampas. These *arroyos* during the rains are full sometimes to the brink, but very soon subside again, and in dry weather leave their courses bare of water in many parts, while other parts present a series of muddy holes, beneath lofty perpendicular banks. The principal of these *arroyos* is called the Saladillo, or salt-stream, from the water being absolutely undrinkable. It is a remarkable thing, that the whole of the water found in the Pampas is brackish; and in hot weather it is most annoying, for drinking it only serves to increase the thirst of the traveller; but it is not unhealthy, and most probably is the contrary in its effects on the Gauchos, who pass entire months without any other nourishment than beef newly killed, without any salt to it, which, like bread, is considered a luxury on the Pampas. When rain has failed for a long period together, many spots become uninhabitable, and the settlers are obliged to remove; the lakes gradually dry up, and a growth of rushes overspreads their bottoms, serving as lairs for the pumas, who lie in wait for the cattle, that, perishing of thirst, with mournful lowing seek the remnants of green stagnant water which lies on the marly surface, thick as refuse oil, and swarming with myriads of musquitoes. Yet it has ere now been to the writer a sensation of extreme pleasure to dismount from a jaded horse, with his rude companions, and, taking the handkerchiefs which shaded our heads from the scorching sun, to spread them on the surface of such a gilded puddle, scarce an inch in depth, and thus suck away the moisture, while the whizzing insects buzzed around, as if in anger at our thus drying up their

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fishing-waters. As the water becomes gradually more scanty, the rushes wither—the dry pasture catches fire from the mouldering horse-dung, left burning by some chance traveller: the flame sweeps along, and, fading as fast as it advances, resembles a fiery knife-edge mowing the wide plains. As it passes by, the rushy oases are kindled, and fierce flashes mount upwards, with each breath of air, like the blasts of a volcano. The wild animals rush forth before the destroyer, and seek for a bare spot or the intersecting line of a stream, which may afford them shelter. But it is a fearful race for life or death, for the flying flame over the parched level mocks the speed of the swiftest horses of the plains. On some occasions a caravan of the straw-thatched waggons of the interior provinces is overtaken, and waggons, oxen and drivers perish together. We once beheld four drivers still living, who had thus been roasted alive. They had been laid in a shed with their burnt garments shrivelled into cinders on their skinless bodies, to live or to die according as the vital energy might conquer or succumb, for there was no help of medical skill to avail them.

If rain happens to fall soon after one of these conflagrations,* the verdure again springs up in exquisite beauty, manured by the ashes; but two succeeding years of drought serve to render vast districts a perfect desert. The cattle have perished and the inhabitants have fled away. When rain returns, the people also return, but it must be to begin the world anew. A fresh stock of horses and cattle must be carried with them. Against these fearful droughts there is no security, and it is evident that people living in such a state can be only partially civilized. Nor are we aware of any artificial means which can be adopted to remedy this want of water. The wells can only be supplied by land-springs, which must dry up when the lakes disappear; unless, indeed, any experiments should prove ultimately successful, of boring, through the *tosca* rock and piercing to the 'living fountains.' All the *arroyos* before-mentioned, which are of sufficient importance to need more than the sun's heat to drain them, discharge themselves into the great river Parana, and thence into the Plate. Along the banks of the Parana are situated several small villages, wherever the localities happen to be advantageous; as, though the pasture may fail, the water will not. Some of the 'English merchants'

* In the year 1832, the country in the neighbourhood of Buenos Ayres was so parched, that when the wind arose, clouds of dust obscured the noonday sun, and flocks of sheep were smothered in some parts, just as caravans are occasionally lost in the moving sands of the Arabian desert. When, after a long drought, rain fell, the first half hour the drops came down in the form of liquid mud, actually discolouring the white houses of the city.

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who have become possessors of *estancias* or cattle-farms in the province of Buenos Ayres, have gone to considerable expense in making embankments to retain the water in the low grounds; but this, even when successful, is not enough; for cattle require pasture as well as water, and such a country can yield no artificial means of making pasture grow without rain. On the banks of the main rivers, European skill may eventually do something for irrigation, by using windmills to pump the water upon the high banks, but this can only be to a very limited extent.

The limited capabilities of this province are, however, of very little importance. In its origin, Buenos Ayres was considered rather as a cattle-farm to Monte Video, than in any other light, and so long as rain is not lacking, nothing can be better than the unwooded saline pastures of the Pampas for such a purpose. It was the overland trade with the interior which made Buenos Ayres of importance, and caused wealthy establishments to rise in the stronghold of the mosquitoes. The *quintas* or gardens, and orchards, in the outskirts of Buenos Ayres, are very beautiful. They are planted with olives, and other trees, as oranges, lemons, vines, peaches, and plums; and they are each provided with a draw-well of considerable depth, some of which wells possess *norias* or bucket-wheels, moved by oxen or mules, in order to rescue the plants from the influence of the droughts. In these quintas the mosquitoes, and the small red insect called the chigua, are perfect nuisances.

Owing to various causes—the colonization plans being the chief—the foreigners in Buenos Ayres and its neighbourhood now amount to about twelve thousand, and their number is constantly increasing. About one-third of these are English, one-third French, and the remainder Germans, Swiss, and Italians. A large proportion of them are people of agricultural pursuits, and the uncertainty arising from droughts will ultimately cause them to settle further to the south along the coast of Patagonia, which is well adapted to wheat cultivation, or betake themselves to the Banda Oriental, or eastern shore of the River Plate, where Monte Video is situated. It seems as though the first rushing of the waters had formed a natural boundary between these districts, to mark their differing qualities more strongly. The province of Buenos Ayres is merely a cattle-pasture. The Banda Oriental, on the contrary, is a most glorious residence for human beings, an abiding not a sojourning place. The difference of the geological formation is the solution of the whole matter. The Buenos Ayres territory is a salt loam, bedded on a deep stratum of clayey lime,

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over a nearly dead level. The Banda Oriental, on the contrary, is a country of a most cheerful aspect; possessing hills and valleys, wooded ravines, and grassy slopes, granite and limestone rocks, and clear streams of water like crystal, running over pebbly and sandy beds, with that delicious murmur which the Gaucho of the Pampas never hears. And last, not least, it is free from mosquitoes, probably owing to the absence of swamps, and to the fact that the prevalent winds (from the south) blow over a broad surface of water ere they reach this favoured land. The shores moreover abound in small harbours for trading vessels; and the great water-way, which communicates with the heart of Paraguay in one direction, and almost with Upper Peru in another, must infallibly become thickly studded with towns and villages in all the eligible spots throughout its course. Monte Video, or some neighbouring spot, will ultimately become, to the interior, what Buenos Ayres has formerly been, and what Buenos Ayres never would have been had Spaniards, like Englishmen, been more sailors than soldiers. That such noble water-ways should so long have remained unused, and a miserable mode of land-carriage have been preferred to them, is indeed surprising, after making all allowance for the tedium of inland navigation without steam-power. The natural advantages of the Banda Oriental are now becoming daily more appreciated, and the current of emigration is setting towards it. New settlements are constantly springing up, and foreigners, more especially Englishmen, are becoming small landed proprietors, and establishing manufactories for the conversion of timber into various articles of general consumption which are too bulky for import.

As is the case in all the other provinces, the 'families' do what mischief they can in the revolution-mongering line. The latest squabbles for rule have been between Lavalleja and Frutoso Ribera. Lavalleja was the man who first raised the standard of revolt against the usurpation of the Brazilians, which resulted in the eventual emancipation of the Monte-Videans, by Buenos Ayres going to war with the Brazilians, and England becoming guarantee of a five years truce; after the expiration of which the inhabitants of the province are to elect whether they will belong to Brazil or to the federation of La Plata. In the meantime, an elected body of legislators restrains the arbitrary will of the governor: and the qualification for suffrage has one most important effect. No one is permitted to vote who cannot read and write. This throws the suffrage very extensively into the hands of the foreigners, and shuts out the more ignorant of the natives; and just thus it should be, for whenever the power of a nation resides in the hands of the least intellectual, that nation

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is infallibly condemned to political strife. The foreigners are the most orderly and commercially-enterprising people in the province; and their numbers are becoming too formidable for the natives to venture on playing unjust tricks with them, as is so commonly the case when isolated individuals set themselves down to acquire wealth amongst a multitude more barbarous and less skilful than themselves, and where not positive law but uncertain passions are paramount.

Were we asked to characterize the South Americans generally by one single quality, more prominent than any other in all their varied climates and situations, we should call them 'a nation of gamblers.' The Gaucho of the Pampas, who possesses no earthly property save his riding gear, will gamble that away, and the greater part of his rags of clothing, till he be in the deepest depths of Pampas poverty—to use their own expression, 'so poor that he has not even spurs.' The landholder will sell his cattle from his land, and gamble away all the dollars they produce; the small shopkeeper will gain money hardly by his trade, and lose it easily by a pack of cards. When the bodily wants of a human being are supplied, and he has no fear of wanting food or warmth, if he possess any mental energy, that energy must be set to work on some species of excitement, or it will prey upon him and make him vicious. The state of manners and customs which Spain gave to her American colonies left no legitimate or useful employment for energy. The subtle spirit of the Moorish blood could not lie dormant, and it chose to be vicious rather than to do nothing. We once heard a Chileno peasant discussing the qualities of his patron. 'Señor,' he said, 'my patron has no vices; he does not smoke, he does not drink, he does not gamble, and he does not intrigue.' These four occupations have bounded the circle in which South American energy has been at liberty to act. Drinking not being very prevalent, the other three have been the more pursued. Every South American smokes, if he can procure tobacco; intrigue is the main business of life, and gambling is the excitement. It is the same thing with many of the European aristocracies. They are placed beyond the fear of want, and in times of peace they intrigue in the season of youth and gamble in the period of age. In times of war they can procure other excitements; and thus it has been in South America since the period of the revolution. People would rather fight than be idle. Who are greater gamblers than the mass of soldiers and sailors during the intervals of service?

But when the capabilities of South America shall be fully developed, and brought into exercise, the excitements of com-

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merce and manufactures, and the breaking forth of thinking and reasoning minds, will furnish newer and better courses of action, and the stigma of gambling will be removed. We happened to be present in some of the mining districts during the bubbles of 1825, and marked the transition from the petty gambling of cards to the commercial scheming and trickery of mine-jobbing; and we much doubt if the annals of the London Stock Exchange could have furnished a sample of greater keenness, energy, and dexterity. Meanwhile, mental power, in whatever way exerted, is in itself a treasure. An engine may work much mischief by the power of its steam, if the gearing be out of order, but that is the fault of guidance only. If the engine be incapable of power, it is true it can do no mischief, but neither can it do good. And thus, too, energy in a people is a power, and a good, though it may, for a while, be turned to bad purposes occasionally. Having energy, we have the means of progressing; having it not, we are helpless, and must remain stationary, or revolve for ever in the same vicious circle. J. R.

Art. VII.

TITHES, AND THEIR COMMUTATION.

THE commutation of tithes in one fashion or other being at hand, it will be desirable to review briefly the principles which ought to influence our judgment on the matter. But the short space which our limits permit us, on this occasion, to devote to the subject, prevents us from including in the present article any exposition or illustration of those elementary principles, on the price of corn and the cultivation of land, which ought to be familiar to every person competent to form an opinion on the question. We must take for granted what is now admitted by all economists—that the price of corn depends upon the cost of producing it under the *most unfavourable circumstances* in which the present demand of the community requires it to be produced; and that the corn produced under those most unfavourable circumstances pays no rent.

These things being granted, the *law* of the operation of tithes is, we conceive, correctly laid down in the writings of Ricardo. The circumstance which distinguishes the payment of a tax on produce from the payment of rent, and altogether dissevers their effects, is this:—Under the burden or obligation of rent, the capitalist-farmer still remains *a free and unchecked capitalist in respect of all soil not yet cultivated, and of all the unevoked faculties of the cultivated soil;* but under a tax on produce he

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is *not* in this unfettered condition; he is brought into the position of a capitalist, who, before he can realize the usual profits in new enterprises, must in some way *shift the tax* falling on his commodity *upon the consumer*, or, in other words, *he must refrain from producing, until*, in virtue of an increased and more urgent demand, *the price of the article rise by the whole amount of the impost.* For instance, no farmer feels himself hindered, by the obligation to pay rent, from breaking up as much new soil as he pleases, or cultivating his already arable territory as much more completely as he pleases. All he asks or thinks of is, whether these enterprises would pay his expenses with the ordinary rate of profit, at our existing prices—40*s.* per quarter. But, if instead of rent, or, in addition to rent, he were burdened with a tax on produce—*tithe*, for example—it is manifest he could not cultivate, even if the existing price would pay. In consequence of that tithe, 4*s.* per quarter of the price would be taken away from him; and if it required the whole 40*s.* to constitute a due or ordinarily profitable return, the smallest degree of forethought would induce him to delay operations, and to refrain from further culture, until, in obedience to the increasing demand of society, prices should ascend and reach 44*s.* 5½*d.*

It is needless to enter farther into the theory of this matter, for the principle now brought out, involves the requisite consequences. The chief of them are as follows:—*First;* By the operation of tithe, the whole unbroken soil of a country, and the yet latent or unused powers of the soil already cultivated, are rendered of no more value, in respect of the *consumer*, than if they had been by one-tenth naturally more barren than they are; for in no case can they, or will they, be cultivated, until the exigencies of the consumer induce him to offer a price higher by one-tenth, than that which, under a free state of things, would have rendered their tillage profitable. *Secondly;* In a country depending on its own agriculture, this obstacle would be encountered at every step of advance, whether that step consisted in the actual breaking up of pasture, or in the application of an increased amount of capital, or of an improved mode of cultivation. So that, permanently, the price of corn will be one-tenth higher in that country because of tithe, than the price at which *the same amount of population* might have been supplied with food, had there been no tax on produce: and this is what Ricardo means when he states that tithe is paid by the consumer. *Thirdly;* The amount of rents, in *corresponding social epochs*, or under the same population, will manifestly be the same, whether the country is tithed or not. Rent is the whole

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gross produce of the ground, over and above due and usual returns to the capitalist-cultivator; and, since tithe, by proportionably augmenting price, adds one-tenth to the gross return from the soil, it is clear that if this tenth is paid to a third party, the proprietor of the soil will receive the same sum in the name of rent, whether produce be taxed or free.*

Mr. Ricardo has had the misfortune to be more misunderstood, and more seriously misrepresented, than any other modern political economist. Instead of his acute and profound speculations being received as the exposition of certain laws when acting uncontrolled, or in entire purity,—their results have sometimes been applied, without modification, to existing circumstances, where the laws in question act, indeed, but in union *with opposing or modifying laws*; and far oftener has he been severely criticized, and his authority summarily rejected, because his views, when thus thoughtlessly and unjustifiably applied, were found inconsistent with facts. Errors of the former kind have long ago disappeared under the sharp correction administered to them, but we have still to deal with the latter kind of misapprehensions. It is certainly a strange and novel proceeding in philosophical criticism, to refuse honour to the inquirer who traces the working of laws when pure and uncontrolled, merely because they are not found single or unmodified in the actual world—a proceeding somewhat discordant with the received canons in the sciences of experiment; where it is our main and most elevated aim, to determine the value of an unknown or undefined power, by isolating it successively from each of the powers with which, in nature, it exists and operates in combination. Were the result of such analysis only an abstraction, it were still a most interesting abstraction; but a degree of practical command flows from it, in reference to ex-

* The law just laid down, as well as all these consequences, equally hold in a country where (as in England) the land is not *all* tithed,—a case which has caused difficulty to economists. Supposing only half the land subject to tithe, it is evident that the culture of the untithed half will be considerably in advance of that of the tithed half. Untithed land will be cultivated which is more barren by one-tenth, than the worst quality of tithed land. Had there been no tithe, there would have been no inequality of cultivation: to obtain the same supply, culture would on all lands have stopped at some point *intermediate* between the two present limits, (the limit on the tithed, and that on the untithed land). Cultivation might then have stopped at land more fertile by one-twentieth than the extreme soil now broken up in untithed farms; and prices would thus have been lower by one-twentieth. The general body of consumers thus still pay all that is paid as tithe; but they of course pay only half a real tithe, because only half a real tithe is exacted. In regard to rent the conclusion also holds. The total rental of the country is unaffected; but the distribution of rent is affected. The proprietor of the untithed soil receives *more* than he would do in a free condition, and the proprietor of the tithed soil *less*. Abolition of tithe would not augment the total rental, but it would in such a case adjust and equalize the distribution.

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tensive orders of phenomena, with which no scientific inquirer is unacquainted. It must never be forgotten, that when laws or great principles act in combination, none of them are annihilated: they do not *destroy*, but intermingle and *modify* each other. A planet's projectile force operates in direct counteraction of the power of the sun's attraction, but is a knowledge of the latter unnecessary, and useless towards the determination of the orbit? The impulse of the powder tends to separate the bullet from the earth; but it is the conjoint action and controlling power of the law of falling bodies, which gives it its parabolic path. Ricardo was indeed a *theorist*,—precisely as Newton or Galileo was a theorist. In the complex practice and actual workings of National Economy, distinct general laws operate as authoritatively, although in union, as distinct dynamical principles in the phenomena of motion; nor can the effect of those laws, when acting in conjunction, be otherwise ascertained than by an accurate acquaintance with each when operating singly and separately.*

A right appreciation and correct application of the law sketched above, will enable us to determine easily the effects of the commutation of tithes in any actual case. By commutation is of course meant, the entire removal of the aforesaid checks and fetters from the capitalist-cultivator. Commutation must deprive tithe of *all power to impede or restrain the farmer in new enterprises*, or it is not worthy of the name. But if it so shifts or modifies tithe, that the impost shall henceforth no more hinder the cultivator in this way than rent does, the commutation will be effectual.† And in all situations and combinations of circum-

* Ricardo has had many ineffectual critics—none more ineffectual or less discriminating than the Rev. Mr. Jones. It is one great object of the truculent criticism of that gentleman's ingenious volume on rent, to demonstrate Ricardo mistaken in all he has written in regard to the influence of improvements in agriculture upon price. The cases supposed by the critic are those in which the improvement takes place so slowly, that the result is modified by the conjunct action of the law of advancing population. Of course the objections have no point; but even in the result of this joint action, Mr. Jones might have seen the influence and operation of the principles he rejects—*they shew how an increased supply has become possible, without an advance of price*. It is painful to be obliged to add, that by the infusion into abstract speculation, of a degree of feeling amounting almost to vindictiveness, political economy does not seem to be benefited. Is it necessary that when an inquirer goes out of the common road, the Church should always be the first to send the blood-hounds after him?

† In any proposed scheme of commutation, let it be especially noticed whether this release be completely effected. It is in fact the main point, in so far as our agriculture is concerned. The conversion of tithe into a tax on rent would evidently be quite effectual to this end: but it is by no means necessary that it be made a *fixed* or *invariable* sum, for it might rise and fall with rent, and yet, in the aspect in which it is now considered, be altogether innocuous. Commutation, by making tithe a *fixed proportion* of rent, varying periodically in *amount*, is quite admissible; and it is the more necessary to state this, as Lord Althorp, in introducing his English measure of

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stances, the occurrence of so signal an improvement will be followed by one important result. The gradations of soil, and of productive powers in the same soil, being gradual, the country in which commutation takes place, will, in consequence, have placed at its disposal, and rendered profitable, a large expanse of formerly shut-up or unprofitable pasture land, as well as the further powers of much inexhausted soil; or, in other words, it will have obtained the command of a great increase of produce without the necessity of an increase of price. Thus much follows immediately and irresistibly from the foregoing views; but if we would inquire farther, and open the important question as to the effect of this release of resources upon existing price, we must take observation of the individual country, and minutely discriminate its position.

If the country in question has neither dependence on, nor connexion with, foreign agriculture, this accessibility of new produce cannot, under the circumstances, fail to reduce price; and almost, if not wholly, by the amount of the tithe. The competition of farmers will necessitate this result. Nothing short of an universal *combination*, or, in modern phrase, a great Trades' Union, could hinder any farmer from taking advantage of the resources laid open to him; and such a combination is impossible. Were it otherwise, there is no hinderance *now* in the way of a union of British agriculturists with the aim of bringing wheat back to the 'pivot-price' of 60*s*. per quarter; but the idea is felt to be so chimerical, that no sane man would dream of entertaining it. In the event of commutation in such a country, the supply would be certainly and impetuously augmented; and price would be brought down through a glut. The extent and limit of the fall is obvious. Supposing the demand fully answered by the supply previous to this increase of resources, the declension of price would not stop until the supply were again restrained within former bounds; an event which would not supervene until the price had fallen one-tenth; for at nine-tenths of the former price the worst land previously cultivated would pay as well as before, and at any superior price other or new land would pay, and the supply therefore continue in excess. It is not improbable, that, during these operations, the demand of society would slightly increase, and constitute a necessity for a larger supply, in which case price would not fall

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last year, appeared to contemplate a continued obstacle to the advance of practical agriculture, in the fact that the *fixed proportion* left room for variation in the *amount*. In no manner could the apprehended evil follow from the intended provisions; unless in cases where the landlord is also virtual capitalist, and where, therefore, under the name of rent, profits, as well as rent properly so called, are included.

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by the entire tenth; but the difference does not invalidate our conclusions. The slight advance of permanent cultivation is, with all its consequences, independent of commutation of tithes. It would have accrued without the commutation; and its occurrence does not prove that, in a country circumstanced like the one referred to, the total abolition of tithe would act in any other way than as the *removal of a tax which bore only upon the consumer.*

But countries are seldom unconnected in respect of agriculture; and certainly Great Britain, in this respect, is *not* isolated. The influence of an increase of our available resources, upon existing price, is therefore not so clear; and must be sought for in more intricate combinations.

The price of corn in our markets is what algebraists call a *function* of two *variables*—the result or prospects of foreign harvests, and the result or prospects of British harvests. It were interesting to investigate and explain the prices of recent years on this principle—inquiring into the state and operations of the speculative foreign trade, and the productiveness of British agriculture, and awarding to each its due share of influence. Sometimes the one element would be found to have prevailed, and at other times the other element; but this fact would come out clearly and indubitably—the issue of our home harvest has of late years been the *preponderating* and almost wholly the *determining* circumstance. The change we are on the eve of, is one, be it remembered, which must increase the spring of our own agriculture, and therefore bestow additional power on an influence already in the ascendant. Commutation, then, cannot fail to impress a farther movement upon the recent direction of prices:* and they will at least fall, sufficiently to remove the existing good fortune of the consumer from all risk of being interfered with by bad seasons. The tendency farther downwards, without doubt, will give duration to the fall which has already taken place.

It is thus clear that two distinct considerations mark out the policy of Great Britain in reference to this impost. In the first place, the release of our agricultural resources would *not* reduce price by the entire amount of tithe; so that a measure of abolition would not operate exclusively as the *repeal of a tax on the consumer.* And this happens, not because of

* It is evident that, after the abolition of tithe, an increased production would be possible under a lower price. The lowest tithed land now cultivated could still be cultivated although the price declined an entire tenth; and if it did not decline an entire tenth, as it probably would by no means do, soils now unbroken might be taken in.

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error in the law laid down by Ricardo, nor altogether on account of its inapplicability, but because it does not act in our case *purely* and *singly*,—it exists in union with our partial dependence on foreign supplies, and operates conjointly with the action of that dependence. To the influence of this latter cause it is owing that prices will not decline so far; they may, in fact, have little more than a *tendency* downwards, and the change may have the mere effect of *fixing* them for a series of years at their present rate,—a rate in the mean time, tottering and unstable, on account of its close connexion with very fine seasons. The present surplus revenues of land, then, would not be perceptibly, if at all, reduced, in consequence of the effectual release of our agriculture; and therefore that part of the surplus which passes under the name of tithe, would exist still, and be available to the nation. Abolition of tithes would, in such circumstances, augment rent precisely by the amount of the tithe; and a good measure of commutation will therefore *impose an equivalent tax on rent*. After observing whether the commuting measure effectually releases the farming-capitalist from all obstacle in the way of the extension of his enterprises, *this* ought to be regarded as the *second essential*. Resignation of any part of the tithe would, in our circumstances, simply augment the rent-rolls of the proprietary, and suffer the absorption by individuals of a portion of the national funds.* And even if it could be shown that the abolitiou of tithe would materially bring down price, the discussion of the propriety of 'compensating' the landlord might safely be referred to the period of the final settlement of the question concerning that 'protection,' which he has placed and carefully preserved between himself and all *possible* public grievances.

But, *secondly*, the influence actually exerted by 'the law of tithes,' even in its modified or obstructed state, must not be overlooked or unmet. If it be neglected, we shall legislate for only half the case, and account will not be taken of an opportunity to reduce into a manageable form that question, which, more than any other, divides and disorganizes British society. Although commutation of tithes will not be accompanied by a serious, or perhaps even a perceptible reduction of price, it will

* The necessity for a deduction of 40 per cent. on commutation in Ireland, as proposed last year, was by no means made out. No consideration arising from the *present application* of these funds ought to be allowed to influence the judgment in discussing this question. The inquiry should be, will the landlords get the 40 per cent. or will they not. If they will, it ought to be exacted from them; and if they will not, let it be distinctly explained why. Scarcely any sacrifice for the pacification of Ireland could be accounted too much; but the sacrifice should not be in the shape of a *bonus* to her *landlords*.

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assuredly cause the permanence of low prices—*the stability of our present irresolute and almost fortuitous state of prices, for a period of years.* Now this immediately points to a modification, or rather an adaptation, of the Corn Laws. To establish the propriety of such a measure, it is not necessary to raise the question of free-trade at all. The principle involved in free-trade—held by its advocates as the indefeasible right of the subjects of any free commonwealth, because the immediate consequence of just and equal laws—will of course never be given up until realized and acted on by all nations; but in the case now referred to, that principle is not involved—it is in abeyance. The change in view may be demanded, strictly on what are termed 'practical' grounds. If the average price is in reality 40*s*., what more ridiculous than an act assuming it at 60*s*.? If the act signifies nothing beyond *protection* to agriculture, how absurd that its provisions take no account of the actual state of agriculture. As 'protection,' nothing more can be asked than a law *securing the existing average price against foreign influence;* and the provisions of the existing corn-law must be modified, so that a future rise above 40*s*. be prevented by the admission of foreign supplies. Observe the vantage-ground on which the advocates of such a change will stand. That disastrous throwing out of cultivation — that destitution of labourers—those embarrassments of farmers—on which the Barings can be so eloquent; that profitless sale of farm utensils pourtrayed with so great pathos by the Sadlers; all these and every other of the fearful consequences of the curse of cheap food, will have taken place of themselves, and in virtue of natural causes. An adjustment of actual interests will have *preceded* the demand for a change of the legislation affecting them. The *innovation* is altered into an *adaptation;* and the propriety of granting it follows from the impropriety of *disturbing* those interests. And if the corn-law be not modified, what will be the consequence?—*The banishment of stability from agriculture, and a new period of vacillation.* Let the selfish and blind individuals who could venture to hazard such an experiment be saved from the effects of their folly! Price unquestionably *would* rise: under an unchanged corn-law and an increasing population, food could not remain at the present prices for many years, notwithstanding our new resources: but is the dream indulged that the elevation would be permanent? Is it fancied, that in the existing state of the commerce of the world this country *could,* although she were willing, endure a renewal of high prices? The fancy is most vain, and the consolation of

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none but vain minds. Vigorous efforts on the part of the intelligent will discomfit all such opposition, and easily secure a great and permanent benefit for their country; and the accomplishment of this ought to be regarded as a *third essential* to good policy at the present time.

In the foregoing sketch no direct notice has been taken of any of the numerous objections brought against the opinion entertained on this subject by our best economists. They are almost all resolvable into a fallacy which might reject the law of rectilineal motion, because pure rectilineal motion is scarcely ever observable; and they have been answered by implication. But a criticism has been brought forward by Mr. Senior and Archbishop Whately, which points to a new truth of great importance, and is therefore to be distinguished from all others. The following is the Archbishop's statement of it:—'I believe that when tithes have long existed, they have no influence on the price of corn; their effect, in this respect, appears to me no greater than would follow if we suppose the country in which they exist to have been originally somewhat smaller than it is, or to have had lakes covering certain districts which are actually fertile valleys. If England, again, had been larger than it is —if, for instance, the Goodwin sands were, and always had been corn-fields, no one will maintain that corn would have been cheaper. We should have had rather more corn absolutely, and a rather larger population, and rather a larger aggregate amount of rent; but the price of corn and the rate of rent had been just what they are . . . . I apprehend that the opinion that tithes fall on the consumer is founded on a confusion of the immediate effects of the sudden imposition or sudden removal of tithes, with the ultimate and permanent effects of tithes after they have long existed.' The archbishop's doctrine is to this effect, that although in *any given social epoch*—*i. e.*, with a given amount of population—tithe keeps the price of food a tenth higher than it otherwise would be, and therein operates precisely as a blight to an equal extent, or a curse of barrenness pronounced upon the land; yet had tithe not existed, the country would *at the present time* have been in a *more advanced* social epoch, and by virtue of an increased amount of population, have come to press as closely as at present on its resources. Now this does not affect the truth of the Ricardo doctrines in any way; for these refer not to *chronological* but *social* epochs; and the archbishop, as well as Mr. Senior, frankly acknowledge, that by the abolition or commutation of tithes, the *existing population* might at any time

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be relieved. But the opinion involves, nevertheless, a truth of paramount moment. If, as is most certain, pressure upon the productive classes—the *pioneers* of society—necessarily retards the march of society; what must result, more or less, from all schemes of taxation which press on these pioneers, and therefore restrain society's advance? The revenue termed rent, is unlike all other revenues, and subject to very peculiar laws. It is not occasioned nor increased by the efforts of the individuals who possess and enjoy it:—it is *thrown up*, as it were, by causes independent of them; *it increases involuntarily as society proceeds*. Taxation upon profits and wages, then, not only presses upon the owners of profit and wages, but impedes the growth of rent also: and if the burthen had not been laid upon profits and wages, an amount of rent might have arisen in a brief time, sufficient to pay it all. This truth is as unquestionable as it is momentous; and when duly surveyed, defined, and adapted to circumstances, it ought to be received as the central and directing truth of every system of philosophical finance.

J. P. N.

Art. VIII.

Musical Reminiscences; containing an Account of the Italian Opera in England from 1773. *4th edit. Continued to the present time, and including the Festival in Westminster Abbey. By the Earl of Mount Edgcumbe. London: Andrews;* 1834. p. 294.

THE first edition of this work was published seven or eight years ago; but being brought down to the present time, we may regard it as a new publication.

The Italian Opera is an affair that wants reforming; but after the signal failure of a professing reformer, three seasons ago, no one will again make the profession for fifty years to come with the slightest chance of obtaining belief that the promise will be fulfilled.

Lord Mount Edgcumbe's Reminiscences extend over a period of sixty years—a term nearly equivalent to one-half of the entire existence of the Italian Opera in England; and in the conclusion of them he thinks that, in every point of view—music, poetry, singers, audience—the Italian theatre in England has changed for the worse. 'First impressions,' he says, 'are the most lasting.' This is true; and they are also the most agreeable. There is no one object to which we have

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attached sufficient interest to make it an uniform pursuit, of which we may not say with Byron—

> 'No more, no more, oh! never more on me
> The freshness of the heart can fall like dew,
> Which, out of all the lovely things we see,
> Extracts emotions beautiful and new,
> Hived in our bosoms like the bag o' the bee.
> Think'st thou the honey with those objects grew?
> Alas! 'twas not in them, but in thy power
> To double e'en the sweetness of a flower.'

Herein lies the foundation of the *laudatio temporis acti*, which is inseparable from advancing years in all cases but in that of the philosophical few, who are satisfied that 'every generation grows wiser and wiser,' and that the progress of the useful in one way is more than a compensation for the loss of the agreeable in another. We shall not discuss in this place how far the useful and agreeable are identical or opposite. Medicine is useful, and not agreeable; and it may, at some periods, be very desirable for the ultimate benefit of mankind that they should be subjected to a course of moral and political medicine, drenched with mental cathartics, and restricted, for their greatest indulgence, to potations of intellectual toast and water. This we shall not gainsay; but our present business is with an article of mental luxury, in which we shall restrict our view of the useful to that which is useful for the accomplishment of the object proposed, leaving the great question *de finibus* to those who have already settled it to their own satisfaction.

The object proposed by the Italian Opera is to present the musical drama in the most perfect possible form. To this end there must be, in the first place, a good drama: an interesting story, intelligibly told in good poetry, and affording ample scope for strong and diversified expression: good music, adapting the sound to the sense, and expressing all the changes and trains of feeling that belong to the ideas and images of the drama: good performers—persons of good figures and features—picturesque in action, and expressive in countenance—with voices of fine tone and great power, having true intonation, scientific execution, and above all, or rather as the crown of all, expression—expression—expression: the one all-pervading and paramount quality, without which dramatic music is but as a tinkling cymbal: elegant and appropriate dresses—beautiful scenery—a chorus, each of whom should seem as if he knew that he had some business of his own in the scene, and not as if he were a mere unit among thirty or forty automata, all going like clock-work by the vibrations of the

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conductor's pendulum: a full orchestra of accomplished musicians, with a good leader—and especially without a conductor keeping up, in the very centre of observation, a gesticulation and a *tapage* that make him at once the most conspicuous and most noisy personage in the assembly, distracting attention from the sights and sounds that ought exclusively to occupy it—an affliction to the eye, and a most pestilent nuisance to the ear. But, with all this, there should be (as there used to be) an audience regulating its costume and its conduct by the common conventional courtesies of evening society; not with men wearing hats among well-dressed women, and rubbing dirty boots against white petticoats; nor with an influx of late comers, squeezing themselves between the crowded benches, and sitting down in the laps of their precursors, as we have both seen and suffered. We are aware that some advocates for universal liberty think that the morning liberty of the streets should be carried into all evening assemblies; but, looking back to the Athenians, we cannot consider that cleanliness and courtesy are incompatible with the progress of freedom and intelligence.

Now, by following out the principal points which we have enumerated a little in detail, we shall see what we have had, and what we have wanted—what we are likely to have, and what we are likely to continue to want—for the bringing together of the constituent portions of a perfect musical drama. Lord Mount Edgcumbe touches all these points. We shall content ourselves, on the present occasion, with citing a few of his observations, and expressing our own opinions in a subsequent commentary:—

'The opera in England, for the period of ten years after the departure of Catalani, will afford much less room for observation than any of the preceding, as far as the singers are concerned; for, with one or two exceptions, there were not any of whom I feel inclined to say much, because there is not much to be said in their praise. But so great a change has taken place in the character of the dramas, in the style of the music, and in its performance, that I cannot help enlarging a little on that subject before I proceed farther.

'One of the most material alterations is, that the grand distinction between serious and comic operas is nearly at an end, the separation of the singers for their performance entirely so. Not only do the same sing in both, but a new species of drama has arisen, a kind of mongrel between them, called *semi-seria*, which bears the same analogy to the other two that that non-descript the melo-drama does to the legitimate tragedy and comedy of the English stage. The construction of these newly-invented pieces is essentially different from the old. The dialogue, which used to be carried on in recitative, and which in Metastasio's

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operas is often so beautiful and interesting, is now cut up (and rendered unintelligible if it were worth listening to) into *pezzi concertati*, or long singing conversations, which present a tedious succession of unconnected, ever-changing motivos, having nothing to do with each other, and if a satisfactory air is for a moment introduced, which the ear would like to dwell upon, to hear modulated, varied, and again returned to, it is broken off before it is well understood or sufficiently heard, by a sudden transition into a totally different melody, time, and key, and recurs no more: so that no impression can be made, or recollection of it preserved. Single songs are almost exploded, for which one good reason may be given, that there are few singers capable of singing them. Even a prima donna, who would formerly have complained at having less than three or four airs allotted to her, is now satisfied with one trifling cavatina for a whole opera.

'The acknowledged decline of singing in general (which the Italians themselves are obliged to confess) has no doubt, in a great measure, occasioned this change. But another cause has certainly contributed to it, and that is the difference of the voices of the male performers. Sopranos have long ceased to exist, but tenors for a long while filled their place. Now even these have become so scarce, that Italy can produce no more than two or three very good ones. The generality of voices are basses, which, for want of better, are thrust up into the first characters, even in serious operas, where they used only to occupy the last place, to the manifest injury of melody, and total subversion of harmony, in which the lowest part is their peculiar province.

'These new first singers are called by the novel appellation of *basso cantante* (which, by the bye, is a kind of apology, and an acknowledgment that they ought not to sing), and take the lead in operas with almost as much propriety as if the double bass were to do so in the orchestra, and play the part of the first fiddle. A bass voice is too unbending, and deficient in sweetness for single songs, and fit only for those of inferior character, or of the buffo style. In duettos, it does not coalesce well with a female voice, on account of the too great distance between them, and in fuller pieces the ear cannot be satisfied without some good intermediate voices to fill up the interval, and complete the harmony. Yet three or four basses now frequently overpower one weak tenor, who generally plays but a subordinate part.'—pp. 118-123.

We shall begin with the drama itself—the dramatic poem, the libretto.

Rousseau has admirably described what the lyrical drama ought to be:—

'On sentit qu'il ne falloit à l'Opéra rien de froid et de raisonné, rien que le spectateur pût écouter assez tranquillement pour réfléchir sur l'absurdité de ce qu'il entendoit; et c'est en cela surtout que consiste la différence essentielle du drame lyrique à la simple tragédie. Toutes les délibérations politiques, tous les projets de conspiration, les expositions, les récits, les maximes sentencieuses, en un mot, tout ce qui ne

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parle qu' à la raison, fut banni du langage du cœur, avec les jeux d'esprit, les madrigaux, et tout ce qui n'est que des pensées. Le ton même de la simple galanterie, qui cadre mal avec les grandes passions, fut à peine admis dans le remplissage des situations tragiques, dont il gâte presque toujours l' effet: car jamais on ne sent mieux que l' acteur chante, que lorsqu' il dit une chanson.'

The business, indeed, of the lyrical dramatist is to present, with the most perfect simplicity, the leading and natural ideas of an impassioned action, divested of all imagery not arising from spontaneous feeling. A heroine in distress must neither demonstrate her misery by an accumulation of evidence, as in an old French tragedy, nor dress it out in a complication of heterogeneous figures, as in a modern English song, in which everything is illustrated by a chaos of images which never met in the organized world: for instance, in a Venetian serenade, in the opera of Faustus—

> 'Lucy dear, Lucy dear, wake to the spring,
> Hark! how the village-bells merrily ring.'

Village bells in Venice! and, moreover, peculiar to the spring—a sort of tintinnabulary efflorescence, characteristic of the season, like the cowslip and the cuckoo! Or in a song which we have heard Braham sing fifty times,—

> 'Is there a heart that never loved,
> Or felt soft woman's sigh?
> Is there a man can mark unmoved
> Dear woman's tearful eye?
> Go bear him to some desert shore,
> Or solitary cell;
> Where none but savage monsters roar,
> Where man ne'er deign'd to dwell.'

Here is a solitary cell, of which the grievance is, not that none dwell in it, but that none roar in it except savage monsters, whose presence makes it solitary. Or in a song which we have heard as often from half-a-dozen female singers,—

> 'Meet me by moonlight alone,
> And then I will tell you a tale
> Must be told by the moonlight alone,
> In the grove at the end of the vale.
> You must promise to come, for I said
> I would show the night-flowers their queen:
> Nay, turn not away that sweet head,
> 'Tis the loveliest ever was seen.'

The reason for the lady meeting the gentleman by moonlight is, that he has promised to show the night-flowers their queen, videlicet herself; and the lady must do something very incon-

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gruous, because the gentleman must keep his word with the night-flowers.

We have put down these specimens from memory. They are the first that occur to us, but they are fair samples of modern English musical poetry—astounding and impertinent nonsense—answering no purpose, if it happens to be heard, but to distract the attention from any degree of natural feeling and expression which may belong to the music or the voice. We had much rather that the words were in the language of Otaheite. We could then at least guess at something that suited the music.

The poetry of the Italian Opera is quite the contrary of all this. It gives, with little or no ornament, the language of passion in its simplest form: a clear and strong outline to be filled up by the music: which is itself the legitimate ornament and illustration of the leading ideas and sentiments of the scene. The essentials of style, in the composition of dramatic poetry for music, are simplicity and severity. It may be said, that the same rhymes and phrases are of constant recurrence; but though they are the same to read, they are not the same to hear. The cor and amor, fedeltà and felicità, of Desdemona, are not those of Medea. The music paints the difference. There is nothing in any Italian libretto at all resembling the egregious rigmarol of our modern English songs.

To illustrate what we have said, and to avoid even the appearance of selection, we will point to the words of Rubini's most popular airs: "Ah! così ne'dì ridenti," and 'Vivi tu, te ne scongiuro' in Anna Bolena: 'Pasci il guardo' in La Sonnambula—and 'Tu vedrai la sventurata' in Il Pirata. We will quote a few lines from two of them:—

'Nel veder la tua costanza
Il mio cor si rasserena:
Non temea che la tua pena,
Non soffrì che il tuo soffrir.
L'ultim 'ora che s' avanza
Ambidue sfidar possiamo,
Che nessun quaggiù lasciamo
Nè timore nè desir.' ANNA BOLENA.

'Ma non fia sempre odiata
La mia memoria, io spero;
Se fui spietato e fiero,
Fui sventurato ancor.
E parlerà la tomba
Alle pietose genti,
De' lunghi miei tormenti,
Del mio tradito amor.' IL PIRATA.

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These are fair specimens of Italian airs, and serve to prove what we have alleged respecting the simplicity and even severity with which the leading ideas are presented unencumbered with ornament. Our old English songs were models of simplicity, but our modern songs are almost all false sentiment, overwhelmed with imagery utterly false to nature, like the night-flowers and solitary-celled monsters quoted above. Mr. Moore, with his everlasting "brilliant and sparkling" metaphors, has contributed to lead the *servum pecus* into this limbo of poetical vanity: but the original cause lies deeper: namely, in a very general diffusion of heartlessness and false pretension. We will not now pursue the investigation—but as we are speaking of English theatrical songs, we will observe, that the introduction, always objectionable, of airs not belonging to the piece, is nevertheless usually managed on the Italian stage with a certain degree of contrivance, and fitted by a new scena into the business of the drama. The same thing is done in English operas, in a manner marvellously clumsy and inartificial. For instance, Henry Bertram, in Guy Mannering, loses his way among rocks, expects to be attacked by thieves—resolves to fight manfully—recollects how manfully Nelson fought at Trafalgar, and strikes up—"'Twas in Trafalgar bay!"

A singular instance of the obtuseness of our English opera song-makers occurs in the opera of Rob Roy. Some of Wordsworth's verses were adopted, including the well-known passage,

> 'the good old rule
> Suffices them; the simple plan,
> That they should take who have the power,
> And they should keep who can.'

The opera-wright thought it would improve these verses to make the first and third lines rhyme, and actually altered them as follows:

> 'the good old maxim still
> Suffices them; the simple plan,
> That they should take who have the will,
> And they should keep who can.'

He could not see the essential difference between the *will* and the *power* in this matter of taking.

Lord Mount Edgcumbe quotes a passage from Schlegel's Lectures:—

'A few only of the operas of Metastasio still keep possession of the stage, as the change of taste in music demands a different arrangement of the text. Metastasio seldom has chorusses, and his airs are almost always for a single voice: with these the scenes uniformly terminate, and the singer never fails to make his exit with them. In an opera we now require more frequent duos and trios, and a *crashing* finale. In

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fact, the most difficult problem for the opera poet is the mixing the complicated voices of conflicting passions in one common harmony, without injuring their essence: a problem however which is generally solved by both poet and musical composer in a very arbitrary manner.'

And adds—

'The consequence of this is that all the new dramas written for Rossini's music are most execrably bad, and contain scarcely one line that can be called poetry, or even one of common sense.'

This sweeping condemnation is by no means merited. Some of Rossini's libretti are detestable enough; but there is much good dramatic poetry in some of them, Tancredi and Semiramide especially. It is true, that in these dramas the Italian poet had only to condense the essence of Voltaire's tragedies, but the task is well executed. The libretto of Donizetti's Anna Bolena is an excellent dramatic poem.

It is seldom that we are enabled to judge fairly either of an Italian libretto, or of the music of an opera as a whole. For example, in 1832 Mr. Monck Mason professed to bring forward Pacini's Gli Arabi nelle Gallie. He first cut it into halves, and put the second half aside, or into the fire. He then cut away the beginning and substituted that of Rossini's Zelmira. He then tacked a strange air, we forget from whence, to the middle, by way of an end, and thus presented to the public both author and composer literally without head or tail. The critics discovered that the drama was nonsense, and that much of the music was stolen; and Pacini and his poet bore the blame which belonged to the manager. This mode of murdering reputations ought to subject the offender to an action for damages. 'I was induced, unfortunately,' says Lord Mount Edgcumbe, 'to go one night to see Gli Arabi nelle Gallie, a very poor opera by Pacini.' What he saw was poor enough, but it was not Pacini's opera. In the same season Bellini's La Straniera, which has much beautiful melody, and an interesting and intelligible story, founded on the Vicomte d'Arlincourt's L'Etrangère, was presented in such a chaotic fashion, that the intentions of both poet and composer remained an unfathomable mystery.

These liberties are taken more or less with the works of all masters, from the greatest to the least. Mozart himself does not escape them. Interpolation indeed he does escape. The audiences of the King's Theatre are justly strict in this one point only, that they will not permit the sewing on of an extraneous purple shred to any of his great and sacred textures. But garbled and mutilated his works are abominably, to fit the Procrustean bed of an inadequate company, or to quadrate with the manager's notions of the bad taste of the public. A

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striking instance of this is in the invariable performance of Il Don Giovanni without its concluding sestetto. Don Juan's first introduction to a modern English audience was in a pantomime (at Drury Lane we believe), which ended with the infernal regions, a shower of fire, and a dance of devils. Mozart's opera has, properly, no such conclusion. Flames arise—a subterranean chorus is heard—Don Juan sinks into the abyss—the ground closes above him—Leporello remains on the stage: a strongly-marked modulation leads from the key of D minor into that of G major, with a change from common time andante to triple time allegro assai; and the other characters, ignorant of the catastrophe, rush in to seek their revenge:

'Ah! dov' è il perfido,
Dov' è l' indegno? &c.'

Leporello explains the adventure, and after a general exclamation, a solemn pause, and an exceedingly sweet larghetto movement, in which the dramatis personæ dispose of themselves, 'Or che tutti, o mio tesoro,' the opera is wound up by a fugue in D major—'Questo è il fin di chi fa mal:' one of the very finest things in dramatic music, and the most appropriate possible termination of the subject; and yet is this most noble composition, this most fitting and genuine conclusion, sacrificed to a dance of devils flashing torches of rosin, for no earthly reason but that so ended the Drury Lane pantomime.

Le Nozze di Figaro and Il Flauto Magico both require a better and more numerous company than is ever assembled in this country. If we have in the former an Almaviva, a Figaro, a Contessa and a Susanna, it is the usual extent of our good fortune. We have seldom an endurable Cherubino; Marcellina is generally a non-entity: Barbarina always so; Bartolo, Basilio, and Antonio take their chance, which is seldom good for any of them, and never for all; and Don Curzio is for the most part abrogated.

Il Don Giovanni and Le Nozze di Figaro are both specimens of excellently-written libretti, separating most effectively the action and passion from the ratiocination of the originals; but we have seen the latter especially performed in such a manner, that if we had known nothing of it but from the representation, we should have found it incomprehensible; and this sort of experiment on things which we know well should make us cautious of pronouncing summary judgment on things of which we know nothing but from the showing of the King's Theatre.

Il Flauto Magico is a well-written libretto, but the subject is too mystical to be interesting, or even generally intelligible; and this is a great drawback on its theatrical popularity, which has never approached that of the Giovanni and Figaro, though

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the music exhausts all the fascinations of both melody and harmony, and may be unhesitatingly cited as the absolute perfection of both. It requires more good singers than either of the others, and it requires them the more imperatively, as it depends more exclusively on the music. It requires seventeen voices besides the chorus. The music which is assigned to the three nymphs and the three genii is almost supernaturally beautiful: for this alone there should be six good voices, and there are, without these, six principal and five secondary parts. We may therefore despair of ever hearing this opera performed as it ought to be.

The works of Italian composers do not require, in any instance that we remember, so many performers. Those of the most modern composer of any name—Bellini—are singularly restricted in their principal parts. He seems to endeavour to defend himself against the caprices and jealousies of the performers by giving them nothing to quarrel about. A prima soprano, a primo tenore, a primo basso, and the ordinary components of a chorus, can perform his Pirata. There can be no dispute here about pre-eminence, but the general effect is necessarily meagre. But the progress of self-conceit among singers has made this result inevitable. A prima soprano is now to be found everywhere, and a seconda nowhere; and though many who assume to be first are scarcely fit to be second, they will not be content with what they are fit for, but will be first or nothing. There appears to be this great difference between a German and an Italian company—that the Germans will co-operate to the production of general effect, and the Italians will look to nothing but their own individual display. We have seen, in a German opera, the same person taking a principal part one night, and singing in the chorus the next. We have seen the same with the French; but with the Italians this never occurs. A German author and composer may therefore give fair scope to their subject; but the Italians must sacrifice everything to their company, and all in vain, except for the first production—for to the whims and inefficiency of every new company the unfortunate opera must be refitted and garbled. Bellini's is the true plan for his own reputation. A soprano, a tenor, a bass, and a chorus, there must be in every company, and they can have nothing to quarrel for; but the musical drama must be ruined if this were to become the rule of its construction. And the scheme, after all, is not always successful: for in 1830 the prima donna transposed the middle and end of Il Pirata, in order that she might finish it herself instead of the tenor.

'Ma femme, et cinq ou six poupets,' will not make a company

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in the opinion of any one but Catalani's husband. No one, indeed, who has seen and heard Catalani, or Pasta, or Malibran, or Giulietta Grisi, would willingly dispense with one such prima donna; but the single star should not be worshipped exclusively to the sacrifice of the general effect. She can be but a component, however important, part of it; and if the general effect fails, the star will fall.

But with us, though the star cannot shine if the general effect be bad, no general effect, however otherwise excellent, will produce attraction without a star. In 1832, though the star of the French opera of Robert le Diable (Madame Cinti) was but one of the fourth magnitude, yet with her eclipse the opera fell. We thought the general effect improved by the substitution of Mdlle. Schneider, but the public resolutely abstained from sitting in judgment on the question. Madame Cinti's voice was not powerful—Mdlle. Schneider's much less so: both had sweetness and good execution; but Madame Cinti was as cold as an icicle, and Mdlle. Schneider was all feeling and expression. For example, in the Princess Isabella's duet with her lover Robert, in which he begins—

> 'Avec bonté voyez ma peine
> Et mes remords,
> Et n'allez pas par votre haine
> Punir mes torts,'

the princess echoes the words, 'Et vos remords!' 'Punir vos torts!' In Madame Cinti's performance we had merely the musical echo: in Mdlle. Schneider's we had an expression of the deepest tenderness. Her 'Et vos remords' seemed to imply that his remorse was an expiation of his offences: her 'Punir vos torts' seemed to imply, that for her to punish his offences was impossible. Now this is the expression which is the soul of music, of which Madame Cinti had not a particle, and of which Mdlle. Schneider was full to overflowing; but everybody went to hear Madame Cinti, and nobody went to hear Mdlle. Schneider. We formed our secret opinion in the solitude of an empty theatre, and now communicate it to the public in especial confidence.

We do not agree in opinion with Lord Mount Edgcumbe that the decline of singing in Italy has conduced to the composition of melodramas and the frequency of pezzi concertati. There has been an increase of excitement in the world of reality, and that of imagination has kept it company. The ordinary stage deserted the legitimate drama for melo-drama before the musical stage did so. The public taste has changed, and the supply of the market has followed the demand. There can be no question that Rossini's music is more spirit-stiring

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than Paësiello's, and more essentially theatrical: more suited to the theatre by its infinite variety of contrast and combination, and more dependent on the theatre for the development of its perfect effect. We were present at the first performance of an opera of Rossini's in England: Il Barbiere di Siviglia, in March, 1818. We saw at once that there was a great revolution in dramatic music. Rossini burst on the stage like a torrent, and swept everything before him except Mozart, who stood, and will stand, alone and unshaken, like the Rock of Ages, because his art is like Shakspeare's, identical with nature, based on principles that cannot change till the constitution of the human race itself be changed, and therefore secure of admiration through all time, as the drapery of the Greek statues has been through all the varieties of fashion.

Whether singing in Italy has declined is another question. Lord Mount Edgcumbe received his first impressions in the days of 'the divine Pacchierotti.' We, who received ours at a later period, cannot sympathize with him in his regret for the musici. We are content with such vocal music as the natural voice will allow us; we listen with unmixed pleasure to such a basso as Tamburini. The whole compass of the human voice finds its appropriate distribution in concerted music, otherwise the distribution is wrong, and not the principle of admitting the bass voice. The basso-cantante does not take the lead in the pezzo-concertato, any more than the double bass takes the place of the first fiddle in the orchestra. The one has its proper place in the instrumental, and the other in the vocal distribution. And if much of the dialogue which was formerly carried on in recitative is now carried on in concerted music, it is because it is found more agreeable and more suited to the changes and varieties of passion, and is at the same time readily followed by the majority of the audience, who would now find an old opera consisting of only recitative and single airs, with at most one or two duets, or a duet and a terzetto, a very insipid production. The favourites of a century, or even half a century back, could not be successfully reproduced without ripienimenti.

Lord Mount Edgcumbe's first impressions make him partial to thin and shrill tones. This is evident to us, in his praise of Camporese and Caradori; but with the decline of the musici, a fuller volume of tone in the female voice has been more and more required to satisfy the ear in concert with tenori and bassi. Tosi, the idol of Naples, with her soprano-sfogato voice, was not endured in England in 1832. The perfection of our domestic musical instruments has also contributed to this result. We have lost all relish, and even all toleration, for the

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tone of the harpsichord, since we have received our first ideas from that of the piano-forte.

A good opera well performed is a great rarity with us. Good operas there are in abundance; but there are seldom either sense or knowledge in the management to select them, or power or good-will in the company to do them justice. The best singers come here for only a portion of the season: they sing morning, noon, and night, at concerts; they have no time to rehearse. The manager has collected stars, but not a company: there is a soprano too much, and a contralto too little—a tenor wanting, and a basso to spare: they patch up a performance as they may—altering, garbling, omitting, interpolating—and the result is, a bad concert instead of a good opera. A good opera is a whole, as much in the music as in the poetry, and cannot be dislocated and disfigured by omissions and interpolations, without destruction to its general effect.

Lord Mount Edgcumbe justly observes that

'a mean economy prevails in all the inferior departments, with regard to secondary singers, the chorus and orchestra: the scenery, decorations, and wardrobe, are in every respect unworthy of the largest theatre in the country.'—p. 176.

But the enormous expense of the principal singers and dancers would not alone render this mean economy necessary, if it were not for the enormous rent exacted for the house. By a rough calculation which we made the other day, it appeared to us that the Italian Opera has been carried on in England for about a century and a quarter, at an average net loss of 5000*l.* a year; but of late years the Opera has yielded what would have been a liberal profit to the proprietors of the theatre, if it had been carried on by the proprietors, and not by a lessee, saddled with a disproportionate rent.

Lord Mount Edgcumbe reprobates the novel introduction of a conductor into the orchestra, not playing himself but beating time with a noisy bâton. Assuredly our Italian opera conductor verifies the remark of Dr. Burney:—

'Rousseau says, that the more time is beaten the less it is kept; and it is certain that when the measure is broken, the fury of the musical general, or director, increasing with the disorder and confusion of his troops, he becomes more violent, and his strokes and gesticulations more ridiculous in proportion to their disorder."—p. 235.

Lord Mount Edgcumbe makes some observations on the change which has taken place in the appearance and conduct of the audience of the King's Theatre, which we fully agree with him is a change altogether for the worse. We confess we have

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a prejudice in favour of sitting at our ease among well-mannered company, and we have been elbowed and annoyed out of all endurance of the pit at the Opera. Amongst the principal causes of this change is the profuse admission of orders; and on what ground these are given we saw the other day some curious evidence in a case in the Court of Requests. One of the former managers of the Opera had set up a paper called the Theatrical Critic, which did not succeed, and had left off in debt to the editor two guineas, for which important amount he was summoned; and it appeared that, in postponing the payment, he had told the editor a box was always at his service. After this we need not wonder at the heterogeneous composition of the audience in the pit. Assuredly those who pay have a right to complain, if they find all the places pre-occupied by those who do not. They do not complain, however, but they exercise another right more fatal to the management, and more just to its misconduct—the right of staying away. In short, as Lord Mount Edgcumbe justly observes,—

'The whole system is radically bad; and nothing can restore the Opera in this country to its former respectable and agreeable footing, or the performances to that excellence which a public paying so dearly has a right to expect, but a total reformation, an entire change of proprietors, of managers, of all parties connected with the theatre, I had almost said, hampered and embarrassed as it is, of the theatre itself.'—p. 186.

We should be sorry to change the theatre, because it is the finest vehicle for sound in Europe; but we wish to see it thoroughly reformed in all the points to which we have adverted, and in another very important matter—that of its exits and its entrances. It was not intended for a crowd, but it is now often crowded, legitimately or artificially; and the occurrence of a fire on a crowded night would ensure the destruction of the audience. It is surrounded, or rather built in, by shops and taverns, and even the alarm of fire in any one of these would occasion incalculable mischief.

But it is vain to anticipate any reform of this theatre while it is in the hands of the assignees of a bankrupt estate, who think only of exacting the utmost possible rent within the year—(a double rent, in short: first, a fair return on the capital; and, second, a most unfair and unjustifiable tax on the monopoly of the license)—from an impresario who is only an annual tenant, who can, therefore, make no prospective arrangements—who is always taken unprovided at the beginning of the season—who thinks of nothing but how to make both ends meet at the end of it—who trusts to his skill in the 'detection of a star' to redeem himself by a temporary attraction in the course of it—

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and who, if he can fill the theatre by a fiddler or a dancer, is content to let the opera take its chance. It is true that we are indebted to him for some operatic stars, as well as for heroes of one string, and heroines of one toe; but he has done nothing, or worse than nothing, for the musical drama, about which he neither knows nor cares anything. Last year he had five admirable performers: Giulietta Grisi, Rubini, Tamburini, Ivanoff, and Zuchelli—the first three the best soprano, tenor and bass, perhaps, in the whole musical world. What these five could do was done transcendently well, but he had no contralto, or one too inefficient to be a principal, and too conceited to be a second; and La Gazza Ladra was performed a dozen times with a walking Pippo. Half a dozen most familiar operas, and one indifferent novelty, were the entire performances of the season: still it was much to have such singers, especially with the exquisite acting and personal fascinations of Giulietta Grisi, and they carried the season profitably through, with the help, indeed, of Taglioni, *la Déesse de la danse*. The present manager has an advantageous foil in the impresario of 1832, who, having professed to reform the Italian Opera, did not present a single good Italian performance throughout his entire management; but a manager of the Italian Opera should be—

'conversant with the Italian stage, a good judge of music and of singers, acquainted with foreign languages and foreign usages, of liberal ideas, not sparing of expense, but judicious in the application of it; knowing what is right, and firm in exercising his authority to enforce it: in short, one who can act for himself, and not be dependent on the ignorance or bad faith of subordinate agents. Such a one only can carry on the business of the theatre with success, and give to the English public a really good Italian opera.'—pp. 176, 177.

Such is Lord Mount Edgcumbe's idea of what an Italian Opera manager ought to be: it is unquestionably just; but it is unfortunately a portrait to which we may long continue to apply the words of Juvenal,—

——' qualem nequeo monstrare et sentio tantum.'

M. S. O.

Art. IX.

POETRY OF THE POOR.

Poems. By Ebenezer Elliott. 3 *vols.* 12*mo. Steill, Paternoster Row.* 1833-4-5.

THE time is gone by when the introduction of a reviewer could be of any avail to the Poet of the Poor. Ebenezer Elliott has taken the place to which he is entitled; his name is

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on the nation's muster-roll of bards; the laurel-crowned have received the unwashed artificer into their fellowship; no future Johnson will edit the works of the British poets without a biography of the man of Hallamshire. Were he never to write another line, this collection of his poems, of which the third volume has just appeared, would be amply sufficient for his credentials. The public know this as well as we do. The verdict of those who are qualified to serve on such a jury is pronounced; the intellectual rank, as a poet, of Ebenezer Elliott is established.

This fact involves another, and that of much greater importance. Our country is rich in poets; one the more, or the less, would not materially signify—at least, not as to the character of our literature. In itself it would signify much; for every individual poet is a revelation of some peculiar phasis of human nature; and it were better to lose another Pleiad from the heavens, than one star of their bright constellation. English literature, looking only at the comparative numbers of its bards, might boast itself, as does King Henry in Chevy Chase, when he loses even a Percy—

> 'I trust I have within my realm
> Five hundred good as he.'

But the recognition of Elliott is more than the enrolment of another name, whatever the degree of its lustre. He comes into the national assembly of the republic of letters as Daniel O'Connell first came to the House of Commons; he demands admission for a new, and hitherto unrepresented and unrecognised class; he comes with a 'tail'—a long one, and perchance not without a sting—a deadly sting for those who have doomed it to the dust. He not merely substantiates a literary name, but he establishes a literature, and one of ominous aspect—the Literature of Poverty.

The Literature of Poverty is not constituted merely by the poverty of its authors; nor is their actually existing in that condition at all essential to its production. They may be affluent, provided that the inner man have not changed with the outer garments, nor the heart forgotten its original sympathies. It is rumoured that Elliott himself (ten children and bread-tax notwithstanding) has migrated, or does daily migrate, from the street-bound shop to the suburbs of Sheffield, taking his ease and inditing his verses in a house of handsome red-brick elevation, with a patch of smiling greenery in front, fenced by iron railing wrought by his own strong arm. So be it; for so, and better still, it ought to be. He is not the less the Poet of Poverty: a title left unoccupied for him by all who

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have gone before, whatever the destitution of their lives or the starvation of their deaths. Poor enough have generally been the brethren of the quill. Grub-street and garretteering were no unwarranted scoff;—the linings of their pockets, void even of an empty purse, were only worn by the forlorn friction of fingers that sought and found not. The fate of Otway tells how they ate, and that of Chatterton how they drank. Goldsmith swears that the Muse 'found him poor at first, and kept him so:' and so her lovers were mostly treated; and that not without a reason which they might have discovered, with a little more of wit, or of the inspiration which they boasted. But the time was not come for literature to spurn servility, and ally itself with labour. They were poor, but not of the poor; their poverty was an individual accident, not the characteristic of their class. The author always claimed to belong to the gentry, and not to the commonalty—to the drones, and not to the bees. His condition was the misfortune of his genius: he was 'fallen from his high estate'—as high as the clouds, may be, where it spread far and wide. Patronage always presented itself as the balloon on which he was to remount to its possession. Burns was the harbinger of that rebellion in literature which Elliott has consummated, when he sang—

'Is there for honest poverty
Wha hangs his head, and a' that?
The coward slave! we pass him by,
And dare be poor for a' that.'

There spake the sturdiness of the Scotch peasant. No bard had yet dared to be more than a reduced gentleman. Smollett's Ode to Independence is only conventional. The 'lord of the lion heart and eagle eye' is an aristocratic personification. There is no spirit in the strain like that of the couplet in the Dedication to Gavin Hamilton—

'For me, sae low I needna bow,
For, Lord bethankit, I can plough.'

This was a new thing in poetry, and in literature generally. Here was no creature to be caught and tamed, and kept in the great house together with the fool and the footman;—here were the feelings of the class, embodied by the power of the individual;—here was Foote's preference reversed, and worsted hose, whole, preferred to ragged silk. 'Any gentleman may have met with an accident, and torn his stockings, but no gentleman can have put on worsted stockings.' Authors stuck to their tatters as long as their tatters would stick to them. Feeling is the soul of poetry; and the feelings expressed in their compositions, notwithstanding the frequent severity of their

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personal privations, were, either really or conventionally, those of the educated and propertied classes: they painted the lilies, which toil not, neither do they spin.

Nor can those productions be properly designated the Literature of Poverty, which are manufactured by the other classes for the especial use of the poor; or those in which, either on this account, or for the sake of additional variety and stimulus, poverty and its phenomena are made the subjects of description or exhibition. The writers of religious tracts have greatly the advantage over any other class of authors, inasmuch as their zeal brings them more into actual and familiar contact with those for whom they write, and excites their efforts to produce an impression by motives of the strongest kind. And yet these compositions are, as a whole, an egregious failure: they have never struck root in the heart of poverty. These millions of good little books have done little good on the millions. In the religious library of the cottage, there is but one book that is *bought*—but one book that lives. And why? It was written by a poor man, in the power of that renovating spirit of religion which made him conscious of his own heart and soul. What are the Hannah Mores and Legh Richmonds, with all the Shepherds of Salisbury Plain and Dairymen's Daughters, the best of their fraternity though they be, to the Bedford tinker? Glory to the memory of John Bunyan, for the Pilgrim's Progress has ever been the poor man's Paradise Regained. It is the Cottage Epic. Bishops have tried their hands at fictions of this sort; but the spirit was not in them. Their pilgrims have perished. The prison was too potent for the palace. Only honest John knew the way to the heart. Christian renews his course with every generation: he runs his race like the sun, and long will it be ere the revolution is disturbed. Whenever Religion nurses the children of Poverty, she charms them with that strain. They all know and love the Pilgrim. They look amazedly as he runs away from the city of Destruction. Their little backs ache under that eternal burden which he bears: he has the 'fardel,' but they 'groan and sweat.' How wise they grow among the delightful mysteries of the Interpreter! What heart-panting at the fight with Apollyon, and the Valley of the Shadow of Death. And even Martin has not out-painted the visions which have appeared to millions of young eyes, of the delectable mountains and the celestial city.

But Bunyan had no intention of describing a poor man in Christian, or a poor maiden in Mercy. The influence of condition is rather a secret spring of his power than the purpose of its exercise. It was, what the northern Alexander called him-

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self, 'a lucky accident.' He wrote for people *quâ* religious rather than *quâ* poor. All were alike poor in his contemplation. Not poverty and wealth, but sin and salvation, were in his mind. He was the genius of illiterate theology. What he did, however, casts strong light upon what all others have left undone. The poor like not to read about the poor. Tales of great lords and ladies, and kings and princes, for them. There they are out of their own world; and the imperfections of the picture do not weary them, nor its falsehoods disgust. They can feel some interest, though not the best and strongest: that is reserved for their own proper literature.

If the religious poor, as described in tracts, be bad, the pastoral poor of poetry have been a thousand times worse. O the Arcadians, with their crooks, pipes, and garlands! We knew a juvenile cockney who performed a pilgrimage of thirty miles into Kent to see a shepherd. Blessings on his young heart, though it was thereby embittered. The feat was forty years ago; but to this day he curses Pope, and all his tribe, with the venom of an Irish Protestant. Nor have the city poor been better used than the rural population. The only section of them, which books have not blackened, is that of servants. The faithful dependent, ever grateful for the smallest bounties, and trusty in the greatest trials, is an admissible character; he keeps his proper place in the tale, as he does in the household; for him, literature has a lowly niche, and even religion a promise—for if his master be a Christian gentleman,

> 'He thinks, admitted to that equal sky,
> His faithful dog shall bear him company,'

though at a respectful distance; for the ancient may hope to be saved, but not before the lieutenant.

Crabbe was the first to look poverty fairly in the face, and faithfully to paint its portrait. He set about the work in right earnest, and copied all sorts of foulnesses with true Dutch doggedness: not a shade of dirt in the dunghill escaped his keen eye for dark colouring. He copied character too, and cut its outline clear and deep, as with the sharp point of strongly-handled gravers. But in Crabbe's writings, he only speaks for and of the poor—in those of Elliott, the poor speak of and for themselves. Crabbe did them something like justice—at least in things external; but none are efficiently righted unless they right themselves. To right themselves, it was necessary for them to have a literature of their own.

This could not be, until after education had made that progress by which late years have been distinguished. Heretofore,

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if talent made way at all, its possessor left the ranks of poverty. He probably adopted the doctrine, that 'those who think must govern those who toil,' and took his station in the superior class. His original sensations would wear out, and all communion of spirit cease between him and his native Pariah brethren. They were no public for him. Only by the aristocracy would his powers be appreciated. With them, if he retained much of the then ill-developed feeling of poverty, it would not be prudent to let it blaze out very brightly. The multitude became readers but just in time to restrain patronage from playing abominable tricks. Bloomfield was no politician, and he consequently enjoyed in peace the premium for his pastoral, which was the being set up in trade as the master of a London shoe-shop; but Burns, after he was promoted to 'gaugé ale firkins,' wrote songs to freedom, and was called to order by the authority whose frown was persecution and starvation. The rise of a new estate in the realms of literature was imperatively required.

Whatever the poor had previously done in the world of mind, was done, not for themselves, but for their superiors. They had furnished some of the ablest statesmen and lawyers—the most eloquent divines—the profoundest men of science—the noblest poets; but to them there accrued comparatively little of good, and nothing of glory. It was not *their* science—their art—their literature; nor did it pourtray their emotions—set forth their wrongs—uphold their cause. The individual was honoured—the class from which he sprung forgotten. In the poem of 'Love,' Elliott has beautifully adverted to some of these instances. After the proud reminiscence, that 'richest Shakspeare was a poor man's child,' he thus speaks of Akenside, Brindley, and Chantry:—

'Northumbrian vales, ye saw, in silent pride,
The pensive brow of lowly Akenside,
When, poor yet learn'd, he wandered young and free,
And felt within the strong divinity.
Scenes of his youth, where first he woo'd the Nine,
His spirit still is with you, Vales of Tyne!
As when he breathed your blue-bell'd paths along
The soul of Plato into British song.

Born in a lowly hut an infant slept,
Dreamful in sleep, and sleeping, smiled or wept:
Silent the youth—the man was grave and shy;
His parents loved to watch his wandering eye;
And, lo! he waved a prophet's wand, and gave,
Where the winds soar, a pathway to the wave!

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From hill to hill bade air-hung rivers stride,
And flow through mountains with a conqueror's pride:
O'er grazing herds, lo, ships suspended, sail,
And Brindley's praise hath wings in every gale.

The worm came up to drink the welcome shower;
The red-breast quaff'd the rain-drop in the bower;
The flaskering duck through freshen'd lilies swam;
The bright roach took the fly below the dam;
Ramp'd the glad colt, and cropp'd the pensile spray;
No more in dust uprose the sultry way;
The lark was in the cloud; the woodbine hung
More sweetly o'er the chaffinch while he sung;
And the wild rose, from every dripping bush,
Beheld on silvery Sheaf the mirror'd blush;
When, calmly seated on his pannier'd ass,
Where travellers hear the steel hiss as they pass,
A milkboy, sheltering from the transient storm,
Chalk'd on the grinder's wall an infant's form:
Young Chantry smiled; no critic praised or blamed;
And golden promise smiled, and thus exclaimed:
"Go, child of genius! rich be thine increase;
Go—be the Phidias of the second Greece." '—

vol. ii. pp. 170, 171.

All the learning, science, and art of those who had been poor could never have created a literature of the poor. Mathematical science has always thriven amongst operatives whose sedentary occupations allowed opportunity for a pursuit which requires no aids and appliances beyond a legible book, bought for a song at an old book-stall, and a clear and patient intellect. Such men as Stone, Simpson, and Barlow, left many mathematical equals behind, in the condition from which favourable circumstances enabled *them* to emerge; but the diagrams of a Simpson or of a Napier bear no impress of either the shuttle or the coronet. There is no class-mark on these abstractions. No human feeling resides in them. The 'Loves of the Triangles' were sheer invention. No parallelograms but those of Robert Owen ever had even an imaginary connexion with social renovation. Happy was the time when the poor took to politics. The French Revolution was their first grand stimulus. The Corresponding Society was their first Institute. Then Bell and Lancaster prepared them for the mechanics of Birkbeck. The Diffusion Society shot wide of the mark, or fired over their heads; but the Great Unstamped levelled point blank at their hearts. The politics of the poor for the first time became their own. The sixth day of the literary world dawned; but the

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breath of poetical life was still wanting. God said, 'Let Elliott be,' and there was a poetry of the poor.

The philosophy of poetry is not to be settled in a parenthesis. A sufficiently exact definition for our present purpose is, that it is the expression of truth under the excitement of emotion. In proportion as the truth is universal, and the emotion simple, will the poetry be of the highest and most permanent character. The greatest poets have always delighted to work with the uncompounded and unmodified elements of humanity. They are, in their outlines, sculpturesque rather than picturesque. Their colouring is broad and massy. They studied form, which is eternal, rather than colouring, which is evanescent. The heroes of Homer are much more men than Greeks and Trojans. Still they were but the men of one stage of civilization: a portion of their power is destined to wear out. Goethe and Wordsworth furnish better examples of the poetry of elemental man. They elicit it from the human constitution without the modifications arising from the peculiarities of any social state. The same may be said of some portions of Paradise Lost. Shakspeare astonishes us by his realizing so perfectly all modifications: what does this imply but his strong perception of the one pervading essence which is so differently modified? But while the soul of all poetry is the nature of man, as he exists at all times and under all circumstances, many of the modifications to which he is subjected produce diversified species of poetry, of great power and interest. The feudal or chivalric modification has been wrought very successfully. The vein is nearly exhausted; and the metal has ceased to be attractive. There was a period during which the man of wit was deemed the poetical standard of humanity. This was yet more exclusively than the other a species of class poetry. With all his opposition propensities and democratic cant, Lord Byron really was, and aimed to be, the poet of modern aristocracy. The qualities and emotions of this modification, or rather perversion of humanity, are the chief residuum which is left, when we evaporate the oriental and feudal ingredients, which are (in chemical phrase) the *colouring matter* of his tales. The redeeming quality of this character, as exhibited in his poetry, is that vigour of self-contempt, for which it is indebted to the individuality of the writer.

For a long time it seemed to be taken for granted that the condition of poverty, which must, comparatively, be that of the great majority, took man out of the sphere of poetry. The entire and practical demolition of this notion is the work of

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Ebenezer Elliott. One of his longer poems, 'Love,' shews the universal passion of our being, under those peculiarities of origin, emotion, expression, and influence, which result from the peculiarities of the condition of poverty. Another, 'The Village Patriarch,' exhibits the modifying power of those same peculiarities on the perception, love, and enjoyment of external nature. The blindness of the hero of the poem often heightens the effect in a very touching manner. The collection entitled 'Corn Law Rhymes' is yet more obviously, though not perhaps more directly, to the purpose. They are the burning expressions of the emotions of down-trodden and plundered humanity. There is a spirit in them whose breath is like a furnace. They are full of the consciousness of power, of moral power. How very unlike the conventional democracy of Byron. How poor and feeble, and eked out with a never-to-be-fulfilled promise of making up by grand feats afterwards, is the conclusion of his 'Ode to Waterloo:'

> 'Smile they at this idle threat?
> Crimson tears shall follow yet.'

That is to say, I will put on a becoming helmet, with a waving plume, and hire a band of Albanian guards, and who knows but we may have a fight for Europe. Ebenezer Elliott never nods and winks in this way. Listen to his chorus of Printers' Devils. It is no boys' play.

HYMN WRITTEN FOR THE PRINTERS OF SHEFFIELD.

'Lord! taught by thee, when Caxton bade
His silent words for ever speak;
A grave for tyrants then was made,
Then crack'd the chain which yet shall break.

For bread, for bread, the all-scorn'd man,
With study worn his press prepared;
And knew not, Lord, thy wondrous plan,
Nor what he did, nor what he dared.

When first the might of deathless thought
Impress'd his all-instructing page,
Unconscious giant! how he smote
The fraud and force of many an age!

Pale wax'd the harlot, fear'd of thrones,
And they who bought her harlotry;
He shook the throned on dead men's bones,
He shakes—all evil yet to be.

The power he grasp'd let none disdain;
It conquer'd once, and conquers still;
By fraud and force assail'd in vain,
It conquer'd erst, and ever will.

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It conquers here! the fight is won!
  We thank thee, Lord, with many a tear!
For many a not unworthy son
  Of Caxton does thy bidding here.

We help ourselves, thy cause we aid;
  We build for heaven beneath the skies:
And bless thee, Lord, that thou hast made
  Our daily bread of tyrants' sighs.' vol. ii. pp. 281, 2.

Here is no 'idle threat,' and a grinning idiot must he be who can dream of smiling at these strains. And those of our readers who have not yet made themselves acquainted with the poetry of Elliott must not imagine that he is merely the Tyrtæus of poverty; he is more than its Tibullus also. How delicately is the following picture sketched; and how touchingly! It is from the 'Village Patriarch.'

'But, mourning better days, the widow here
  Still tries to make her little garden bloom,
For she was country-born. No weeds appear
  Where her poor pinks deplore their prison-tomb;
  To them, alas, no second spring shall come!
And there in May, the lilac gasps for breath;
  And mint and thyme seem fain their woes to speak,
Like saddest portraits, painted after death;
  And spindling wall-flowers, in the choking reek,
  For life, for life, uplift their branches weak.
Pale, dwindled lad, that on her slated shop
  Sett'st moss and groundsel from the frosty lea!
O'er them no more the tiny wren shall hop;
  Poor plants! poor child! I pity them, and thee!
  Yet blame I not wise Mercy's high decree:
They fade, thou diest; but thou to live again,
  To bloom in Heaven. And will thy flowers be there?
Heaven, without them, would smile, for thee, in vain.
  Thither, poor boy, the primrose shall repair,
  There violets breathe of England's dewy air,
And daisies speak of her, that dearest one,
  Who then shall bend above thy early bier,
Mourning her feeble boy for ever gone,
  Yet long to clasp his dust for ever here.
  No, no, it shall not want or flower or tear!
In thy worn hand her sorrow will not fail
  To place the winter rose, or wind-flower meek;
Then kiss thy marble smile, thy forehead pale,
  But not the icy darkness from thy cheek;
  Then gaze, then press her heart, that yet shall break;
And feebly sob, "My child! we part to meet!"'
vol. ii. pp. 17, 18.

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Intense as are Elliott's feelings of the wrongs and sufferings of the many, there are times when his poetic yearnings after gentler themes will make themselves a voice in his song, and reveal the tendencies of his heart as they would have developed themselves in any condition but one which gave so painful a predominance to his sterner emotions.

'Oh that my poesy were like the child
 That gathers daisies from the lap of May,
With prattle sweeter than the bloomy wild!
 It then might teach poor wisdom to be gay
 As flowers, and birds, and rivers, all at play,
And winds that make the voiceless clouds of morn
 Harmonious. But distemper'd, if not mad,
I feed on Nature's bane, and mess with scorn.
 I would not, could not, if I would, be glad,
 But, like shade-loving plants, am happiest sad.
My heart, once soft as woman's tear, is gnarled
 With gloating on the ills I cannot cure.'

vol. ii. pp. 47, 48.

The powerful pathos of the following ballad has rarely, if ever, been surpassed:

'THE DEATH FEAST.

'The birth-day, or the wedding-day,
 Let happier mourners keep:
To death my festal vows I pay,
 And try in vain to weep.

Some griefs the strongest soul might shake,
 And I such griefs have had;
My brain is hot—but they mistake
 Who deem that I am mad.

My father died, my mother died,
 Four orphans poor were we;
My brother John work'd hard, and tried
 To smile on Jane and me.

But work grew scarce, while bread grew dear,
 And wages lessen'd too;
For Irish hordes were bidders here
 Our half-paid work to do.

Yet still he strove with failing breath,
 And sinking cheek, to save
Consumptive Jane from early death—
 Then joined her in the grave.

His watery hand in mine I took,
 And kiss'd him as he slept;
O still I see his dying look!
 He tried to smile, and wept!

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I bought his coffin with my bed,
My gown bought earth and prayer;
I pawn'd my mother's ring for bread,
I pawn'd my father's chair.

My Bible yet remains to sell,
And yet unsold shall be;
But language fails my woes to tell—
Even crumbs were scarce with me.

I sold poor Jane's grey linnet then,
It cost a groat a-year:
I sold John's hen, and miss'd the hen
When eggs were selling dear.

For autumn nights seem'd wintry cold,
While seldom blazed my fire,
And eight times eight no more I sold
When eggs were getting higher.

But still I glean the moor and heath;
I wash, they say, with skill;
And workhouse bread ne'er cross'd my teeth—
I trust it never will.

But when the day, on which John died,
Returns with all its gloom,
I seek kind friends, and beg, with pride,
A banquet for the tomb.

One friend, my brother James, at least,
Comes then with me to dine;
Let others keep the marriage-feast—
The funeral-feast is mine.

For then on him I fondly call,
And then he lives again!
To-morrow is our festival
Of death, and John, and Jane.

Even now, behold! they look on me,
Exulting from the skies,
While angels round them weep to see
The tears gush from their eyes!

I cannot weep—why can I not?
My tears refuse to flow:
My feet are cold, my brain is hot—
Is fever madness?—No.

Thou smilest, and in scorn; but thou—
Couldst thou forget the dead?
No common beggar curtsies now,
And begs for burial bread.'—

vol. i. pp. 64-66.

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That such verses (and many more of similar quality might be cited) are produced and read—that they are truth, multitudinous and mighty truth, is indeed a 'sign of the times.' Nor does Elliott stand alone, the solitary priest of the people, with an unparticipated inspiration. There is a man who makes combs in Whitechapel (laugh if you like, but it is no joke), Browne by name, who will live as long as Churchill, and deserve his immortality better. His 'Mechanic's Saturday Night' and 'Saint Monday' are about to be linked together, made chain shot of, by a poem on 'Sunday' which will kill Sir Andrew Agnew. The last number of 'Tait's Magazine' gives some specimens of a volume of verses by a Lancashire weaver, which show no lack of soul. They have plenty of nerve, with very distinct indications of poetical and humorous appreciation. Like the compositions of Browne and Elliott, they are not only abundant in allusions to the class feelings of the poor, but pervaded by the spirit which the peculiarities of that condition generate. In sundry numbers of the 'Trades Union Gazette,' and not seldom in the 'Mechanic's Magazine,' there have been out-pourings of the spirit, which shewed that the many were about to speak with tongues of fire. Elliott may say with Wolsey—

> 'I do but walk the foremost in that file
> Where others tell steps with me.'

And truly their steps are telling ones. Let us make reflections thereon, as did the sage Mamres on the banks of the Nile, in the days of Nabuchodonosor, when the beast of burden became a god.

It is evidently unnecessary for Societies and Reviewers, and Diffusionists, and Philosophers, and all the rest of us, to talk about enlightening the operatives, and instructing the mass of the population. We may go to sleep, so far as that is concerned. They will not wait for our instructions. They will instruct themselves; and 'tis odds but they teach us something also. The 'great moral lessons' are not all learned yet. What with their suspicions and our inaptitude, we may as well give over adult school-keeping. The 'Diffusion' political economy, so well meant, and so clumsily executed, was alone enough to cut the connexion. 'Take yourselves out of the labour market,' said the philosophers. 'Take yourselves out of the rostrum,' replied the mechanics. They are self-sufficient; and until far other instructors appear than most of those who have yet manifested themselves, we cannot blame them for being so. Prophets are raised up to them 'of their brethren,' and why

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should they listen to the voice of the stranger? Their souls have found congenial interpreters. The oracles of inspiration are uttered in their own language. Let them teach one another. They will get at truth all the sooner: alloyed perhaps at first with error, and discoloured by bitter indignation, but still truth. We confess ourselves doubtful of the fact, when Elliott tells us that 'there are many mechanics in Sheffield who can write better than the author of the Corn-Law Rhymes.' The men of all classes, in all Britain, who can do that, may be counted upon fingers. But there are mechanics everywhere who can read, and relish, and respond to them; and that is enough. We are quite satisfied with their not dancing to our piping, so that they will but caper to their own fiddling. *Ça ira.* Mutual instruction for ever.

And it is to such people that the law still refuses their legitimate and natural organs, viz. cheap newspapers. True, they have battled with the law, and beaten it; they have their unstamped press, and they will have it; but it is nothing like so good as it would be, in their own estimation as well as in ours, were the Taxes on Paper, and the Stamp Duties, repealed. What madness to make victims by hundreds in such a cause! There have been as many martyrs for a cheap Press as would have established a religion. Think of the monstrous anomaly of a class with a literature and without a newspaper; in a country where politics are most men's second thoughts, and many men's first thought. Poets among the poor, and knowledge taxed! 'O heaven and earth, but it is wondrous strange!' That weight should have been taken off the valve long ago.'

There is another vent, also, for this power, which must be provided. The operatives say that the property qualification for representatives *shall* be repealed. Sooner or later, probably in no long period, their words will assuredly come to pass. The qualification is now only one of the many practical falsehoods which our institutions are ever telling, and by which they do more to demoralise the community than can ever be counteracted by such religious instruction as they provide. If it keep out any one, the exclusion is really of his honesty, not of his poverty. To enforce it strictly, would, if practicable, be a remedy worse than the disease. The operatives will not be satisfied long, unless they have a legislative as well as a literary representation. They ought to have it. Not that we think their class prolific in mentally qualified legislators. But what class is? Clearly none of those from which legislators are actually provided. The 'appropriate intellectual aptitude,'

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instead of being any where 'plenty as blackberries,' is every where rare as black swans. It will thrive in time, now that we have something like a soil for it; but the production will be slow. Meanwhile, a few operatives in the House of Commons would do that for their own class which is already done for other classes; they would give expression to its peculiar views, feelings, and interests, real or supposed. Their sturdy straightforwardness would be a check on the conventionalities and hypocrisies of 'honourable gentlemen.' They would mingle usefully with the other warring elements of the chaos out of which it is to be hoped that order will eventually arise. They would contribute towards the preparatory training through which we have to pass to arrive at the clear comprehension of representative government, and the right working of its pre-eminent facilities for securing and advancing the well-being of the community.

W. J. F.

Art. X.

THE BALLOT.—A DIALOGUE.

*Speakers:—a Farmer—a Schoolmaster—a Squire.**

Farmer.—You two are of opposite opinions, upon a subject in which I am interested. I wish to be in the right in my opinion; and you would do me the greatest favour if you would, each of you, state the reasons upon which his persuasion is grounded. When I have considered them together, I may, perhaps, discern which are the strongest.

Squire.—Let us know the subject about which you are perplexed.

Far.—The subject I mean is the ballot. You know I have recently had the power of voting for a member of parliament conferred upon me. But, as the tenant of another man, I am to such a degree dependent, that I must vote as he desires me.

Sq.—Why so? Why not maintain the spirit of an Englishman, and vote as your conscience directs you?

Far.—It is easy, as I have often seen, for all of us to make light of another man's burdens. But, Sir, it is no small difference to such a man as me, whether he has the good, or the ill will of his landlord. In fact, the happiness or misery of his life may depend upon it. He may be forced from a spot on which he has planted himself, and from which he cannot be

* It will be perceived that this conversation took place shortly after the appearance, in the Edinburgh Review for January, 1833, of an article (ascribed to a distinguished member of the Whig party) containing a systematic attack upon the ballot; and was noted down by the schoolmaster at the time.

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torn, without loss of property, and painful feelings, to any degree. Even if he is secured against removal, the state of a farmer, assured of all sorts of good offices from his landlord, and those about him, is very different from that of one assured of all sorts of ill offices from them.

Sq.—But a high-minded man will vindicate his liberty for all that.

Schoolmaster.—You say right, Sir; and it is very desirable that there should be as many high-minded men as possible. That, however, is not the only question; and wise legislation takes care to embrace all the questions involved in the consideration of its measures. True, it is desirable that there should be high-minded men; but is it not desirable that your institutions should not be such as to punish men for their high-mindedness? Are such institutions calculated to encourage the growth of this desirable thing?

Sq.—But I desire to know how you make it out that our institutions punish high-mindedness.

Sch.—I think you will allow that the amount of evil just described to us by our friend the farmer, is no trifle.

Sq.—Certainly not; and I deplore it as much as you do.

Sch.—But a lot of evil attached to the doing of an act, is punishment for that act, is it not?

Sq.—No doubt.

Sch.—A lot of evil attached to the act of voting in a certain way is, therefore, punishment for that act?

Sq.—It is.

Sch.—The man who acts—that is, votes, in this particular way—in obedience, I mean, to his conscience, but disobedience to his landlord, performs the high-minded act you applaud?

Sq.—He does.

Sch.—And, when the lot of evil follows, he is punished for it?

Sq.—Yes.

Sch.—A line of acting, established by law, in a concern of the public, and for a public end, is an institution—is it not?

Sq.—It is.

Sch.—Here then is an institution which punishes the farmer, and the very large class of men placed in corresponding circumstances, for a high-minded act.

Sq.—I cannot deny that it is so.

Sch.—And you do not, I am sure, maintain that it is right?

Sq.—Far from it; but still it may be the least of two evils; and submission to it on that account may still be a duty.

Sch.—Is not this a supposition which may easily be made?

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And does it deserve any regard, till that greater evil is pointed out, and its consequence, upon the removal of the less evil, proved to be inevitable?

Sq.—Certainly not.

Sch.—It is required of you, therefore, if you would entitle your position to any regard, to do both things—to show us the consequent evil, and to show that the consequence is certain.

Sq.—I do not think it will be difficult to comply with your conditions. In the first place, I think it can be shown that your plan for rescuing the high-minded voter from the punishment attached to his vote will be unavailing. I also think, if it were rendered availing, that the consequences of the remedy would be worse than the disease.

Far.—Ay, now you are coming to that which I am impatient to hear—whether I can be delivered from my thraldom? And if not, why?

Sch.—Yes; you and I now wait for the reasons of the Squire; and, first, he has promised to inform us, why the ballot cannot afford you protection.

Sq.—You will acknowledge that the efficacy of the ballot depends upon the secrecy.

Sch.—True; because we consider the ballot a short name for secret voting.

Sq.—But the ballot will be ineffectual for secrecy; because the same power which would compel the man, voting openly, to vote against his inclination, will compel him to tell how he has voted.

Sch,—Oh, no; it may compel him to *say* how he has voted, not to tell. That is a very different thing; and whether he says, or tells, his compeller can never know.

Sq.—Cannot he make him, in the very act of voting, show how he votes?

Sch.—No; there is an effectual mode of preventing that.

Sq.—How?

Sch.—The voter may vote in a place where there are no witnesses, and in a way in which it can be known to no creature but himself how he has voted.

Sq.—I do not understand your plan. Explain it more particularly.

Sch.—May not the voter be admitted into a room, where he can be seen by nobody?

Sq.—Certainly he may.

Sch.—In that room there may be receptacles for the voting-balls or tickets intended for each of the candidates. Into

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which of these receptacles the voter has put his balls or tickets is utterly unknown, except to himself.

Sq.—That, it appears, I must admit; but the compulsion to tell how he has voted may still be exercised.

Sch.—What you mean is, that the man who has power over him may ask him how he has voted, and will punish him if he do not say that he has voted as he bid him.

Sq.—Yes, that is what I mean.

Sch.—Let us suppose that he does so; and what then? The voter either tells him the truth, or he does not. What is he benefited? He knows no more how the man has voted, in consequence of what he has told him, than what the emperor of China dreamt last night.

Sq.—But still he knows, if the man has not voted as he bid him, the man has lied.

Sch.—And pray, Sir, who is the cause of that lie? to whom of course the criminality of it ought to be imputed. But this part of the question—the collateral effects of the ballot—we had better, I think, consider afterwards, when we have first determined whether it will, or will not, afford a remedy for the evil against which we desire to provide it: in short, whether it will protect the voter from that process we have just described, of compelling a voter to vote dishonestly.

Sq.—True, Sir, if it is not a remedy which will answer its end, it is needless to discuss its other properties, since it will not be desired.

Sch.—You have admitted, I think, that the act of voting may be rendered perfectly secret; and also that, though the voter may say he has voted as his master has ordered, his master is not, by that circumstance, one jot the nearer a knowledge of how he has voted. His vote is still a secret to his master—and so, unless there are other circumstances to reveal it, must it ever remain.

Sq.—I find myself constrained to allow that.

Sch.—And so will all fair controvertists. The question, then, is, are there other circumstances to reveal it?

Sq.—Yes; there is an article just published in the 'Edinburgh Review,' and said to come from a high quarter, which affirms that there are undoubted means of discovery.

Sch.—Well, Sir, what are they?

Sq.—The Reviewer says, that the voter's general opinions are always known, from which his mode of voting will be inferred.

Sch.—That is one circumstance: is there any other?

Sq.—Let me think. It did appear to me, when I read the

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article, that there was a list of them; but I confess I cannot recollect another.

SCH.—There is no other; though, as you say, the language used in the article implies that the assertion is well supported.

SQ.—Do you mean to say, then, that I have been deceived by language either wholly or partially begging the question?

SCH.—You compel me to smile. Do you not know that this is the master-piece of the rhetorical art? This circumstance, however,—this something, which is, by its sole operation, to discover the vote of the dependent, must be examined; that we may, of our own knowledge, not from the assertion of the reviewer, judge what it can, and what it cannot, make known.

SQ.—That I join with you in desiring.

SCH.—Let us suppose the case of our friend, the Farmer here, and his landlord. The Farmer is a known reformer. His landlord is an enemy of reform. Let the candidates be two—one a reformer, another an enemy of all reform. How does the landlord proceed? He denounces vengeance against those of his tenants who do not vote for his friend; and he will, says the 'Edinburgh Review,' go upon the rule, that all his tenants who are reformers will vote against him.

FAR.—But pray, gentlemen, consider a little in what condition I am to be placed by the operation of such a rule.

SCH.—What is it you apprehend?

FAR.—The consequence will be the same to me, whether I vote with my landlord, or against him: in either case he will conclude that I have voted against him. But if I shall be concluded to have voted agreeably to my own sentiments, whether I have done so or not, what you have justly called the punishment of my vote will fall upon me, do what I will. Of course I shall, in these circumstances, give the vote which pleases myself, and my landlord makes my opposition to him sure. I am punished, but my landlord is disappointed.

SQ.—That consequence is very clear; and the writer in the 'Edinburgh Review' has anticipated the objection. He says, that such of their tenants as have sentiments they consider opposed to the vote they desire, the landlord will keep from voting at all.

SCH.—I see that the writer in the 'Edinburgh Review' lays great stress upon the exercise of this forbidding power possessed by the landlords. It is necessary, therefore, to consider carefully both what it implies, and what it can accomplish. One thing which it implies deserves to be accurately noted: it is no less than the important point, which not a few have had the boldness to deny, that for the purpose of secrecy the ballot is perfectly

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efficient. It is only because the landlord cannot know how his tenant will vote, that he deprives himself of his vote, of course fearing that it will be given against him; for if he had the means of knowing the vote, the same force which enables him to keep his tenant from voting, would enable him to make him vote as he pleased.

Sq.—I do not see how that can be disputed. There would be no motive for making a voter stay away, if you knew and could command his vote if he went.

Sch.—We are then to consider this as a conceded and established point, that the motive to keep dependents from voting arises entirely from the perfect secrecy of the vote.

Another thing which this argument implies is, an assurance that the power which great men possess to prevent the exercise of free voting will be generally used. This only deserves remark, as an instance of the inconsistencies in which the gentlemen of counsel against the ballot are involved. When the purpose is, to deny that there is any occasion for the ballot, it is commonly assumed, that gentlemen will not use their powers of coercion, but generously indulge their dependents in voting as they please; and we are called upon somewhat imperiously to wait, before calling for the ballot, till we see what their behaviour is. When the occasion, however, comes to maintain the inefficacy of the ballot, let the need for it be what it may, we are then told, with the loudest voice, that every man who has the power will exert it, even to the utmost: no mention now of the propriety of waiting, to see whether men grasping at political power will avail themselves of all their advantages for attaining it. Can the men who thus profess contradictory opinions upon the same subject—one opinion to-day, another to-morrow, as it suits their purposes—call upon us for belief in their sincerity?

Sq.—I object to this inference; and I think that candour should have restrained you from expressing it. I allow the contradiction; but I can declare that till now I was not aware of it; and held both opinions in sincerity—both that it was doubtful whether the conduct of men of local influence would be such as to call for the ballot, and certain that they would exert themselves to defeat the ballot.

Sch.—I am grateful for your rebuke, and feel its justice. I ought to have made more allowance for the oversights into which we are all apt to be led by the heat of controversy. You will, however, allow that those people who refute themselves—that is, who hold two opinions, the one of which destroys the other—are either somewhat careless in scanning their opinions, or not very capable of that most important intellectual process.

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SQ.—You now charge the deficiency to the proper account—to the intellectual, not to the moral part of the offender; but I think that you are still guilty of an overcharge; it being, in my opinion, not very difficult for a man even of good intellect to overlook a contradiction or two in a number of allegations upon a complicated subject.

SCH.—You will allow, however, that to make this apology available, the party must not persevere in his self-contradiction. If he does, it not merely argues, it proves, a sad deficiency in him somewhere. But this is leading us from the question. We have to inquire what the power of a great man, or combination of great men, in forbidding their dependents to vote, can do for them? If it should appear that it must be altogether inefficient for the attainment of their ends, do you think that it will then be a good argument against the ballot?

SQ.—Certainly not; but I go upon the supposition that it will be efficient; and then I think it a good argument.

SCH.—First of all, does it not deserve some consideration, what appearance it will have to the public, and what conclusions it will suggest, if it shall be demonstrated, by notorious facts, that a great proportion of the Englishmen to whom the law gives the right of voting are debarred from the exercise of that right, because they hold such and such opinions? Is that a state of things which could continue to exist?

SQ.—I do not think that it could.

SCH.—Is it not, therefore, either puerile or unfair to produce, as an objection to the ballot, a state of things which cannot exist?

SQ.—I see that the argument would be of very little avail, if you can show how the evil is to be remedied.

SCH.—You have allowed that it is a state of things, the permanence of which is not to be supposed—that it would certainly be put an end to.

SQ.—I think it would.

SCH.—Whether it be put an end to by what you would call a remedy, or a disease, does not affect the argument. A state of things which cannot exist cannot be urged as an objection to the ballot.

SQ.—Yes, if getting rid of it would only introduce a greater evil.

SCH.—That greater evil, then, would be the real objection, and should alone be urged. What is this evil?

SQ.—That is what we have now, I think, to inquire. For my part, I do not see my way out of the difficulty. The 'Edinburgh Review' seems to think that no enactment of the legislature will

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be sufficient to deprive great landlords of the power of preventing their tenants and tradesmen from voting.

SCH.—You are willing, then, to go with me into a close inspection of the subject?

SQ.—Most willing.

SCH.—There is one mode of delivery from the irrational and unseemly spectacle of a power conferred by the will of the community, through its supreme organ, on a portion of the community, and that power taken away, that is, the law broken and frustrated, by the will of certain individuals: namely, by repealing the law, taking away that power, which the will of individuals, too powerful for the law, renders nominal.

SQ.—Do you mean, that all that description of voters whom the landlords would withhold from voting should be deprived of their votes?

SCH.—Yes.

SQ.—And have you considered that this would be to select out of the most numerous class of voters—namely, the poorest class—all those who hold sentiments favourable to reform—that is, the far greater proportion—and to deprive them of the power of voting, on the sole ground of their holding reform sentiments? Why, that would be to make a fundamental law of the state, for the express purpose of preventing reform for ever after.

SCH.—It would be so.

SQ.—And do you think that such a proposition would ever be listened to?

SCH.—I do not; and therefore I think we may leave that proposition, as one sure not to be acted upon. But then, if we are to have these men with their votes, what are we to do for them? We see what the difficulty with them arises from: the source of it is, the power which certain men have over them. We must, then, work upon that power. Is there no means by which this power can be prevented from operating to the defeat of a fundamental end and purpose of the state?

SQ.—The 'Edinburgh Review' seems to think not. Are you of a different opinion?

SCH.—I am of opinion that the writer in the 'Edinburgh Review' did not very deliberately weigh the consequence of his opinion; which is only this, that the existence of large properties must be destroyed, and prohibited for ever.

SQ.—How say you? That, a consequence of the reviewer's opinion?

SCH.—You cannot doubt it. The votes of these men are, by the supposition, necessary to good government. Such is the opinion of the legislature, and of the community, who gave

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them their votes. The power of the landlords destroys this essential condition of good government. Good government and the power of the landlords cannot exist together, if the opinion of the reviewer is true. What the community have then to determine is, which is best for them, that they should have good government without great landlords, or bad government with them.

Sq.—That is not a question which we can suppose they will be long in determining. But what would you do in that case?

Sch.—The proper course is easy to be seen. As their power arises from the greatness of their properties, all great properties must be broken down into small ones; distributed, if you will, to the next of kin of the original owners.

Sq.—I am staggered with this objection, and astonished that the writer in the 'Edinburgh Review' did not see what his doctrine would lead to. It is no light matter to hold up, from such a quarter, a representation, from which it may be legitimately inferred, that the existence of large properties in a certain number of hands is utterly incompatible with the existence of good government. Let us, however, see whether he has not a defence. We remember that he is arguing against the ballot; and may he not say, that though you prove such and such consequences will flow from your endeavours to protect the ballot, such consequences cannot be pleaded against him because he wishes not to have the ballot?

Sch.—It is only necessary to call to recollection the course of the preceding argument, to see how untenable is that plea.

Sq.—Let us observe.

Sch.—From the very proper terms in which the reviewer spoke, in the early part of the review, of the success with which the votes of individuals had been interfered with, both by reward and intimidation—both by money in hand and loss in prospect, it is clearly his opinion, that such interference (I mean to any considerable extent) is incompatible with good government. The same, undoubtedly, is the sole basis on which, in reason, the late reform can be defended; the object of which was by Lord Grey declared, in a pointed and admirably-chosen expression, to be representation—not nomination: meaning, by nomination, command of votes, either by bribery or intimidation. This, to be sure, is a ground which an opponent of the reform bill may reject; but it can never be renounced by any of its supporters, least of all by the 'Edinburgh Review.' The next point of admission on the part of the reviewer is, that the great proprietors have the power, and will have the will, to exercise both bribery and intimidation: so far, we agree with

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him. He says, it is not in the power of legislation to prevent them. By way of parenthesis, we should then ask him, what was the use of last year's reform? But to pass that, we meet him here, and we say that the ballot would prevent them. This he denies, and skilfully states a train of reasons, such as they are, to show us we are deluded. Now, then, let us observe the upshot of our opposite reasonings. About the cause of the evil we are both agreed: it is the power—that is, the great properties—of the landlords. We say that the ballot will prevent the noxious exercise of this power; the reviewer denies that it will. But an efficient barrier against the introduction of good government must be removed. What follows I need not desire you to say. The question clearly is—ballot, or the destruction of large properties. If the ballot is sufficient to protect voting, as I believe it is, leave property to its natural course of accumulation or dispersion; if the ballot is not sufficient, the power of commanding votes must be taken away. For it is useless to mince the matter: good government we will not consent to be without. If the opposers of the ballot prove to us that with the existence of large estates we cannot have good government—in other words, pure representation—why then large estates must be abolished; the alternative is clear.

Sq.—The impression made upon me by your reasoning is complex, and somewhat difficult to describe. I cannot easily reconcile myself to your conclusion; and yet if it were proved to the community that they cannot have the benefit of genuine representation, that is, cannot have good government, while the property of the country is placed in great masses in particular hands, nobody can overlook the consequence. The community will assuredly come to the resolution of breaking up these masses, and making all properties small. Nor can anybody deny that they will have reason for such a proceeding. But still are you not alarmed at the idea of such a state of things?

Sch.—I know not what great evils I should apprehend from it. The moment of any considerable change is always ticklish. But I do not see why a community, in which there are a great many small properties, and none very large, should not be a very happy community. Many things might be said in praise of such a state of society, if it were now the object to recommend it. At present, however, I have no such design, because I think the ballot an antidote against the noxious exercise of the power of the rich; and if so, I desire not to meddle with their property. When it ceases to be hurtful, it ceases to be obnoxious to me.

Sq.—But how are you to get over the objection, that voters may be forbidden to vote?

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SCH.—That must be examined. The objection is given in broad, general terms, which afford no distinct ideas, and only leave behind them an impression that there is something of importance under them. Impressions of this sort are always a legitimate object of distrust, till the causes of them are minutely examined. Let us put before ourselves the circumstances, the combination of which, we are told, will defeat the ballot.

FAR.—That part of the inquiry comes home to me. I am eager to learn what protection can be afforded to the men of my class.

SCH.—I wish to simplify the state of the question as much as possible. I shall suppose, therefore, that the distinction is solely that of reformer, and no reformer: the landlords forbidding the reformers to vote, and compelling the anti-reformers to do so. If they can do this, anti-reform candidates will alone be chosen.

We must bear in mind that the objection we are endeavouring to obviate supposes, that the majority of the farmers composing this or that constituency are reformers. If the majority were anti-reformers, the anti-reforming candidate would be chosen without the intimidation process of the landlords.

Now then, let us observe the natural working of this state of things. The landlords, says the objection, order the majority of their tenants to abstain from voting.

First of all, how are they to select their men? How do they know who are the reformers, who the anti-reformers? The answer must be, by their talk. The men who are known to hold anti-reform talk will be sent; those who hold the language of reformers will be kept away.

Talk then is the criterion; but talk is fallacious. The men who are the least likely to hold themselves bound by any promise to a landlord which they can break with impunity are precisely the men who are most likely to deceive him by holding language which he may hear of, though it be not the language of their thoughts. He may, upon this evidence, be sending men to the poll, the majority of whom will vote against him. That this is a probable result, is proved by this fact, that when there is a majority of farmers warm in a particular opinion, it is always a very large majority; as a body they think according to one another; those among them who stand by themselves in an opinion are always a small number.

So much for the success of the anti-reform expedient with those who are sent to the poll. In the meantime, what are the thoughts of those who are forbidden to poll? They know by being forbidden that they are marked men in the minds of their landlords. They are also men who have little regarded this

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circumstance, since it has not hindered them from speaking their minds. Are they not men, therefore, who may go a step further, and ask themselves what other danger they are to undergo, if they disobey their landlord and vote in spite of his prohibition? Remember that they are the majority. There is no danger that the landlords will turn off the majority of their tenants. A general resolution, then, among the reforming tenants, to disregard the interdiction, would leave the landlords without a resource. The landlords are now in a situation in which the loss of a single tenant is no trifle; that of a great number a calamity. The landlords have already proceeded so far in misconduct to their tenants, that they have deterred the resort of capital to their land. Can they forbear to see how much it is their interest to encourage, to induce, men of property, and men of intellect, to become their tenants? But can they hope to have such men for tenants, if they are not to be as independent and free, in their thoughts, words, and actions, as their landlords themselves? To have a servile, mean-spirited tenantry, they must have a starving, poverty-stricken tenantry, and not half a rent. Nothing is more obviously the interest of the owners of the land, than to have an opulent tenantry. But a tenantry, independent in their circumstances, will also be independent in mind, and hold in scorn a landlord who should presume to interfere with their votes.

FAR.—You have delighted me by this last exposition. I see that we have not much to fear from the expedient of the landlords forbidding us to vote.

SQ.—I do think that this objection is answered. Not only is the state of things which it implies so revolting, that no man can suppose it would be tolerated; but if it were tolerated, we thus see that the landlords would be the sufferers. Still it appears to me that the question is not decided; the remaining arguments of the reviewer render the utility of the ballot more than doubtful.

SCH.—You remember that we are still considering the ballot with regard to one part of its effects, its efficacy, or inefficacy, to protect the voter from punishment for an honest vote. If it produces ill effects of any other sort to counterbalance this effect, this is to be another inquiry. Therefore, we had better not as yet use the word utility in the discussion, as it may lead our thoughts to the result of both inquiries, when we ought to be thinking only of one.

SQ.—Agreed. The next of the reviewer's objections to the efficacy of the ballot, is, if I remember, drawn from the hourly returns made under the present system of polling. The men

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who vote within a certain hour, are so many. Their names are all known, and not so many as not to afford good ground of conjecturing who has voted one way and who another.

Sch.—This is one of the modes, in which, according to the reviewer, the ballot will be defeated; and it is surprising that he should have committed so great an oversight. The hourly returns are an incident of open voting, and would be thoroughly excluded from secret voting. The balloting boxes would remain securely locked till the end of the poll, and the final return, that is the only one, would tell nothing but the numbers.

Sq.—The reviewer, however, urges, and I think with reason, that the man of power would possess effectual means of intimidation, even if secrecy were fully secured by the ballot.

Far.—Indeed! how does he make that appear?

Sq.—He says, that he would select certain victims, inflicting a blow on one farmer which would strike terror into all the rest.

Sch.—Let us take the facts as he would have us understand them. Let us suppose the anti-reforming landlords defeated; and that each of them has made his number of victims; that they have struck all the terror they can, and that a new election arrives. In what manner will each voter reason with himself? If the election goes against my landlord, says the man, some one in ten or twenty of us will be turned out. That to me would be a great calamity. How am I to conduct myself? Go, and vote for my landlord? That will not save me; because he may still suppose that I have voted against him. Shall I make great displays of zeal for his cause? He may still suppose that these are only a colour to disguise my opposition. I have no better chance if I vote for him than against him; then why should I not vote as I please? And after all, it is ten to one, or twenty to one, if any harm comes to me.—Is not this a very natural course of reasoning? And does not the reviewer, in his zeal to make out a case, invert a known law of human nature?

Sq.—To what law do you allude?

Sch.—That by which we over-rate the chances of good fortune; under-rate those of evil. Instead of seeing that every man, under the operation of this law, would believe, to a degree far beyond the actual probabilities of the case, that he would not be the victim, but escape safe, he would have us believe the contrary, that every man would look upon himself as the victim: as if it were the fact that every soldier, on going into a battle, believed that he was one of the men to fall: as if the direct contrary were not perfectly ascertained; and that the bravery of the mass of all armies depends upon that common illusion. Trust me, Sir, the selection of victims would not answer the

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intimidator's purpose; and, accordingly, the reviewer, as if he saw that it would not, concludes, at last, that it would only operate with the voter as a motive to abstain from voting. But I am not much afraid of those who abstain from voting. The man who has courage to disregard the bidding of his landlord, will not be long without the courage to disregard his forbidding.

SQ.—You dispose, Sir, of the objections of the reviewer, so easily, that I cannot but think there is more in them than your mode of showing them up permits to appear; though I do not find myself prepared to say what it is.

SCH.—I perfectly understand the state of your mind. You are under the influence of habit, which all at once is never overcome. Your habit has been to suppose that there was something strong in those objections, without seeking to know distinctly what it was: and when it comes unexpectedly to be shown to you, that there is nothing strong in them, you cannot resist the reasoning, but the habit remains, and still produces a hankering to believe, what yet you have seen ought not to be believed.

SQ.—This certainly does look like a description of what I feel.

SCH.—In considering the effects which would be produced by any device of the great proprietors to reap the benefits of intimidation under the ballot, one of them is never to be forgotten; the situation in which it would place the intimidators among their fellow-countrymen. Suppose the owners of large properties to be guilty of some signal act of oppression (it must be severe to produce its effect) upon a proportion, say a tenth, or even a twentieth of their tenants, selected by caprice, and without evidence even of the honourable act of which they are condemned; would not the indignation of the community be excited? Would not such men be regarded as the sworn enemies of their fellow-citizens? Could men the object of such feelings, in such a country as this, be long suffered to hold the power of which they make so offensive a use?

SQ.—I think, indeed, it is a state of things which would not last. But there is still an allegation more of the reviewer, to show that intimidation would exist in spite of the ballot. He says, that the ballot could only be effectual in a country where all the people were for it. If not, the people who despise secrecy would make an ostentatious parade of their mode of voting, and would thus reveal the secret of those who wish their votes to be concealed.

SCH.—I think that this is the same objection, only in a new shape, which we have had before, and have disposed of. We be-

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gan with supposing that there would be people who would declare beforehand their resolution of voting in a particular way; and would say afterwards that they had so voted. But we showed how these declarations of theirs could be rendered void, incapable absolutely of giving information, and of no more effect than so many inarticulate sounds. The reviewer supposes that these declarations would be accompanied with gaudy shews; with ribbons, and colours, and marrow-bones and cleavers. But what is all this to the purpose? Is it anything but profession still? and a noisy, or glaring profession, is just as likely to be false as a quieter one.

I think we have now gone through the reviewer's budget of devices, by which the man of large property will, he thinks, in spite of the ballot, command votes by intimidation: and I think we have ascertained that they are impotent every one; that the ballot may be looked to, not only as a great security, but as a security to this purpose wanting little of perfection. The reviewer, however thinks, that not only great men, but little men, may intimidate; and it is fit we should consider what we have to apprehend from that source likewise.

Sq.—I remember what you allude to. He says, that in towns (he confines the operation of this infirmity of the ballot to towns) combinations of the people, as by political unions, may be able to operate irresistibly on the fears of electors.

Sch.—How can that be if the voting is secret? Combinations only threaten evil to those who vote against them; but when voting is secret, they do not know who votes for, or who votes against them.

Sq.—The reviewer supposes that they will judge by the result.

Sch.—Be it so. But what does the result teach them? Only that such a number voted on the one side, such a number on the other.

Sq.—But what if they are exasperated with the result, and desire to take vengeance?

Sch.—Vague anticipations of evil from a source which offers specific good, never weigh much with any reasonable men. Let us inquire what this decree of vengeance is to do. It is not to be supposed that the combinations in question act like madmen, and run a-muck at electors indiscriminately. Their vengeance will point only at those who have opposed them. But who has opposed them? That is buried in impenetrable darkness. Next it is to be supposed that these combiners are under the coercion of the law; and that even the individuals at whom their vengeance is pointed are safe from all violence: the combiners will

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only divert their custom from them. But why withdraw custom from one man more than another, when you cannot know tha any man rather than another has voted contrary to your wish?

Sq.—It appears then to be your opinion that the ballot would be a security against intimidation?

Sch.—If you have nothing further to advance against that conclusion. For I think we have sufficiently shown, that the causes which, according to you and the writer in the 'Edinburgh Review,' would obstruct the salutary operation of the ballot, are all of them inefficient; in fact, powerless to that mischievous end. Secrecy of voting, in the first place, which you said was not to be effected, has appeared to be the easiest thing in the world; secrecy so perfect, that not any declaration of the voter himself can by possibility disclose it. Next, the knowledge of an elector's general opinions, we have seen, affords no effective means to the landlord. His order to stay away will assuredly be disregarded, because he has no means of punishing the breach of it; and if his vengeance after defeat strikes at a few victims, the intimidation is inadequate, and the disrepute extreme; the loss of political consequence greater than the increase of it which he aims at, and aims in vain. As for the approximation to a knowledge of the votes by the hourly returns, we take away the hourly returns; and the vengeance of clubs and combinations of the most numerous class of the people, is clearly and most indisputably precluded by the secrecy. I think, therefore, we may affirm with assurance, that the power of intimidation is taken away by the ballot, and that the independence of voters would be secured by it.

Sq.—I am obliged to confess that the resources of the intimidator, under the operation of the ballot, appear, from what you have said, to be very weak in comparison with what I have been accustomed to suppose, and with what they are given out to be by the writer in the 'Edinburgh Review;' who, I suppose, has written under that same hankering, which you ascribed to me, a hankering to believe—as he has been in the habit of believing—that the means of eluding the ballot are strong.

Sch.—I have no doubt of it. But then he is a man who has the tutelary habit in such perfection, if the same who is commonly alluded to, I mean the habit of obeying the stronger evidence when it is found to bear even upon a fostered opinion, that he will soon get the better of the hankering.

Sq.—The good effects of the ballot, that is, honest voting, may be nullified by two means, either by intimidation, or bribery: the latter we have not yet considered. But I see the writer in the 'Edinburgh Review' lays great stress upon it in

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proof of his first position, that the ballot is an institution feeble, or rather impotent, to the production of good.

SCH.—He does lay stress upon it, but in the way of rhetoric rather than argument. What he says is in truth an argument, not against the ballot, but against small constituencies, which his argument proves ought not to exist. In that conclusion I agree with him; if an imperfection of this kind is found in the constituency created by the Reform Bill, it must be, and that speedily, amended. There is no doubt that you may have a constituency so small as to destroy the influence of the ballot; but it is obvious, on the slightest reflection, that all the means alleged by the reviewer of gaining anything by bribery under the ballot, confine themselves to small constituencies, and can have no operation in large ones.

First, bribing voters to stay away, is only resorted to at the end of a hard contest, when it is known that a few votes more or less will decide the question; and when it is worth a man's while to bribe highly. But take the state of things which ought to be made to exist,—a large constituency, and, from the beginning to the end, absolute ignorance of the state of the poll; who, in that case, can tell whether bribing one hundred or two hundred will be of any use? And who will throw away his money for such uncertainty? The absurdity of the supposition is enough.

The next allegation is, that the bribe may depend upon success. A sum of money may be promised to the electors if such a man is returned.

It is almost too obvious to need being remarked, that this expedient would be successful only with a small constituency. A candidate may be supposed to offer a sum which would be an object to each of two hundred or three hundred men, 10*l.* a man, perhaps; but who could offer what would be efficient among five thousand? Why 2*l.* per man would be 10,000*l.* And then, which is a sufficient answer to this allegation, how would an act of such publicity lie concealed, and go unpunished?

But, if it thus appears, as to me it does incontrovertibly, that there is nothing in the allegations which are brought to controvert the efficacy of the ballot in securing freedom of voting, we may consider the first question as decided, and may affirm that the ballot is calculated to produce all the good effects which its advocates expect from it.

SQ.—Be it so, at least for the present; for I am not prepared to dispute your conclusions. But another inquiry remains,—namely, what are the ill effects which it produces?

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SCH.—True; and the writer in the 'Edinburgh Review' has very justly observed, that the ultimate decision for or against the ballot, as an institution, must turn upon the balance of its good and evil effects. The ballot implies a power on the part of the voter to protect himself by saying one thing and doing another, and the use of this power as often as necessary. In this, as far as I can perceive, is included the whole of the evil which the writer in the 'Edinburgh Review' ascribes to the ballot; for he expressly rejects the arguments which have been vented by the petty advocates, telling us that speaking out is a good thing, not speaking out is a bad thing; that speaking out is English, not speaking out is un-English; and other childishness of the like sort.

SQ.—It would have been unworthy of the writer not to see that such allegations prove nothing, that speaking out, and not speaking out, are good or evil, as the case may be. But the deterioration of the moral character produced by a habit of lying, is an evil of such magnitude, that I cannot easily form the idea of any consequent good which would be an equivalent for it.

SCH.—The balance, as you and I have already agreed, should be accurately struck. But for this purpose is it not true, that the items on both sides of the account should be accurately examined?

SQ.—To that there is no man but must assent.

SCH.—What I complain of in the mode of proceeding of those who range themselves as enemies of the ballot is, that they have always evaded this examination. And this has struck me as a proof either of their rashness in taking upon them to settle an account which they have not examined; or the poverty of thought which they brought to the decision, if they were not aware that the examination was necessary.

SQ.—But what do you mean by saying that they have evaded the examination? Does not the article in the 'Edinburgh Review' before us, present an appalling catalogue of the consequences of the mendacity produced by the ballot?

SCH.—It does; but does an appalling catalogue come up to your idea of an examined catalogue? And if it does, what do you say to the other side of the account? The balance is ascertained by comparison of the two. It is very true that the writer in the 'Edinburgh Review' began by an endeavour to show that the ballot would leave the voter as much liable as before to vote under compulsion. Had his argument to that effect been conclusive, the controversy was at an end. If the ballot could do no good, the smallest portion of evil on the other side would

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turn the balance against it. But we have seen that to this end his argument totally failed. At least, though I am not perfectly sure that you rely on the new conviction which you found you could not resist, you could find nothing in reason with which to oppose it.

Sq.—That I must confess.

Sch.—It is, therefore, incumbent upon you to take into account all the good which may appear to be the consequence of voting free from compulsion.

Sq.—Suppose we do so; will not your complaint against the opposers of the ballot then be limited to this omission?

Sch.—If it were, it would still be a very heavy complaint. What sort of judges can they be deemed who leave entirely out of their consideration the evidence on one side of the case?

Sq.—When viewed in that light it does seem a serious charge.

Sch.—And this is by no means the whole of the charge which I bring against them. They behave as ill with regard to their own as their adversaries' side of the account.

Sq.—How do you mean?

Sch.—They give us rhetoric instead of computation.

Sq.—You must speak plainer.

Sch.—Observe what they do, and then say if it is not so.

Sq.—I am attentive.

Sch.—To form a just estimate of the immorality really belonging to the protective lie of the ballot, it is necessary to submit the act to a minute examination; to ascertain its properties with exactness, and determine what consequences these properties imply. Have the lie-abhorrers done this? Instead of it, they have given us a flashy picture, every feature distorted, nothing seen distinctly, and all covered over with a thick varnish of glaring colours. The object has been, not to do any thing for the understanding, but to make up a phantom hideous enough for the imagination. This might be all very well for a debating club, for a contest of rhetoricians, a game at oratory, or for a set of partisans who want not to enlighten but mislead. Legislators whose object is truth and the public good should proceed in a different manner.

Sq.—Your complaint is too much in generals; I wish you to present the particulars of it.

Sch.—I confess it is very inconsistent in me, complaining of others for their generals, to keep to them improperly myself. But I wished, not to be tedious; and therefore that my exposition should not be more minute than the necessity of the case seemed to require. Perhaps this further development will satisfy you.

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Sq.—I am desirous to hear it.

Sch.—I have already said enough, or nearly so, to determine what a man imbued truly with the spirit of legislation would do. He would examine deliberately that case of mendacity the possibility of which the ballot supposes, and he would fix its proper place in the scale of demerit; that done, he would consider and ascertain what are the ill consequences inseparable from such an act, and would fix their respective places in the same scale; the only mode of proceeding by which an accurate statement of the amount of actual evil could be given.

Sq.—I now understand more distinctly the operations you would have performed.

Sch.—Instead of this, what have our objectors done? Their business has been to select the most hideous images connected with mendacity in its worst forms, to put as many of them as possible into a great aggregate, presenting no distinct ideas to the understanding, but a horrible image to the imagination, the more horrible because obscure; like Milton's devil, which shape had none, distinguishable in member, joint, or limb; and could be called neither substance nor shadow, for each seemed either.

Sq.—I willingly allow that this is not a mode of proceeding by which legislators should lay the foundation of great measures. Whether you are right in laying the charge so heavily upon the oppugners of the ballot in the legislature, I have not the particulars of their conduct so fully in my recollection as to be able to say. But that is a question the determination of which does not press. The point of importance is to ascertain, by strict investigation, what the evil accruing from this source really amounts to. This, I fear, that my friends of the no-ballot cry have left undone. But that only renders me so much the more impatient to have this great service to the cause of truth and good government rendered by you.

Sch.—Do not say rendered by me; for how can you expect from me what those great men have left in despair?—I say despair, because I cannot find any other apology so honourable to them. However, if you consent to join with me in the inquiry, we can enter upon it, and may at any rate proceed so far—possibly far enough to find the means of a certain degree of satisfaction to ourselves.

Sq.—Agreed.

Sch.—I presume we may go upon the assumption that there are lies—if, to please the men of the no-ballot cry, we must call every expression which corresponds not with the matter of fact by that opprobrious name—of all degrees of criminality, from

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the very highest to the lowest; some of no criminality at all; some absolutely meritorious.

Sq.—I doubt whether I can go along with you to the full extent of this proposition. I see very well that there are degrees of criminality in lies; that a lie, for example, by a witness in a court of justice, intended to take away the reputation, life, or fortune of an innocent man, is a much more atrocious crime than to make your servant exclude your visitor by a lie at your door. But I am not willing to allow that there are any innocent lies; for I do not call any thing a lie which is not meant to deceive. And whatever is done by a lie had better surely be done without it.

Sch.—If it can. But what if it cannot? Will you venture to say that there is nothing—there can be nothing—which had better be obtained than not, if it cannot be obtained unless a lie be told for it?

Sq.—I cannot say that; because a number of cases immediately occur to me in which the attaining of certain ends by lying is accounted perfectly laudable; the stratagems of war, for example; the deceptions often usefully employed by medical men; those practised, when necessary, towards madmen; or even those by which violators of the laws are obstructed in the pursuit of their wicked designs.

Sch.—You need not limit yourself to those instances. You can produce many more. Is it not reckoned perfectly honourable in a lawyer to do everything he can for his client; to use very gross acts of deception, not only by perverting facts, by making those appear to be no facts which really are, if by false glosses, and confusing the witnesses, it is in his power to do so, but making use, without scruple, of evidence which he himself knows to be false, making out, as proved, matters of fact, which never, he knows, had existence. Observe what the law itself and the judges do. The very instruments which they proceed upon and demand as the foundation of their acts, writs, bills, pleadings, are all full of notorious and ridiculous lies. They go further than that. They make no scruple to extort lies, aggravated by the violation of an oath. Though it is perfectly certain that twelve men cannot always agree upon a particular point, they compel every jury to declare, upon oath, that they have agreed. Though the value of a property stolen may be well known to be many pounds, they direct jurymen to declare, upon their oaths, that it is of another and far inferior value. And that without any blame imputed to either party.

Sq.—That is so; but it is necessary to inquire into the meaning of all this. It is all done for the attainment of an important end.

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Sch.—It professes to be so; and it is under the belief that it is so, that it passes without condemnation. But here we come to the difficulty which you said arrested your progress. Why is any thing we do done with a lie?

Sq.—I see to what my own admissions have drawn me. I am no longer at liberty to say that a lie should not be told for the attainment of good.

Sch.—Provided it cannot be attained without the lie; and provided it is a good which deserves to be purchased at such a price; for it is never to be forgotten that the rule of sincerity is of so much importance in human life, that a violation of it is always an undesirable means. And the levity with which it is set aside in modern manners is no slight imputation on the morality of our times. To such a degree is the observation of truth held unnecessary, that a great part of the business of ordinary life is performed by the violation of it, not as a necessary, but a convenient, means. There cannot be a more striking example than the established expedient for declining to admit a visitor, by telling a lie at the door. How much of what is called good manners is grounded upon simulation, both by words and deportment indicating matters of fact which have no existence? The very terms of salutation and valediction, in particular the epistolary, are commonly gross violations of the truth. The common apology is, that they injure nobody; and on that ground it will readily be admitted that they deserve no very severe condemnation. Yet if they do no good, they are an evil, though small, still uncompensated.

Sq.—But this doctrine of yours leads to a conclusion which I shudder to think of,—that truth, in itself, is not more estimable than falsehood, that each is valuable in proportion to the end it effects.

Sch.—Do not say *my* doctrine; for I have done nothing more than lay before you the common practice and common sentiments of the world. I object to the terms of your conclusion, because they are equivocal.

Sq.—How equivocal?

Sch.—I think I can satisfy you by a few words. What is it that makes truth valuable to us?

Sq.—The good it is the cause of.

Sch.—What is it that procures approbation of certain deviations from it?

Sq.—The good they are the cause of.

Sch.—It is thus admitted by you that, in themselves, and without regard to their effects, speaking truly and falsely are equally matters of indifference. In this sense, therefore, the conclusion you draw from the received morality is true; but

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there is another sense in which it is very far from being true. Take speaking truly and speaking falsely in conjunction with their effects, and the difference is unspeakable. The good effects of speaking truly are constant and universal; the good effects of false speaking are occasional only, and, in comparative amount, a trifle. The general rule, therefore, is, that truth is to be observed. But for the very reason for which it is to be observed,—namely, the good which it produces, it is to be abstained from when it would produce not good, but evil. Depend upon it, Sir, whenever you find a man affecting a zeal for truth beyond this mark, it is not morality which is the spring within him.

SQ.—The moral grounds which you have laid down do, indeed, seem to be incontrovertible.

SCH.—And it was of importance to lay them correctly, because all the plausibility bestowed upon the 'no-mendacity' part of the argument against the ballot is derived from keeping the true moral grounds of the question out of view; and in place thereof, thrusting a quantity of false morality in our faces. The question appears to me to be now brought within a very narrow compass. We have only to inquire whether the good to be obtained by the deviation from the line of truth which the ballot may occasion, can be obtained by any other means; and whether the good is so small that the deviation is too great a price to pay for it. Is this inquiry worth entering upon, or is it not?

SQ.—What is worth entering upon, if this be not? I do entreat you to proceed. I never was more deeply interested in anything.

FAR.—I am so deeply interested, that my tongue has been tied. I have not had a faculty but attention alive. It is of infinite importance to men in such circumstances as mine, to feel that, in protecting themselves against their oppressor, they do nothing of which they need to be ashamed. This will keep the pride of virtue alive in their breasts.

SCH.—The first inquiry, then, we have to undertake is, whether the end to be obtained by the lie of the ballot, can be obtained without it.

SQ.—Can it, or can it not?

SCH.—There is one very obvious way—namely, that the possessors of the compulsory power should cease asking promises before, or confessions after, the vote. If they could be either prevailed upon, or compelled to abstain from this exercise of their power, the object would be gained, free voting would take place, and not a lie would be told.

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SQ.—That is clear.

SCH.—It is also clear, that if they act the other way, they, and they only, are the cause of all the lying which takes place. The guilt of it, therefore, belongs to them.

SQ.—The great guilt undoubtedly belongs to them. Whether there is not a separate guilt of him who allows the lie to be extorted from him, we have yet to see. But this abstinence of the landlords, which would save the lying, is it a thing to be expected of them, or not?

SCH.—The writer in the 'Edinburgh Review' goes openly and stoutly on the ground, that they can neither be counselled nor compelled; that they have objects of their own to gain by exerting the power which their fortunes give them; that they are men governed by selfish and ungenerous purposes; and that all the blessings of good government opened to the hopes of their countrymen have no charm for their eyes, nor anything but the profits of misrule, which, by defeating the ballot, they hope still to secure. The author in the 'Edinburgh Review' is not sparing in his condemnation of this conduct. But he affirms it will take place.

SQ.—Is he, or is he not, right in that opinion?

SCH.—First, as to persuasion, I must confess I see no equivalent which can be held out to them for the profits of misrule, which they might secure by defeating the ballot; and such an equivalent, I am afraid, is the only medium of persuasion, from which any great effect could be expected.

FAR.—You must allow me to come out with an observation here, though it is hardly in point to this part of your inquiry. But I have been wondering within myself, since you began to speak of the certainty with which the no-ballot men conclude that the landlords would exert their power to secure to themselves nomination if the ballot were obtained, what they could possibly mean by calling upon us to believe that these very men would not think of securing to themselves nomination, if voting were open; as if the same thing which would be to them an object of uncontrollable desire, if voting were secret, would be to them no object of desire at all, if voting were open; and, thereupon, exhorting, or rather commanding us, not to desire the ballot till we should see whether the conduct of the landlords would render it necessary or not. They could not foresee what the landlords would do with their power when they had not the ballot to obstruct them. They foresee perfectly what they will do with it, if the ballot stands in their way. This is a mystery in their conduct, which I wish you would explain.

SCH.—It is not necessary to conclude them altogether dis-

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honest in the maintenance of these contradictions; nor altogether foolish. Self-interest is a great confuser of ideas, especially in the minds of those whose habits of thinking have been formed under all the perverting influences which arise from the possession of power. Evidence is no evidence with such men, when it goes against their desires. No proposition is fit for proof, but that which they wish to be true. But though I have no equivalent for those who might hope still to secure nomination by extorting promises from persons voting secretly, I may conclude thus far with certainty—that they will not continue to extort promises, after experience has proved to them that it is of no use. Now, if the vote can be rendered perfectly secret, as I think I have proved that it can—and if, as I think I have also proved, the means either of intimidation or bribery, with the ballot, and a constituency sufficiently large, are too insignificant to be of any avail, it is not doubtful that the promises exacted by landlords will be utterly useless; that asking them will, therefore, be soon relinquished, and become utterly discreditable. The evil of lying, therefore, will be short-lived; the benefits of free voting will have no end.

SQ.—If I do not misrecollect, the writer in the 'Edinburgh Review' has anticipated this remark of yours, and refuted it.

SCH.—I thank you for reminding me of that passage in the article. We should have it before us.

SQ.—I can turn to it immediately.

SCH.—Do so, and read it.

SQ.—It is this:—

'If the ballot had been coeval with our elective system, the case, we readily admit, would have been different. Our feelings and our habits would have been fitted to it, and have grown up in harmony with it—always supposing that it had continued to be a really secret method of voting. To ask a vote, still more to ask a question as to how a vote had been given, would no more have entered into any man's mind, than it now does to overlook a person when he is writing, or to open letters directed to another. But we are considering what protection the ballot, now first introduced, will give to men whose habits are already formed, and cannot be changed—at least during the few years that they would bear such an experiment to be tried.'—*Edin. Rev.* No. CXII. p. 555.

SCH.—I claim this as an affirmation of my opinion. It says that, after a time, secrecy would extinguish the very thought of asking a promise or confession.

SQ.—The Reviewer only says, that if the ballot had been coeval with our elective system, it would had these effects.

SCH.—Surely you do not suspect the Reviewer of putting forth so untenable a proposition as this—that the effect of

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secrecy, as part of the elective system, would be good, if it began with the system, but bad if it begin at any other time. What is there in the commencement of an elective system, which should give an effect to secrecy different from the effect it would have at any other point of its duration? No sooner is the proposition distinctly announced, than its futility is seen. The motive to influence votes are of the same kind at the beginning as at any subsequent point of an elective system. If a man has an object to gain by forcing a vote, will he be less disposed to serve himself at the commencement, than during the currency of a voting system?

Sq.—That would certainly be too much to expect; but is there not weight in what the Reviewer says about the habits we have now acquired, and should have to overcome?

Sch.—Let us not talk of those habits vaguely and obscurely. What are the habits we have now, and should not have at the commencement of an elective system? I know but of one—that of commanding the open voter to vote as we please. As to the demanding a promise from the secret voter, that can be no habit when secret voting begins. What is the habit here which is to be overcome? The habit of commanding open votes is gone, when open voting has ceased.

Sq.—Let us not keep to a construction of the mere words of the Reviewer; let us make a liberal interpretation of his sense. I think he must be understood to mean that the habit of commanding open votes would be followed by a propensity to command secret ones.

Sch.—If we do, I think his argument will not be a strong one. Pray, how did the habit of commanding open votes begin?

Sq.—You mean me to say, I suppose—and, in truth, I see not what else I can say—that it began, because he who had the power to command, had also the will.

Sch.—That is to say, he obeyed the dictates of his interest. But why look out for any new habit, to account for a man's obeying those dictates? Is not that the master-habit? But what if voting had been secret from the beginning? Would not the same interest which made men seek a command over open voting, make them seek it also over secret?

Sq.—Undoubtedly it would.

Sch.—And is there anything in the mere point of commencement that should make the feeling of interest less cogent than afterwards?

Sq.—I do not see that there is.

Sch.—Then the desire of the man, who had the same interest

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to serve, in commanding secret votes, would not be less strong to command them at the commencement of a voting system, than at any subsequent stage of it.

Sq.—I know not why it should be so.

Sch.—But, at the commencement, the Reviewer says, that desire would have died away; and, again, he says it would not die away at the subsequent stage. But why would it have died away at the first stage? Solely because ineffectual. It will be equally ineffectual at the subsequent stage. Will not the same effect proceed from the same cause? No, says the Reviewer. Why? Because men have acquired the habit of commanding open votes. What reasoning! Because men have continued to do a thing by which they promoted their interests, they will be sure to go on doing another thing, by which they do not promote their interests.

Sq.—I do not, indeed, see how the one of these propositions follows from the other.

Sch.—And if it does not, we are at liberty to conclude, that the landlords of the present day, when they find promises of no use to them, will cease exacting them as well now, as they would a thousand years ago.

Sq.—I think it is vain to contend against that conclusion.

Sch.—The last sentence of the paragraph you have read is, to me, somewhat obscure. The writer desires us to observe, that he is 'considering what protection the ballot, now first introduced, will give to men whose habits are already formed, and cannot be changed—at least during the few years that they would bear such an experiment to be tried.' What is it that you understand by these words?

Sq.—I understand what I think is the obvious meaning of them; that the habits men now have, are adverse to the efficacy of secret voting, and would make them abolish the practice sooner than change their habits.

Sch.—Your comment is not much clearer than your text. We must look at the words a little more closely. The men whose habits the Reviewer here speaks of are evidently the voters—the men needing protection against the vote-compellers. But it is altogether out of my power to conceive what habit they can have adverse to the efficacy of secret voting. What we desire is, that they may vote as they please. Is the Reviewer so ill read in human nature, as to imagine there can be a habit, which men cannot get over, of acting contrary to their will? Men may act contrary to what they desire, under a dread of evil. But will the Reviewer tell us that the landlords

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of the present day have more power over the occupants of their land, than the landlords 'coeval with our elective system?'

Sq.—What, then, is it you conclude?

Sch.—That the Reviewer, by these words, has not strengthened his argument. He here supposes a habit adverse to the efficiency of secret voting, in the voters, when there is no such habit; and he allows that the secret voters, if voting had always been secret, would have defeated their masters at the beginning, but would be defeated by them now; that is, when their dependence upon their masters is incomparably less, and their intelligence much greater.

Sq.—The words, when thus examined, do appear to have been inconsiderately spoken.

Sch.—We may as well, since we are upon this passage, not omit the conluding clause of it—where the writer intimates that the voters would not tolerate secret voting more than a few years. What motive should the voters have to seek the abolition of secret voting?

Sq.—He doubtless alludes to the oppression which he had above supposed the voters would be liable to, under the suspicion of having voted contrary to orders.

Sch.—Which oppression we have already shown to be impracticable, and not an object of dread. These reasons are wholly without force; and, therefore, leave the conclusion clear and unembarrassed—that the ballot will accomplish its object, and enable the voter, however dependent in his circumstances, to vote as he pleases, without any terror of consequences.

Sq.—I am not able to oppose these conclusions, and must consider them with such care as will either enable me to refute them, or show me the necessity of assenting to them. But I seem to have lost the thread of our discourse, and must endeavour to resume it. We had remarked that the Reviewer made two assertions—one, that the landlords could not be persuaded; another, that they could not be prohibited, from endeavouring to command secret votes. You had allowed that they could not be persuaded; but proceeded to show that the endeavour would be ineffectual; and that, being without a motive, it would, therefore, cease: and you have shown, with, at least, much appearance of reason, that the arguments of the Reviewer against that conclusion, are without force. It remains, however, for you to show, that it is not impossible to prohibit the selfish endeavours of the landlord.

Sch.—If I have established the conclusions at which we have now arrived, I think the argument is at an end. Where would

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be the utility of prohibiting men from a practice, which you know they will not use? And what better security against a practice, than the knowledge, that nobody will have any motive to it? Upon these grounds the utility of the ballot is already demonstrated. However, I think it best to go through all the pleas, and shall, therefore, invite you to suppose that the arguments we have just produced, to show that the compeller of votes will be frustrated, and that he will not long endeavour, when he finds he must always endeavour in vain, are yet unknown to us; that he has, in short, a power of evil, which, not being able to persuade him to relinquish, we desire to take from him. The question is, have we the means? The Reviewer says not. It is our business to inquire. Is not that your meaning?.

SQ.—It is.

SCH.—When a man, or set of men, have a power which they make a bad use of, there are two modes of dealing with them—either to restrain them from the bad use, or to take away the power. The Reviewer has considered only the first mode of remedy, and has passed over the last, as if it did not exist. This is a great error in reasoning. What he has endeavoured is, to prove that no penalties, which could be applied by the legislature to the use made of their power by the owners of large estates in coercing secret voters by punishing those whom they might suspect of voting contrary to their wishes, would be effectual.

If this were true, it would only be an argument for the abolition of large estates. The greatest enemy in the land to the existence of large estates is this Reviewer. There is a power in the hands of those landlords which is used to evil purposes. This use must be prevented. It cannot be prevented, says the Reviewer, by restraining the power; but it can, we say, by taking away the power; and this, if the Reviewer is right, is the only remedy. *Quod erat demonstrandum.* A formula which in this place, I think, we may apply without a joke. Do you concur with me?

SQ.—Your conclusions come upon me so rapidly, that, though I have seen no flaw in the reasoning, I fear to admit them. If the Reviewer is right in affirming, that the owners of large estates can by no means be hindered from making a bad use of their power, I cannot refuse your conclusion, that it is an argument against the existence of large estates; but I recoil from the idea of a law to break up large estates.

SCH.—Not surely, if good government is placed on the one side, and large estates on the other. You do not, I imagine,

prefer for your country large estates to good government. Society was not made for large estates, but for the community. If large estates can be reconciled with the good of the community, leave them to themselves; if they cannot, the consequence is inevitable: they ought to be abolished; nor is there any use in lamenting the catastrophe, which will assuredly come, whether we like it or not. This is the ultimate and sure remedy, if there is no other to be found.

Sq.—You think the ballot will prevent the bad exercise of the power of large estates, and therefore you have no hostility to them; but as I wish every hypothesis to be sifted, let us wave for a moment your argument on this subject, and suppose that the ballot will need aid against the machinations of the landlords, do you think that the Reviewer, when he says that the evil use of the power cannot be prevented, is right?

Sch.—I think he is far from right; I think that many expedients might be employed, without going the length of dividing large estates, which would reduce the mischievous exercise of the power they confer within very narrow limits.

The expedient of direct penalty—the only one which seems to have been in the contemplation of the Reviewer—would, perhaps, be feeble, as he says, from the difficulty of bringing evidence; but, nevertheless, a penalty, and a very heavy one, ought to be applied, which might be paid, in whole or in part, for his evidence, to the voter whose promise or confession had been demanded; and by which compensation might be made to those who suffer injury by an honest vote. It is not an argument against such a law, that there would be difficulties in the execution of it. The main thing wanting would be appropriate tribunals; and their only difficulty would be in determining the value of the evidence received. Suppose a man swears that his landlord had endeavoured to suborn his vote, it would often be difficult to determine whether the landlord should be fined upon such evidence. If a man, however, so swears, and can show by probable circumstances that he has suffered injury from his landlord through suspicion of his vote, there would be no difficulty at all; and in this way the penalty would operate strongly as a safeguard to the voter.

It might be rendered open to any candidate to call upon any landlord to make oath that he had neither intimidated nor bribed. I think that public feeling would operate strongly in sanction of the purity of such an oath. It would not be a custom-house oath, or a clergyman's oath; about which the public are indifferent. An oath on this subject, known to be foul, would leave a stain behind it. Even a penalty, therefore

would not be so useless as the Reviewer endeavours to prove; and he entirely overlooks the more efficient checks.

SQ.—I am impatient to hear what would be more efficient checks.

SCH.—The means of coercion which a landlord possesses may be mostly summed up, I think, under three heads:—1. The power of dispossessing; 2. The power of pressing for arrears of rent; 3. The power of withholding indulgences. In regard to the first two, I think you will not deny that the power of oppression in the hands of the landlord may be reduced.

SQ.—Perhaps not, when you have shown how it is to be done; at present I do not see.

SCH.—To begin with the power of dispossessing, that is limited by every lease. Why not make leases adequate to the protection of the voter?

SQ.—I see that a lease is protection against dispossession during its currency; but what happens when it expires?

SCH.—Would pure voting, and all the blessings of good government consequent upon it, be in your opinion too dearly purchased, if there were no other means, by declaring all leases perpetual?

SQ.—Certainly not; but it would be a great infringement of property.

SCH.—It is not even liable to that objection; it would be a measure in strict conformity with the principle on which all property rests: that no man shall use that which he calls his own in a way to injure other people. If leases cannot be subject to renewal without such injury, leases must be made perpetual.

SQ.—I know not how to combat your conclusions; but they do not please me.

SCH.—I shall please you better, perhaps, by saying that I do not think perpetuity of leases necessary to prevent the injury which might be made to attend the renewal of them; though I should approve the perpetuity, if I thought the injury could not otherwise be prevented.

SQ.—How then is the injury to be prevented, if the leases are to be renewed?

SCH.—If the terms of the renewal are left to the landlord, the injury will take place. The terms, therefore, must not be left to the landlord, but committed, along with the entire question of renewal, to an appropriate tribunal, by which an equitable arrangement could easily be made.

SQ.—I think, indeed, this might be done, without any great infringement of the principle of property; because an equitable tribunal would weigh the landlord's reasonable objection to any

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man as a tenant, and would estimate correctly the rent which he ought to receive.

SCH.—I think, then, we are agreed, that this part of the landlord's power to do mischief might easily be taken away. We may, therefore, proceed to the next.

SQ.—That, I remember, is the pressing for arrears.

SCH.—It is well known that landlords have provided for themselves a power over this class of debtors such as is granted to creditors of no other class: I mean, distraint—a power which stands on no ground of reason, and ought to be abolished. This would greatly lessen their power over a tenant suspected for his political opinions, as they could only enforce a debt through the operation of law. But still the power would be too great, and must be further abridged. The same tribunal which determines whether a lease shall be renewed, and on what terms, should have the power of determining what time a tenant in arrear should have for making payment.

SQ.—These are great restrictions on the power of using a man's property.

SCH.—That is not the question; but whether they are greater than is necessary to prevent him from using that property in a manner injurious to others? for that is the law under which all property is held. Besides, I do not give these as the best expedients: they are such as have suggested themselves to me at the moment; others, which are preferable, are perhaps to be found.

SQ.—You have then shown how two of the landlord's modes of coercing a tenant may be taken away. How do you dispose of the third—that of withholding indulgences?

SCH.—Farther than by the restrictions we have already considered, on the renewal of leases, and raising of rents, and pressing for payment of arrears, I do not see that it would be necessary to interfere. If besides secure possession, at a reasonable rent, with moderation in pressing for arrears, a landlord is beneficent in other respects to his tenants, his conduct will have its effect upon their minds—will naturally incline them to oblige him. This, however, is not coercion; this is an influence which I have no wish to diminish.

SQ.—There is, however, one contingency still which would afford coercive power: I mean the occasional necessity for remissions of rent.

SCH.—These necessities, I think, arise from bad laws; and I have not mentioned them, because, when the corn-laws are abolished, those fluctuations of price, which the necessities in question arise from, will be prevented. When they do exist,

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the question of remission is obviously a question for the tribunals we have been speaking of; and thus, you see, that, even waving, as you wished, the conclusion we had come to, that the landlords would not persevere in asking promises or misusing their power over those tenants whose votes they suspected, the means of taking away the power of abuse are not difficult; and that, according to either supposition, the objections to the ballot are overthrown.

FAR.—You have now determined so many points, in a way, I must say, very pleasing to me, that my poor head is a little bewildered. I want to have them all at once before me, that I may survey them together, and see to what they amount.

SQ.—I will endeavour to perform this service, both for you and for myself; feeling not less than you the necessity of combining the propositions we have established, and comparing them with the questions which the controversy involves.

First, then, we considered the objections made to the efficacy of the ballot;—that it could not produce secrecy;—that it could not prevent the obtaining of votes by intimidation;—that it could not prevent the obtaining of votes by certain kinds of bribery. These objections were all shown to be futile: that the ballot could produce secrecy; that it could prevent the obtaining of votes by intimidation; and prevent the obtaining them by bribery. From this we proceeded to the next branch of objection, the evils ascribed to the ballot. We found that they might be considered as all summed up in the word lie; and entering upon the moral question, we soon perceived, not only that lies were of all degrees of criminality, from the highest to the lowest, but that there were lies even moral and obligatory; that the occasions, however, of good obtained by deviations from truth were so few, compared with those obtained by adherence to it, that the deviation was an undesirable means, and should only be admitted when the good could not otherwise be obtained. Can the good we look to from the ballot be obtained without it? was then the question. Yes, if landlords can either be persuaded, or compelled, to abstain from the impure exercise of their power. The 'Edinburgh Review' says they cannot. We then entered upon an inquiry, which has led us to an affirmative conclusion upon both branches of the inquiry: we found that landlords would soon be persuaded, if not by other people, at least by their own experience, that asking promises was a useless and discreditable labour:—we next found, that their powers of intimidation might be so effectually taken away, that a dependent would risk but little in refusing to tell in what manner he intended to vote, and that the landlord

might be made to risk a great deal by attempting to force him. It appears to me, therefore, that we have arrived at this most acceptable conclusion—that we may, by the natural course of things, have all the benefit of the ballot without the evil of the lie; and at all events, may secure that result by a very obvious and simple piece of legislation.

FAR.—This being so, the inquiry is undoubtedly at an end; for what more can we desire to have, than proof that the ballot may be made really to produce the good effects which its friends expect from it, and without any of the ill effects which are imputed to it by its opposers?

SQ.—I do not see that anything more is necessary, if our conclusions are really sound. But however strong the chain of reasoning by which we have arrived at them, and by which I have found my assent to them compelled, I still feel that my reliance on them is imperfect.

SCH.—We have already adverted to the state of mind you are in—not an unnatural one, nor of rare occurrence; your old belief is contending with your new convictions; what you want, is to be familiarized with your own convictions. A conviction becomes a practical principle only by being made familiar; and many people continue through life acting contrary to their convictions, because they have never been at home with them, and have therefore continued under the influence of some contrary notion, because an old acquaintance. This is one of the shapes in which mental weakness displays itself; stronger minds easily incorporate the new conviction, and master the bias of merely habitual belief.

SQ.—A fair warning to me.

SCH.—You need not take it so, unless you please. I would rather consider you as an example of those who master, than of those who are mastered by, the mere habit of a belief.

SQ.—But have we really then brought the inquiry to a close?

SCH.—Logically speaking, or, for the satisfaction of reason, I think we have; but, rhetorically speaking, or, for the purpose of popular persuasion, something perhaps is still wanting. The rhetorician in the 'Edinburgh Review'—a master in that commanding art—has handled, with much appearance of persuasion, a topic which we have not yet considered. Going upon his own hypothesis, he runs out in a display of consequences of a very odious character, and then concludes that the ballot, even if it produced all the good we contend for, would still be the cause of a balance of evil. It is true we have refuted his hypothesis, and his consequences, therefore, are consequences of nothing. Still I think we ought to consider them; because

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there are many people to whose old habits of thinking they will prove very consonant. Even upon his own hypothesis we can show that his consequences do not hold.

Sq.—That will be an important addition to our argument.

Sch.—The Reviewer affirms, that landlords will continue to extort promises, and will receive lies; that this habit of lying will taint the character of the voters; and that this is not all; for the voters, to protect themselves from the vengeance of their landlords, must continue to speak sentiments in accordance with the promise they have made and broken; that is, to profess sentiments different from those which they hold—to pass, in short, a life of lying. A very formidable train of evils, doubtless; but a state of things the possible existence of which, even to the mind of a theorist—and here the Reviewer is a rank theorist—ought to have appeared doubtful. There have been seen states of things in which a handful of men in a nation have been compelled for ages to profess sentiments which they abhorred;—the poor Jews, for example, in Spain and Portugal, —to whom, however, on that account, nobody ever imputed moral depravity; but a state of things, in which a mere handful of men in a nation compelled a great and influential portion of the whole to continue professing sentiments which they abhorred, never yet was seen in the world, and we may safely pronounce never will.

First of all, what are we to think of a Reviewer, even of the rhetorical class, who, discussing a question, which he informs us turns upon a comparison of evils, leaves his argument lop-sided; that is, gives us an overcharged catalogue of evils on the one side, but wholly omits those on the other?

Sq.—What is it you mean? For I do not willingly admit this charge.

Sch.—Observe, that I mark it only as a charge of inadvertence, not of design. But it is a proof how easily the fairest minds are betrayed into controversial injustice, and how much it imports us all to be on our guard against it. For do you not think, that he ought to have given us a catalogue, as fairly made out, of the evils from which the ballot would deliver us, as of those which it would bring along with it? And has he done any such thing?

Sq.—I must say that he has not; and I see the necessity we are under of doing it for him.

Sch.—I cannot help remarking upon one part of the conduct of the men who signalize themselves by their zeal against the ballot—and that is, the wonderful horror they have of a lie,

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when it accompanies the ballot; and the want, at least, of all sign of any horror of the lie which attends open voting.

The comparison of these two lies is, in this question, a matter of cardinal importance. If they were lies of the same degree in the scale of moral depravity, the evil, as far as they go, would be equal on both sides. If there is the greatest possible difference between them in this respect, the balance of evil rests with the more criminal of the lies.

SQ.—Explain to us what you mean by the lie on the side of open voting?

SCH.—It appears to me surprising, that it should need explanation to you, or to any body; and yet I imagine the fact is very generally overlooked. Such is the effect of evil custom, and so little is ill looked for in a practice which has long been unconsidered. You will allow that, in undertaking a trust, there is an engagement to discharge it honestly—a promise, in short, solemn and binding in proportion to the importance of the trust.

SQ.—Undoubtedly, I allow that.

SCH.—What do you think of the trust of choosing a member of parliament? Is it not important exactly in proportion to the importance of having a good parliament?

SQ.—Yes, I must certainly allow that; because a parliament can be good, only as the members of it are good.

SCH.—And I suppose you will allow that the goodness of a member depends upon two things—his having intelligence to see what is good for his country; and his having no prevailing motive to betray it.

SQ.—Certainly.

SCH.—I know you have reflected enough upon this most important of all subjects, to have determined in your own mind the reason why an oligarchy, or combination of a small number of the richest men of a community, is necessarily a bad government; and a government genuinely representative is necessarily a good government.

SQ.—I think I understand the reason of that. An oligarchy is necessarily a bad government, because its members have the means, and hence the temptation, to benefit themselves at the expense of the community. A representative government is a good government, because its members have not the means of benefiting themselves at the expense of the community, and are therefore left to the influence of the motive which all men have, to seek the good of the community of which they are a part.

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Sch.—We shall also agree, I imagine, that an oligarchy does not change its nature, by a mere change of its outward forms. I mean, that whether the members of it act directly in their own persons, or by means of instruments, so long as the acts of the government are dictated by their wills, and by their interests, the case is nearly the same; bad government is necessitated.

Sq.—That I am far from denying, and as far from denying what I see you are coming to—that a House of Commons, chosen by the members of an oligarchy, is merely an oligarchy acting by its instruments, and as certainly producing bad government as if they acted in their own persons.

Sch.—Now, then, we have got pretty close to the matters of fact which we are interested in understanding. When a voter, voting openly, yields to the intimidation of his landlord, he lends his vote to the production of the oligarchical power, while his covenant with his country is, to use it exclusively for the purpose of good government. This is not a simple lie. It is a lie with the strongest circumstances of aggravation. It is a breach, not of an ordinary promise, but of a promise on which good and evil, to an incalculable extent, depend. Have you anything similar to say of the lie which may be forced upon the secret voter?

Sq.—The evil of the lie which is committed by the secret voter, is the evil of a deviation from truth—which, however, not only taints the character, but produces more or less of a tendency to disregard truth.

Sch.—The Reviewer produces two cases of evil, springing from the mendacity of the ballot; and that is the first of them. The second is, the course of mendacity, which terror of his landlord makes the voter continue, to cover the breach of his promise. The first of these is what we have first to consider. As you have now put his position—which, as far as I remember, you have done correctly—this evil consists of three particulars: the deviation from truth; the taint of the character; and the greater readiness to lie. Now the two last of these, I imagine, are one and the same thing. By tainting the character, I suppose is meant, making the character worse, that is, making it more disposed to the commission of crime. Taint, in any other moral sense, I do not understand.

Sq.—I do not suppose the Reviewer meant it in any other sense; and I agree with you, that the last two items in the enumeration must be considered the same.

Sch.—The whole charge, then, consists of the simple evil of lying, and the tendency which one lie may have to produce other lies.

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SQ.—Agreed.

SCH.—But it has been found, that there is a lie on each side of the account—a lie with the open vote; and a lie with the secret vote. As far, then, as the two items of the reviewer go, the simple evil of lying, and the tendency of a lie to produce more lies, the cases are equal; and there is no reason, on this score, to dislike secret, any more than open voting. The prodigious preference given to open voting, therefore, must come from something else than reason.

SQ.—As far as this point is concerned, I grant it you.

SCH.—Such are the two lies in themselves. We have next to compare them in their circumstances. For we have already seen, that in point of morality, the difference between one lie and another is prodigious; and that the circumstances make all the difference. Thus, the lie by which a wicked son takes away the life of his father is not, in itself, a greater deviation from truth, than the lie by which a general deceives an enemy, and saves his country.

SQ.—I not only agree to this, but am satisfied, from what you have said, that it is an important article in the science of morals, too often obscured by vague and sentimental terms.

SCH.—I think, then, after what has already been explained, we may proceed, in a summary way, to our conclusion. The open voter, who votes under intimidation, having promised to his country to vote for the man he thinks best, and having broken his promise by voting for the man he thinks worst, is the cause, along with others, of establishing an oligarchy, and perpetuating all the consequences of misrule—that is, a combination of all the worst evils, both physical and moral, incident to human beings, upon all the millions who constitute the body of the community. This is not exaggeration. Though these evils may not anywhere be seen in full aggregation, and though there may be counteracting causes, in some places of more, in some places of less, efficacy, that does not alter the natural tendency of the horrid cause, nor imply any abatement of its effects, further than as other causes obstruct its operations. In the case of the open voting, therefore, we have the lie, in conjunction with all the unspeakable evils of misgovernment. In the case of the secret voting, we have the lie, in conjunction with all the unspeakable blessings of good government. I will not ask you which of these two lies is most to be deprecated. But I will ask you, and ask all the world, whence comes it we have so many personages expressing the utmost horror at the lie attended with the good consequences, but without a word to say against the lie attended with the evil consequences?

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Sq.—The contrast, as thus presented, is most striking. I know not how far habit, to which we have so often had recourse for a solution of moral difficulties, will account for this strange phenomenon.

Sch.—I think it accounts for it in a great degree. But the phenomenon thus accounted for is a most remarkable exhibition of the mode in which the moral sentiments of the ruling class—I mean their habits of moral judging—become depraved under the operation of a system of government habitually pursuing the good of the few at the expense of the many.

Sq.—But still you allow, that the lie is so much of a drawback from the good of the ballot.

Sch.—I do not think that this much concerns our argument. In most deliberations for public good, we have to content ourselves with a compromise. Seldom any arrangement produces pure advantage. That is the best, which produces equal good with the least evil. But we must look a little more narrowly at the lie which produces the good, and see what the common reason of mankind has taught them to think it. By the supposition, the good is not to be obtained without it. For, if it be, the lie should be condemned. The lie of the ballot, then, does for us two things—it saves us from all the evils of bad government; and it bestows upon us all the blessings of good government. You will tell us—for you are well acquainted with this branch of science—what the moralists of all ages have determined, as to the character of a lie of this description.

Sq.—I must own, without reserve, that they have all determined it to be a moral act.

Sch.—But you will allow, that a moral act cannot taint the character—cannot create a propensity to immoral acts.

Sq.—To say so, would, I think, be a contradiction.

Sch.—The Reviewer's imputations, therefore, on the lie of the ballot are groundless. He said, it was in itself a bad act; and that it produced a bad tendency. We have seen that it is, in itself, not a bad act, and that it cannot produce a bad tendency. We might, therefore, proceed to his second list of evils—those subsequent lies with which he says the lie of the ballot must be followed up. But, as the point is of great importance, I wish to hear the grounds upon which moralists go, in determining, that when a deviation from truth is found to be the only means of warding off an evil, or obtaining a good, it loses its culpable character, and becomes a moral act.

Sq.—I need not go to any remote source for the illustration of this point, when I find an approved one at my hand. In Dr. Paley's chapter on 'Promises,' he has a section entitled,

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'*In what cases promises are not binding*.' Among other cases, he says:—

'Promises are not binding, where the performance is *unlawful;* as where an assassin promises his employer to despatch his rival or his enemy: a servant to betray his master: a pimp to procure a mistress: or a friend to give his assistance in a scheme of seduction. The parties in these cases are not obliged to perform what the promise requires, because they were under a *prior* obligation to the contrary. From which prior obligation, what is there to discharge them? Their promise—their own act and deed. But an obligation from which a man can discharge himself by his own act is no obligation at all. The guilt, therefore, of such promises lies in the making, not in the breaking them; and if, in the interval betwixt the promise and the performance, a man so far recovers his reflection, as to repent of his engagements, he *ought* to break through them.'

He adduces another case, and says, 'Promises are not binding where they contradict a former promise.' He adds, 'because the performance is then unlawful; which resolves the case into the last.' In the chapter on 'Service,' he says:—

'A servant is not bound to obey the unlawful commands of his master—to minister, for instance, to his unlawful pleasures, or to assist him by unlawful practices in his profession: as, in smuggling, or by adulterating the article in which he deals. For the servant is bound by nothing but his own promise; and the obligation of a promise extends not to things unlawful.'

Paley has a chapter on 'Lies,' Here he lays it down, that 'there are falsehoods which are not lies; that is, which are not criminal.' He then gives an enumeration of the kinds of falsehoods which are not lies, nor criminal; and in particular mentions these:—'Where the person to whom you speak has no right to know the truth; as, when you tell a falsehood to a madman, for his own advantage; to a robber, to conceal your property; to an assassin, to defeat or divert him from his purpose.'

SCH.—This is enough, and a few words will suffice to show the application of the doctrine of Paley to the case of the ballot. First of all, Paley says, that 'promises are not binding where the performance is unlawful.' Surely nothing can be more unlawful than promises to rich men to combine in bringing all the evils of misrule upon the community to which men belong. If there be wickedness in promises, this is wickedness which cannot be surpassed. Paley says next, that 'promises are not binding where they contradict a former promise.' The voter's original promise to his country was, that he would vote for him whom he thought the fittest man. A subsequent promise to vote for him whom he does not think the fittest man contradicts the former as flatly as it is possible for one promise to

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contradict another. Paley says, further, that 'a falsehood is not a lie, that is, not criminal, where the person to whom you speak has no right to know the truth.' And what right has the man of wealth to know how the poor man, his dependent, votes; when the law has given the poor man the privilege of secret voting, on purpose that his rich master should not know, and who, therefore, cannot take measures for knowing, without a violation of the law; a violation which ought to be punished? The illustrations of Paley import that a falsehood is not a lie, whenever it is told to defeat a person, who has intentions leading to evil, in carrying them into effect. As no intentions can lead to greater evil than those of the man who would establish oligarchy, no falsehood can be more remote from the imputation of criminality than that which defeats him in such a design.

SQ.—Paley says, the guilt of such promises lies in the making, not in the breaking them, but he does not exempt them from guilt.

SCH.—A promise, however, given under terror, can produce no habit of promising without terror. In the breach of the promise there is morality, not immorality; and in the promise there is no tendency to a habit. What becomes then of the vehement fears of the reviewer, about the evil habits which the falsehood of the ballot must engender? It is thus proved to be exempt from all such tendency?

SQ.—Still, would it not be better that the secret voter should refuse to promise?

SCH.—Yes; and I can mention to you what would be better even than refusing the promise; that it should not be asked. If there be guilt in making the promise, there must be tenfold guilt in extorting it. The promise is given by a trembling dependent, to save himself and family from some of the worst of evils. It is extorted by the master to procure to himself certain advantages, which are to be secured by bringing evils without number upon the great body of the community to which he belongs. The giving the promise is so far innocent, that it injures nobody; and it is given under a motive which few men can be expected to have the power to resist. The extorting tends to incredible evil; and arises purely from that sort of motive, which the law, under penalty of death, requires all men to resist, the desire of getting what does not belong to them. What, if we cannot hope that the extorting will not go on? What also, if we cannot hope but that men in dependence will not act like men out of dependence? What is the consequence? Only this; that we must deal with things as they are, not as

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if they were what we wish them. If we cannot get good voting without a promise which is broken without injury to any body, and without the smallest tendency to produce bad habits, we must be contented to get good voting upon these terms, and be glad that they are no worse.

Sq.—I think you have so fully exposed the attempt to discredit the ballot, on account of the broken promise, that we may now proceed to the remaining allegation of the reviewer,—that the breach of promise must be followed by a life of lying.

Sch.—There is one thing, before we proceed to that topic, which I think it may be well to notice. It may be said by others, though it has not been said by the reviewer, that a lie not only creates a tendency to tell more lies, but an entire relaxation of principle, and a greater readiness to yield to every temptation to crime; as we consider that the moral character of a woman who has lost her honour is not partially but entirely gone.

Sq.—Well, what have you to reply to this objection?

Sch.—First, that it proceeds upon a very shallow view of human nature. What is it that makes a breach of chastity in the one sex be thought so complete a subversion of the moral character; and to have not even a tendency that way in the other? Whenever the objector has solved this question, he has made out an answer to himself.

Sq.—I am anxious to know how it is solved by you.

Sch.—The solution is too obvious to be missed by any body. In the one sex the breach is regarded as one thing, in the other as another thing. When a man commits a breach of chastity, he knows it will not be thought by the world, nor is it thought by himself, that he has done anything seriously wrong. The woman both herself thinks, and believes that others will think, that she has committed a great crime. This it is which degrades, which impairs the moral character—the inward thought of having violated an obligation. There can be no doubt, that in every instance in which a man violates a known obligation, he weakens his habit of obedience to obligations. But this has no operation in the case of the ballot; for, in voting as he thinks best, notwithstanding his promise, he knows that he is not violating, but fulfilling his most sacred obligation. On the other hand, the moral contamination we have spoken of would assuredly adhere to the keeping of the promise; when he would act under a sense of violating his most sacred obligations, and would thence be the better prepared for every species of crime. And now for the reviewer's life of lies.

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SQ.—Ay, do satisfy me on that point; and then I shall hardly have a scruple remaining.

SCH.—The objection supposes a general opposition of sentiments between landlords and tenants. A few instances would be unimportant. It supposes that the landlords would generally receive promises from their tenants to vote for anti-reform candidates, and would vote for reformers; that the landlord would watch them afterwards, and take vengeance on those who should utter the sentiments of a reformer, as being those who had voted in opposition to his wishes.

SQ.—Yes, this is the real import of the objection.

SCH.—My answer to this is twofold: 1. That the landlords could not exercise the oppression—of the will to which the reviewer supposes them to be in full possession. 2. That the power of such oppression, if they had it, must necessarily be taken away from them; and that it might easily be so.

SQ.—If you make good these two positions, assuredly you will remove the objection.

SCH.—First, I am to show that the supposition of the oppression is absurd. We have inquired what are the landlord's means of oppression; and we have found that they are two: the power of turning tenants out of their farms; and that of pressing them for arrears of rent. But we may defy the most ingenious orator to produce a proposition which will excel in absurdity that in which it is asserted, that the landlords of a country will choose to beggar themselves, to go without income; for that must be the consequence of turning off their tenants.

SQ.—Do you not here exaggerate? The argument does not suppose all their tenants, but some only.

SCH.—As many as are necessary to the end?

SQ.—Yes, certainly.

SCH.—That is all. For where would be the use of turning off a few and leaving the rest; when the void must be filled up by men of the same stamp; and when the next time they will all vote as they did before?

SQ.—The supposition is that they will not; because the example made of a certain number will strike terror into the rest.

SCH.—This is not the least absurd part of this tissue of suppositions. Suppose a certain number of men were taken up at a venture, one in every thousand, for example, of those that pass at Charing-Cross, and were hanged for the prevention of thieving; would not such a practice be truly operative in the prevention of theft?

SQ.—This would have no effect in preventing theft; because

the thief would see that his chance of the punishment would not be increased by his thieving; but that he was just as likely to be hanged if he kept from stealing, as if he did not. It is not, however, in your style, to resort to such a medium of refutation. This is not argument. It does not even come up to rhetoric.

Sch.—What is the fault of it? Your objection, I suspect, arises not from its not being argument; but from its being an argument which strikes harder than you were prepared for. What can be more in point to prove an absurdity, than to produce a parallel case, the absurdity of which all the world must acknowledge?

Sq.—What I object to the case is, that it is not parallel.

Sch.—And I affirm that it is exactly parallel. The men are taken up at Charing-Cross without its being known whether they are thieves or not thieves. The tenants are turned out without its being known whether they have broken their promises or not; for that the secrecy of the ballot renders impossible to be known. The man who is to vote knows he runs the same chance of being punished if he keeps his promise, as if he breaks it. The two cases, therefore, I affirm again, are exactly parallel. And the dread of such punishment affords no motive whatever to regard the promise.

Sq.—You must allow this difference at least; that of the men taken up at Charing-Cross nothing is known. Of the tenants, this at least is known, that they speak such and such sentiments.

Sch.—True. But do you observe what this comes to? To this; that the men are punished for holding such and such sentiments. This is a new hypothesis; but which I am willing to examine, if you have leisure to hear me.

Sq.—I am well inclined to hear you.

Sch.—I say that this supposition is, if possible, still more absurd than the former. For I beg you to say, whether you can conceive anything more contrary to credibility, than that the great body of a people should be held in such terror, by a small number of the men of the same community, as to be made to profess opinions all their lives which they hold in abhorrence. The supposition implies a passiveness and servility, such as the most degraded state of our nature has never exemplified. In the present state of Europe, the attempt could not be made without the ruin of the attempters. This would be to set up a war, not between property and the want of it, but between a few great properties on the one hand, and an overwhelming superiority of property, in moderate portions, in many hands,

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and all the rest of the community along with it, on the other; a war, the event of which would not be one week in deciding. Surely the circumstances involved in this supposition the reviewer cannot have considered for one moment.

SQ.—It does seem a little wild, I must confess; and will not serve as an engine to batter down the common-sense advantages of the ballot.

SCH.—To show the impossibility of it still farther, let us consider once more what are the means possessed by the men of large property of effecting so strange a coercion. We have seen that they are but two—the power of dismissing tenants, and the power of pressing them for arrears of rent. We have also seen, what is too evident not to be immediately recognized, that to realize the supposition of the Reviewer, landlords must ruin themselves. Now we may be satisfied, that if landlords cannot defeat the ballot but by ruining themselves, it is pretty safe.

SQ.—I do not question that; but show me a little more distinctly how they are to ruin themselves.

SCH.—You allow that their income depends upon their tenants; and according to the supposition of the Reviewer, they will deprive themselves of tenants.

SQ.—I do not remember where the Reviewer says so.

SCH.—That shows you have not read what he says attentively. He says they must turn out all those of their tenants who do not invariably speak oligarchical sentiments. Three-fourths, at the least, must be supposed to hold sentiments directly the reverse; and the Reviewer tells us, that men of that class cannot go on for any length of time successfully counterfeiting sentiments they do not hold. Three-fourths of them, therefore, will fall under the rule of condemnation: that implies, that three-fourths of all the land of the country are thrown out of cultivation, and that the great landlords of the country deprive themselves of three-fourths of their income. They render themselves, therefore, men of small incomes, and ruin their influence by endeavouring to make it exorbitant.

SQ.—But the supposition of the Reviewer is, that the landlords will not need to turn out all their anti-oligarchical tenants; that a few of them turned out, for the sake of example, will make all the rest vote as they are required to vote.

SCH.—And we have already proved the absurdity of that supposition, by showing its similarity to the plan of preventing theft, by hanging every thousandth man at a venture. That a man should be hindered from voting as he pleases, by fear of an evil, which it is twenty to one he will never feel, and of which

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he does not lessen his chance one atom by voting according to his conscience and his wishes, is a supposition at the very summit of extravagance. To press for arrears of rent, as means of coercion, would fail for the same reasons—as might be shown by similar explanations. But as they are abundantly obvious, and I would not be tedious, we may omit them, unless you think otherwise.

SQ.—I agree with you.

SCH.—It is only necessary then to add—and this also we have already proved—that if the landlord's power of turning his tenants out, and harassing them for arrears, were not incapable of destroying the securities for good government, which we expect in the ballot, but as potent to destroy them, as the argument of the Reviewer supposes, we have another remedy. It is the easiest thing in the world to take away those powers—either by forbidding the existence of large properties, or by taking away the arbitrary power of landlords over tenants, by giving the question of the renewal and terms of leases, as well as of the exaction of arrears, to the decision of an equitable tribunal.

SQ.—These last conclusions of yours I do not find myself more able to resist than those which preceded them; and I believe, according to your doctrine of the necessity of being familiarized with the conclusions which have satisfied one's reason in order to convert them into practical principles, that I want nothing more, to be a practical friend of the ballot, than to have incorporated the reasons for it with the rest of my habitual associations.

SCH.—Having shown, as I think, effectually, that the arguments of the Reviewer, by which he undertakes to prove that the ballot is impotent for good, but potent for evil, are untenable, it seems to me that we have cause for the highest exultation.

SQ.—What is it you mean? Not mere triumph over a controversial opponent?

SCH.—Something very different; I mean the assurance of exemption to the human race from the train of evils which would have been their inevitable lot had the arguments of the Reviewer been found to be just. Admit his conclusions; and it follows, that good government is an impossibility; mankind are born to be the spoil and prey of a small number of their wretched fellow-creatures, whom their position renders of necessity the most worthless of their species.

SQ.—The train of consequences you thus adumbrate I see too faintly to be able to trace them; I therefore wish you would point them out somewhat more distinctly.

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SCH.—I shall only have to repeat what I have already said, that, according to the Reviewer, a small number of rich men command a majority of the votes of poor men, and that for this there is no remedy; that the promise held out by the ballot is illusive, besides which it is accompanied with peculiar and overbalancing evils. This, I say, is an argument against the representative system, and if the argument were good, a conclusive one; for it would prove that the representative system leads necessarily to oligarchical power, the very worst of all the bad shapes of power, and enables it to act with more security under the mask of representation. Most assuredly, if a majority of the persons sent to serve in parliament must be sent by a few rich men to do as they are bidden, that is, to rule the country for their masters, it would be much better that the masters should rule it directly, without the farce of representation, and all the lying and hypocrisy which attends it. The extent of misrule is not abridged by that scheme of deceit, it is enlarged. The remarkable thing is, that the Reviewer goes on establishing this doctrine with an air of gaiety, and of something even more exulting than self-satisfaction. Yet the prospect, we should think, is such as to strike a damp into any heart which is not made of stone. Admirably was the nature of oligarchical morality understood by Plato, when he made the oligarchical advocate lay it down seriously that moral good is that which is good for the strong man, moral evil that which is not good for him. Habit so conciliates us to this doctrine, that even a man like the Reviewer, who has not an oligarchical wish in his mind, is not startled when he arrives by a train of reasoning at this monstrous conclusion.

SQ.—If it be true that his argument would prove the impossibility of good government,—and I confess I see not how it can be obtained, if not through the representative system, which his argument sets aside,—I must pronounce his apathy wonderful.

SCH.—As we contemplate the case now, setting the real circumstances before us, it would seem impossible that any thing, having the senses and feelings of a human being, should not be melted at the thought of all the miseries with which misgovernment overwhelms the mass of mankind, all fixed on them irremovably from generation to generation to the end of time. But it is not so wonderful that men who contemplate the case in another point of view; who are familiar with the delights of those on whose account these miseries are produced; whose thoughts have been accustomed to run in the same channels, to think with approbation of what brings delight to them, with disap-

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probation of that which brings uneasiness; while the pains and pleasures of all the rest of mankind, still more the great causes of their pains and pleasures, are too little thought of to weigh in their minds as objects of much comparative regard, should have their sensibilities little affected by the general idea of misgovernment; and should not feel greatly shocked when brought, by a train of their own reasoning, to the terrific conclusion that such is the inevitable lot of mankind.

Far.—This apology may do for them so far as it accounts for what I have often observed; a disposition to protect and uphold the poor, in men who were zealots for institutions that would crush them. But surely men enslaved by habits of such partial and insufficient observing and thinking, men whose conclusions may be founded, without their knowing it, upon ideas which embrace but a fraction of the subject on which they presume to decide, are little to be trusted as rulers of nations,—far unfit to judge, in the last resort, of what is good and evil for mankind. And now I think we have provided an answer to all the objections of the no-ballot men. At least I, for my part, cannot think of another.

Sch.—There is, however, yet another which goes upon a very different ground from that which the Reviewer has taken in the greater part of this article; not upon the ground of the ballot's not being efficient, but on that of its being too efficient. And it is curious enough that there are even two sets of arguers upon this single ground: one set complaining that the ballot will destroy the influence of property; the other that it will destroy the influence of poverty.

Far.—That is an admirable ground which supports contradictory conclusions.

Sch.—I hope you have observed that something like this characterizes most of the allegations against the ballot: one set of them is pretty regularly a negation of another; and yet its adversaries seldom scruple to urge them both. The Reviewer, however, does not associate himself with those who complain that the ballot would destroy the influence of property. He would be ashamed to advocate that only influence of property which the ballot would destroy. He declares that he reprobates that influence. But he says the ballot would do great mischief by precluding the influence of poverty. This, at any rate, has an air of generosity, this is the tone of a protector.

Far.—But how is it that the ballot can prevent the influence of poverty? Or what influence is poverty possessed of?

Sch.—I had no doubt this allegation would surprise you. And no wonder. The theory, however, of the allegation is this.

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The greater portion of the people are not allowed the privilege of voting. If those who possess the privilege (people of some property) vote in secret, that other portion of the people (those of no property) have no influence on their voting. And this is an evil of which they have a right to complain.

FAR.—I doubt whether I understand this doctrine; because it looks to me like an argument not against the ballot, but for universal suffrage.

SCH.—Do you not think the Farmer sees into this subject with clearer eyes than some of his betters?

SQ.—His observation makes me ruminate. I will not venture to say it is wrong.

SCH.—If you consider it a moment longer, you will find it is right. We may go to the bottom of the subject at once; which for the most part, I think, is better than scratching the surface.

FAR.—Only take me along with you.

SCH.—The sole ground and justification, in reason, of taking a part, and not the whole, of the population for the basis of a representative system is, that a part may be taken, much less than the whole, but yet sufficiently extensive to be thoroughly identified in interest with the whole. The inference is, that the general interest is thus secured. The security of the general interest is that which is sought for by good government; and in that is included the interest of the non-voting, as well as that of the voting part of the community. The share of the non-voting part in the general interest, that is, in the blessings of good government, is, by the supposition, perfectly ensured to them without their exerting any influence on the voting. By the supposition, therefore, they cannot possibly exert any influence counter to the natural tendency, but for evil; and if the ballot protects the voting part from such influence, it is a necessary instrument of good.

FAR.—The arguments of those who are against the ballot do turn out, upon your shewing, to be very poor things; they are just nothing at all.

SCH.—A mistaken argument naturally appears so, whenever it is opened up, and seen with its disguise taken off. Your suspicion that the argument against the ballot—ascribing benefit to the influence of the non-voting over the voting part of the population—was an argument in favour of universal suffrage, you see, is perfectly just. If that influence could be of any use, it must be because the voters would not make the best choice without it. But if the non-voters can induce others to make a fitter choice, it must be because they are fitter to choose themselves. This conclusion, I think, is inevitable.

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SQ.—I cannot dissent from it, and therefore I do think that this argument, if it does any thing, goes to prove the superior fitness of universal suffrage.

SCH.—The argument, it is evident, goes upon the assumption, that the constituency is defective, and that it needs external influence to keep it right. But a constituency can be defective in only two ways, either by not wishing to make the best choice, or by not knowing the best. It cannot have a will not to make the best choice, but by having a sinister interest, that is, an interest opposed to the general interest. It cannot mistake the best choice, but for want of intellect. The argument, therefore, implies, either that a constituency short of the entire population cannot have the will to make a good choice of representatives, or that the entire population is fitter, in point of intellect, to make a good choice than any section of it; at least than that section which we at present take in this country.

FAR.—Certainly nothing can be more clearly proved than the inconsistency of those who maintain the goodness of our present constituency, and yet say that it needs to be kept right by the influence of those who make no part of it.

SCH.—The extreme inconsiderateness with which the arguments against the ballot show that they have been brought forward, is not one of the least remarkable things attending them. To tell us in one and the same breath that we have two sets of men in this country, one set who are the fit and proper men to make the choice of representatives, the other altogether unfit; but that the unfit men ought to have the power of influencing, that is, altering, the choice of the fit men, is a monster in the way of deduction, at which one stares with astonishment.

SQ.—You should have added, of altering *by intimidation*; for that is the necessary supposition; and that an argument should land in such an absurdity, and the arguer not perceive it, does certainly imply a want of consideration which is nearly incredible.

Note, by the Editor of the Dialogue.

This talk about the responsibility of the elector has been recently renewed, and with such bragging assurance, that the futility of it may require to be a little more minutely set forth. The 'Times' newspaper of 21st January, 1835, publishes a speech of Lord John Russell; and in its leading article remarks that Lord John had settled the question of the ballot by 'one

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neat observation,' or words nearly the same with these; and the 'neat observation' lauded by the 'Times' is, that the ballot relieves the voter from responsibility.

The heads which lend themselves easily to the delusion of names are not the small class. Responsibility here does the business of Lord John. He has got the name, and the thing, he imagines, goes along with the name, as the substance with the shadow.

Lord John would be puzzled if he were called upon to tell what he means when he talks of the responsibility of the *people*. The electors are the people, if your representative system is not a mockery. They are a portion of the people such, that in their political interests the interests of all the rest are included; that, when their interests are pursued, the interests of all the rest are pursued; when their interests are sacrificed, the interests of the rest are sacrificed. The electors, therefore, and the rest of the people, are the same in point of interest, or your pretended representative system is radically vicious, and calls for a radical reform.

What responsibility does Lord John think applicable to a man in the management of his own affairs? When Lord John appoints a housekeeper and a butler to look after his interests in the kitchen and cellar, does he need any other responsibility than his own responsibility to himself, that is, his own sense of his own interest? can there be any other security so good for his making the best choice he is capable of making?

What does he imagine is done by the people in choosing their representatives? Do they not make choice of agents to look after their interests in the business of legislation, just as Lord John chooses agents to look after his interests in the business of the kitchen? and can they need, or can there be, any other responsibility for their choice, than what Lord John is under in choosing his servants, the knowledge that a good choice will be good for them, a bad choice will be bad for them?

Lord John must not think it impertinent, after the way he has talked, if we ask him a plain question,—if he knows what is meant by responsibility? Lord John knows many people, and admires some, who are very ready in the use of the word, but know the meaning of it no more than what name it goes by in the language of Brobdignag.

What is it we do to a man when we make him responsible for any act of his? Do we not contrive some means or other of making it contrary to his interest not to perform it as we desire he should? that is, in other words, of making it his interest to do it? Responsibility means always this one thing, an interest

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created to a man by external agency to do something which we wish done and which he would not have a sufficient motive to do without the operation of that agency. When he has that motive, responsibility is a word without a meaning. Where would be the use of saying a man is responsible for eating when he is hungry, for resting when he is tired? When it is made a man's interest to do so and so, whether by the hand of nature, or the hand of art, the object is gained. But where nature does the business without art, the latter is useless and absurd.

Lord John, however, and the 'Times' newspaper, scorn this mode of reasoning. They say that art ought to be added to nature in securing the good choice of representatives. And how is it they think the art is to operate?

By the supposition, nature has secured, by making it the interest of the voter, the best choice he is capable of making. But, say the two heads of Lord John and the 'Times,' we must have something more, we must have publicity, which makes the voter responsible. But this responsibility must either operate in the same direction with the voter's own previous interest, and then it is not wanted; or it must act in opposition to it, and then it is pernicious.

Having thus seen, that the responsibility of the voter, which Lord John and the 'Times' newspaper are so anxious to provide for us, would, on the most favourable supposition, be altogether useless, let us entreat them to consider (for it appears they have not yet done so) the price they would have us pay for this mock security, this insignificant instrument, this gewgaw of theirs.

To obtain it we expose the voters to the force of all the influence which wealth possesses on poverty, that is to say, we place the votes of the great majority of the voters at the disposal of the rich, who thus become the absolute masters of the country, and constitute an oligarchical government with all its abominations.

The publicity certain persons are so eager for, produces, therefore, two responsibilities. It makes the voters responsible, they say, to the non-voters, and it makes them responsible, as we say, and they must confess, to the class of men whose riches give them a power of good or evil to a great extent over their poorer neighbours.

Who sees not that the responsibility of the poor man to the poor class of men is as nothing; his responsibility to the class of rich men is commanding? For the *name*, then, of responsibility, without a grain of the reality, operating in the right direction, these patriotic enemies of the ballot desire us to

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constitute a responsibility, operating in the wrong direction, with a force which is irresistible. Such is the bargain they recommend to us, and that with a zeal which, considering the nature of the bargain, is enough to startle us.

The zeal with which they recommend such a bargain is the more remarkable, that they themselves declare and proclaim the utter worthlessness of that responsibility for which they would have us to pay so fatal a price. Is it not they who affirm with assurance, that if voting were secret, the farmers would keep away from polling at the bidding of their landlords, that this coercion would be complete? And what does that declare with the voice of a trumpet? What but this, that the motive created by the power of good or evil in the hands of the poor multitude is as nothing; the motive created by the same power in the hands of the rich few is irresistible. Can there be a stronger argument for the ballot than this? can there be a more pointed satire on the pretence that the knowledge by the people whether a man did or did not vote according to his conscience would be a security to us for honest voting? The farmer who stays away makes proclamation of the fact. He says to all those around him, the opinion you may hold of my conduct is of small importance to me compared with what I have to hope and fear at the hands of my landlord. My responsibility to you is something in name; my responsibility to him is something in terrible reality.

The tendency of all the arguments against the ballot being to bestow unlimited power on the small class of rich men in the state, or to persuade us that their hold of it cannot by any means be prevented, gives rise to serious reflections. Is it that the enemies of the ballot see not these obvious consequences? or, that seeing them, they have no aversion to them? Some of them are not like the 'Quarterly Review' men, and the other enemies of the Reform Bill. The consequences of that Bill *they* speak of with an abhorrence which amounts to frenzy, the furious language of madmen. It shows what interest they had in the consequences of the unreformed state of things. Wherever there are abuses, there are men to profit by them; and whenever profit is taken away by the reform of such abuses, there will be men to curse the reform, the men who have produced it, and all those whose train of thinking awakens the dread of more such reforms.

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POSTSCRIPT.

Since our Article on the political state of the country was sent to press, the experiment which, when that Article was written, was but in an early stage of its progress, has been completed. By the result of that experiment, it is ascertained, first, that even with all the defects still inherent in our representative system, the crown and the aristocracy can no longer force upon the nation a ministry against its will; and, secondly, that the nation will not endure a conservative ministry. The time, indeed, is not come for a ministry of thorough Reformers; and the Tories, as little as the Whigs, now profess themselves thorough anti-reformers. Tories may grant reforms; and Whigs, as the people well know, will often refuse them, or pare them down into insignificance. But there is this difference between the two parties: the Whigs at least profess to *love* reform; the spirit of examination and change which is abroad is no subject of lamentation to them; they declare themselves gratified by it, and take credit to themselves for having helped to produce it. The Tories, on the contrary, look upon that spirit with avowed suspicion, most of them with absolute terror; they make no pretence of sympathizing with it; and whatever concessions they are willing to make to it are made avowedly to necessity.

By such persons the nation has now declared, in a manner not to be misunderstood, and which has carried conviction to the minds even of those to whom such a fact is least palatable, that it will not be governed. It will not have for ministers men who confess that their hearts are not in the cause of reform—who lay claim to support, not for what they will, but for what they will not, do, to forward the amendment of our institutions. Men who would govern this country from henceforward must not be men who thought our institutions perfect five years ago, and who declare that their opinions have not changed. They must either have the sincere belief, or the decent pretence of a belief, that those institutions were and are imperfect—that there are changes, which are not merely necessary evils which the people unthinkingly demand, but a good in themselves.

This is a lesson, not without its value to those who still needed it. In all other respects, the prospects of the nation appear to us, after this change, exactly as they appeared three months ago. The progress of reform appears to us certain; and we know

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full well that it will be slow. Any ministry which can be formed out of the scanty and inefficient materials afforded by the present houses of parliament will leave much to be desired —much to be criticised—much to be pardoned. We do not call upon the thorough Reformers to declare enmity against them, or to seek their downfall, because their measures will be half-measures, often not more than quarter-measures; nor even because they will join with the Tories in crying down all complete reforms, and will fight the battle of half-reform with anti-reform artillery. This the thorough Reformers are prepared for, and we believe they will disregard it. But we do implore them not to implicate themselves in the responsibility of a half-reform policy. They may support a ministry, where it deserves support, with far greater effect out of office; and they will retain the inestimable advantage of being at liberty to advocate what, as members of a cabinet, they would not have it in their power to carry into effect. Let them not allow themselves to be circumvented by the time-serving doctrine, that it is imprudent to propose anything which has no chance of immediate success. All great things which have ever been accomplished in the world, since Opinion became the ruler of it, have been accomplished by attempting things which for years, or generations, or ages after the first attempt, had not the remotest chance of success. Whoever, as a statesman, acts upon any other maxim, aims not at the glory of himself exercising any influence over the fortunes of his country or of mankind, and aspires only to register decrees, in the framing of which he voluntarily declares himself unworthy to have any voice.

If the ambition of the thorough Reformers be not limited to this paltry object, they will penetrate themselves with the conviction, that it is for others to consider what can be carried through the House of Commons; but that *they* are there to stand up for what is good in itself, let who will be minister, and however small a portion of the House may go along with them.

From the ministry we neither expect nor demand all this; nor has the time yet come when so manly a course would be consistent with their remaining a ministry. But there is one thing which is not too much to require of them. We cannot expect that they will propose measures which are in advance of the House of Commons; but, unless they would be utterly contemptible, let them not, this time, confine themselves to such as they trust will be agreeable to the House of Lords. That this was the principle, the systematic principle, of Earl Grey's ministry, we have the public testimony of Lord John

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Russell, in a speech to his constituents in Devonshire; and Lord Melbourne's answer to the Derby address was in the same spirit. If the new ministers act upon a similar principle; if, as often as they believe that the House of Lords would throw out a measure of improvement, they mutilate it, or refuse absolutely to introduce it, and perhaps even assail it when introduced by others; if they again place themselves as a barrier between the Lords and public odium, and, to shield the real culprits, take upon themselves the responsibility of withholding from the nation its just demands,—their administration will assuredly not last one twelvemonth. Recent events are proof more than sufficient, if proof had been wanting, that it is impossible to please the Tories and the people both. The people will not have the Tories, even on a promise to act like Whigs; and ridiculous indeed would the expectation be, that they would tolerate Whigs who should again make it their avowed principle to act like Tories.

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THE

LONDON REVIEW.

Art. I.

THE CHURCH, AND ITS REFORM.

IN the article on the State of the Nation, in the first number of this publication, it was said—'We should now go on, and point out the reforms, which we think are needed, in the other great provinces of abuse, Law and Religion; but we have been led on so far, illustrating the spirit of reform, that we have not space for these particular subjects, and must allot to them separate articles, in the future numbers of our publication.'

This promise, in what regards the institution appropriated to religion, we shall now endeavour to fulfil. 'Bacon says, "If St. John were to write an Epistle to the Church of England, as he did to that of Asia, it would surely contain the clause, *I have a few things against thee!*" I am not quite of his opinion. I am afraid the clause would be, *I have not a few things against thee.*' These are the words of Dr. Jortin—(See his *Tracts*, vol. i. p. 350.)

'In England we certainly want a reform, both in the civil and ecclesiastical part of our constitution. Men's minds, however, I think are not yet generally prepared for admitting its necessity. A reformer of Luther's temper and talents would, in five years, persuade the people to compel the Parliament to abolish tithes, to extinguish pluralities, to enforce residence, to confine episcopacy to the overseeing of dioceses, to expunge the Athanasian Creed from our Liturgy, to free Dissenters from Test Acts, and the ministers of the establishment from subscription to human articles of faith. These and other matters, respecting the church, ought to be done,' &c.

Thus Watson, Bishop of Llandaff, delivered his sentiments, in a letter to the Duke of Grafton, in the year 1791.*

One of the most remarkable of the sentiments here expressed is the belief of the power, which a single advocate of reform, of the proper stamp, might exert on the public mind in England, and through the public mind on the House of Commons, and through the House of Commons on all that is faulty in our

* See Watson's Memoirs, p. 256.

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public institutions. 'A reformer of Luther's temper and talents would, in five years' (in 1791, be it observed, when the minds of men were ill-prepared) 'persuade the people to compel the Parliament,' &c. The great characteristics of Luther were courage, activity, and perseverance; for in intellectual endowments he was equalled by many of his contemporaries; and by some, Melancthon and Erasmus, for example, surpassed. We mention this, and request attention to it, as a matter of encouragement to those whose minds are elevated and blessed with the love of reform. It requires, they may see, but the *will* in any individual of a class, which now is numerous, to be the author of blessings, analogous to those achieved by him who, among mortals, was the greatest benefactor of the human race.

Among the reforms which five years of proper exertion might bring about, in the ecclesiastical part of our institutions, the Bishop enumerates the abolition of tithes, the extinction of pluralities, the compulsion of residence, the confinement of episcopacy (meaning, literally, overlooking or superintending) to the appropriate function which the name denotes; besides these, erasing the Athanasian Creed from the Liturgy, abolishing the Test Acts, and subscription to Articles of Faith.

Forty-four years have passed over our heads, and, of all this, how much has been done? We have abolished the Test Acts! And yet the people are accused of being too impatient for reform; as indicating, by their impatience, a desire to destroy religion—aye, and government along with it.—And so they would be if they were only to complain of a single bad thing once in a hundred years.

The Bishop is far from intending here a systematic view of the bad things in our ecclesiastical machinery. He mentions a parcel of particulars, by way of exemplification, and ends by saying, 'these, and *other matters*,' &c. We know that he laid great stress on one thing which is here not mentioned at all; reducing the emoluments of the overpaid priests of all descriptions, and giving something more to the class whom the clergy think sufficiently paid with a beggarly pittance.

The time is come, when a service of unspeakable importance would be rendered to the community, by a full and detailed exposition of the good which *might* be done by a well-ordered and well-conducted clergy; of the want of good in any shape derivable from our present ecclesiastical corporation, while it is the perennial source of evil to an incredible amount. It is obvious, that such a work as we contemplate is not compatible with the space which could be allotted to it in this publication, or the

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time which could be bestowed on one of its articles. But we shall enter into some details, to give a clearer view of what we recommend to others, and earnestly desire to see accomplished.

We shall begin with some illustrations of the proposition, that the present ecclesiastical establishment in England is a perfect nullity in respect to good, but an active and powerful agent in the production of evil.

It is one of the most remarkable of all the instances which can be adduced of the power of delusion, when well supported by artifice and power—that, up to this hour, an institute, truly characterized by the terms we have just applied to it, should be still looked upon as a fabric, venerable for the benefits which it confers upon the people, at whose charge it is upheld.

It has not the look, the colour, not even one of the outward marks, of an institution intended for good.

The world, at least the Protestant world, needs no information respecting the abuses of the Romish church. That ecclesiastical establishment had been reared up into a system, most artfully contrived for rendering men the degraded instruments and tools of priests; for preventing the growth of all intellect, and all morality; for occupying the human mind with superstition; and attaching the very idea of duty to nothing but the repetition of ceremonies, for the glorification of priests.

At the time of the great revolt from the domination of the Romish priesthood, while other countries broke down and struck off, some more, some less, but all a great part of the machinery, by which the Romish church had become the curse of human nature, the English clergy embraced that machinery very nearly as it stood, have clung to it ever since with the most eager attachment, praised it to the skies, and done whatever they could in the way of persecution against all who condemned it.

Look at the facts, and see how distinctly they support this representation.

Did not our church-makers retain the same order of priests? archbishops, bishops, deans, prebendaries, rectors, vicars, curates; with the same monstrous inequality of pay?

Did they not retain the very same course of clerical service—nay, the very same book of formularies, doing little more than translate the Mass-book into the English Liturgy?

Renouncing allegiance to a foreign head was the principal part of the change which took place in England, and the abolition of the religious houses, to satisfy the rapacity of the king and the nobles. But the employment and duties of the clergy remained as before, with some little alteration. The Church of England parson has less to do than the Romish priest; and

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being allowed to involve himself in the cares of a family, has a mind less devoted to the concerns of his place.

If the Romish establishment was not framed for the production of good, but was an exquisitely-fashioned instrument for the production of evil, is it not certain that the English establishment, which consists of the same integrant parts, must very closely resemble it in its tendencies?

Let us look at this subject a little more closely. Can any thing be a greater outrage upon the sense of propriety; a more profligate example of the contempt of public good; than to see a concatenation of priests, paid, in proportions, ranging from the height of princely revenues, down to less than the pay of a common footman; without even a pretence that the duties of the most miserably rewarded portion are less onerous or less important than those of the set who are paid with so immoral and disgraceful a prodigality?

The next thing which solicits the attention of all rational men, is the work which the English clergy are called upon to perform for this pay; exhibiting, in their extreme, the opposite vices of extravagance, and deficiency.

We undertake to maintain the two following propositions: First, that the only services which are obligatory upon the Church of England clergy, and regularly performed, are ceremonies, from which no advantage can be derived. Secondly, that the services they might render, in raising the moral and intellectual character of the people, are not obligatory, but left wholly to their option, to do, or not to do; that they are performed always most imperfectly, and in general not at all. Let us go to the particulars.

The services obligatory on the Church of England clergymen are, the Sunday service, performing the ceremony of baptism, that of marriage, and that of the burial of the dead.

To estimate the value of them, let us see wherein they consist.

The Sunday service. That consists almost wholly in the repetition of certain formularies; read out of a book called the Book of Common Prayer. On this part of the duty (the work is actually called *duty*) of the Church of England priest, the following observations are inevitable.

1. The repetition of forms of words has a tendency to become a merely mechanical operation, in which the mind has little concern. To whatever extent the repetition of religious formularies becomes mechanical, it is converted into an unmeaning ceremony.

2. The formularies themselves are of the nature of mere

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ceremonies. They consist of creeds; of short sentences called collects, which are commonly words of Scripture thrown into the form of ejaculations, or petitions to God; prayers, especially the Lord's Prayer; and extracts from the Bible. It is needless to mention the Communion Service, because, excepting the purely mechanical part, handing what is to be eaten and drank, it consists of the same things.

It is necessary to bestow a short examination on each of those particulars.

Of the repetition of creeds, the best thing which can be said is, that it is purely ceremonial. If it is not ceremonial, it is far worse: it is a forced declaration of belief—in other words, an instrument for generating the worst habit which can be implanted in the human breast—the habit of saying the thing which is not—the habit of affirming as a matter of fact, that which is not a matter of fact—the habit of affirming that a man is conscious of a state of mind, when he is not conscious of it.* This is to poison morality in the very fountain of life. The fine feeling of moral obligation is gone in a mind wherein the habit of insincerity is engendered: nay, more—every man who is possessed of that fatal habit possesses an instrument for the perpetration of every other crime. Mendacity is the pander to the breach of every obligation.

The collects, which are short sentences—mostly words of scripture, thrown into the form of ejaculation or petition—we may take along with the prayers; and of the whole lot together we may affirm, that if it is not ceremonial, and without meaning, it is a great deal worse.

The most important, by far, of all the religious sentiments is —the distinct, and steady, and perpetually operative conception of what is implied in the words, Almighty Being of perfect wisdom and goodness. Without this, there is no religion. Superstition there may be, in perfection. Priestism is its nature; it is a contrivance of priests, and always manufactured for their ends. When deluded people are made to think ill of the Divine Being, they are in the hands of the priests, and can be made to do whatever the cunning of the order prescribes to them.

* There may be chicaning on this subject; but no candid man, who really understands the human mind, will hesitate in assenting to the fact which is here affirmed, that a man is not conscious of that state of mind, called belief, with respect to every thing contained in the several creeds in the Prayer Book—perhaps in any one of them, every time he is called upon to pronounce them: above all, when he is first called upon to do so. A verbal assent is not belief. Belief implies ideas, and the perception of their being joined together according to the principles of reason. 'Strictly speaking,' says Berkeley, 'to believe that which has no meaning in it is impossible. . . . . Men impose upon themselves, by imagining that they believe those propositions which they have often heard, though at bottom they have no meaning in them.'—*Principles of Human Knowledge*, § 54.

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The tendency of the Church of England prayers is to give a wrong notion of the Divine attributes; and instead of the idea of a Being of perfect wisdom and goodness, to present the idea of a being very imperfect in both. To speak of them in the most general way, we may observe, that perpetually to be asking God for things which we want, believing that this is a way to obtain them, implies the belief that God is imperfect both in wisdom and goodness. Telling God unceasingly of our wants, implies that he needs to be told of them—otherwise it is an unmeaning ceremony. Asking Him continually to do things for us, implies our belief that otherwise he would not do them for us; in other words, our belief, either that God will not do what is right, if he be not begged and entreated to do so—or that, by being begged and entreated, he can be induced to do what is wrong.

In like manner, in regard to praise, which is the other element of what is called prayer: first, what use can there be in our telling the Divine Being, that he has such and such qualities; as if he was like to mistake his own qualities, by some imperfection in his knowledge, which we supply? next, what a mean and gross conception of the Divine nature is implied in supposing that, like the meanest of men, God is delighted in listening to his own praises! Surely, practices which have this tendency, if they are considered as having any meaning at all, it is much better to consider as having no meaning—that is, as being mere ceremonies.

The Divine Author of our religion every where indicates his opinion, that praying is nothing but a ceremony: he particularly marks praying, as one among the abuses of that sect among his countrymen, who carried their religious pretensions the highest, and whom he considered it his duty to reprobate as the most worthless class of men in the nation.

It is matter worthy of particular remark, that Jesus no where lays stress on prayer as a duty: he rarely speaks of it otherwise than incidentally. With that condescension to the weakness and prejudices of his countrymen, which is every where observable in his conduct, he does not reprobate a practice, to which he knew they had the attachment of an invincible habit; but by placing it among the vices of the Pharisees, he indicated with tolerable clearness what he thought of it.

It would seem, if we take his own words and example for authority, not the interested interpretation of priests—that he actually forbade the use of prayer in public worship. Let us observe how he gave warning against the abuse of this ceremony, in the sermon on the mount, and how clearly and incontrovertibly he characterized it as a ceremony, and nothing else:

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'And when thou prayest, thou shalt not be as the hypocrites are: for they love to pray standing in the synagogue' (that is, in public worship) 'and in the corners of the streets, that they may be seen of men. Verily, I say unto you, they have their reward. But thou, when thou prayest, enter into thy closet; and when thou hast shut the door, pray to thy Father which is in secret, and thy Father which seeth in secret shall reward thee openly.'

Nothing can be clearer than this: all prayer is reprobated but secret prayer, and even that is not recommended. The words always are, '*when* ye pray'—that is, if ever ye do pray, do it in secret, the whole turn of the expression being permissive only, not injunctive. It is remarkable, with respect to this limitation of prayer to secret prayer only, that Jesus himself never makes a prayer on any public occasion; and as often as he is represented in the Gospels as praying, which is very rarely, he withdraws even from his disciples, and does it in absolute solitude. Jesus goes on—'But when ye pray, use not vain repetitions, as the heathens do; for they think that they shall be heard for their much speaking. Be not ye, therefore, like unto them: for your Father knoweth what things ye have need of, before ye ask him.'

This last expression is of peculiar force and significance: Be not ye like those who think they will be heard for their much speaking; since speaking at all is of no use; 'your Father knoweth what things ye have need of, before ye ask him.' Can there be a more distinct declaration, that prayer is a ceremony only, and not very easy to be kept from being a hurtful ceremony?

Jesus subjoins to this declaration of the ceremonial nature of prayer these words—'After this manner, therefore, pray ye;' and then comes the formulary called the Lord's Prayer, evidently intended as a pattern to prevent the excesses into which the ceremony was apt to run. And the words of the pattern itself, taken in combination with the words spoken immediately before—'Your heavenly Father knoweth,' &c.—afford sufficient evidence, when they are minutely examined, of the character in which its Divine Author meant it should be used.

But, as it is too evident to need any illustration that the idea of the Divine Being, as a being of perfect wisdom and goodness, so steadily and luminously fixed in the mind, as to be a principle of action, is the very essence of religion, and the sole source of all the good impressions we derive from it, it is not less evident, that every idea instilled into us, which implies imperfection in the Divine Being, is a perversion of the religious principle, and so far as it goes, converts it into a principle

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of evil. Because, exactly in so far as men set up for the object of their worship a being who falls short of perfect wisdom and goodness, so far they manufacture to themselves a motive for the practice of what is contrary to wisdom and goodness. Yet it is self-evident, that to offer petitions to the Divine Being, with the idea that they will have any effect—that every thing, being already ordered for the best, will not proceed in the same way exactly as if no such petition had been made, is to suppose the petitioner either wiser or better than his Maker—either knowing better what is fit to be done, or more in earnest about the doing of it.

If these observations about the ceremonial nature of prayer be admitted, there is not occasion to say much about the rest of the Sunday service. Where is the use of a priest to read a chapter of the Bible, which every head of a family does to those who live in his house? Besides, the Church of England always reads the same chapters, thereby inevitably converting the operation into a ceremony. Are these the only chapters in the Bible which deserve to be read? If not, why read them only, casting a slur upon the rest? Again, when any thing has been read sufficiently often to have fixed the purport of it indelibly in the mind, what is the use of more repetition? It is evidently ceremonial only. With regard to the Communion service, we think it is, among protestants, considered as a ceremony. Mr. Bentham has endeavoured to show that it was never intended, either by Jesus or his disciples, to be permanent, even as a ceremony, and that it is peculiarly ill-fitted for that purpose; and we have never met with any thing like an answer to his observations, which well deserve the attention of all rational and honest-minded Christians.

And now we come to the Sermon, the only part of the Sunday performance, which is not essentially ceremonial; but which may, by misperformance, become not only ceremonial, like the rest, but positively and greatly mischievous.

A celebrated wit of the last age, known by the familiar name of George Selwyn, had gone one day to church, and was asked when he returned, by some one in the family to which he was on a visit, of what sort the sermon had been? 'Oh,' said he, 'like other sermons; palavering God Almighty; and bullragging the devil.' This was said, of course, satirically; and it must be added, considering the subject, that it was said profanely. But, nevertheless, it must be confessed, that it describes with great point the character of at least one grand class of Church of England Sermons, which consist of terms of praise heaped unceasingly on the Divinity—terms of condemnation heaped as unceasingly on the Personification of Evil: as if there could be

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supposed to be an individual in a Christian congregation not already prepared to bestow laudatory epithets upon God, opprobrious epithets on the devil, as far as his power of language would permit him to go. As no congregation, therefore, could possibly be the better for hearing such a sermon, it is necessary to consider it as a mere ceremony.

Another grand class of Church of England sermons consists of what, to borrow (as we may here do without profaneness) the language of George Selwyn, we may call palavering the Church of England, and bullragging the Dissenters; ascribing good qualities without end to Church-of-England-ism—evil qualities, in equal proportion, to Dissenter-ism. This is not merely ceremonial, certainly; but we may safely pronounce it worse—something so bad, that hardly anything equal to it in atrocity can be conceived. It is making religion, which ought to be a principle of love among human beings, a principle of hatred; and that hatred turning upon what? The great line of distinction between moral good and evil? That by which He who is perfection is mainly distinguished from the Prince of Darkness? No, no! But upon some difference of opinion in matters of little importance, or some diversity in the use of ceremonies. Is not this to vilify, or rather to explode morality? setting above it such frivolous things, as sameness of belief in dubious matters, or sameness of performance in matters of ceremony? Is not this to renounce the good of mankind as the grand principle of action, the main point of obedience to the will of God—making the service of God a pretence for hostility to a large portion of his creatures? Is this a morality, fit to be promulgated by a man, miserably, or exorbitantly paid, in every parish in the kingdom? We restrain by punishment, and we do well, the publication of indecent books and prints, calculated to inflame the passions of the inexperienced and unwary. But these publications are innocent, compared with the sermons read to congregations, or printed for the public, to which we now allude.

The extent to which the exercise of this malignant principle is carried cannot, perhaps, be more clearly shown than by calling to mind that celebrated Charge to the clergy of London, by the then Right Reverend the Bishop of London, the present Most Reverend the Archbishop of Canterbury, to which Mr. Bentham makes such pointed allusion. 'The prostration of the understanding and the will,' there spoken of as one of the *desiderata*, one of the objects of desire, and of endeavour, to the Church of England, Mr. Bentham has commented on with his usual fulness and usual effect. And all that is necessary for

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us, in regard to that generous purpose, is, to refer our readers to the treat prepared for them in his comment.* Another expression in the said Charge—is that to which we desire to direct the reader's attention in this place. We borrow the expression from Mr. Bentham, other means of reference not being at hand, but with perfect confidence, knowing, as we do, what his care of accuracy in such particulars was. 'In the Charge,' says Mr. Bentham, 'we shall see Non-Church-of-Englandists marked out as "*enemies*" and men of "*guilt*."'—Why, in the name of all that is good, should Church of England men treat as 'enemies' all men who cannot subscribe the Thirty-Nine Articles, or join in the performance of their ceremonies? Is not this to make religion the curse of human nature—the permanent fountain of discord—the extinguisher of love and of peace? Not to subscribe the Thirty-nine Articles, and not to join in certain ceremonies is 'guilt!' This is to make the Church-of-Englandman the general enemy of his species. Sermons, which propagate this idea, propagate a feeling of hatred, a disposition of hostility, towards all men but those of their own particular sect. Is not this to renounce the religion of Jesus, which is a religion of peace? Is not this Antichrist? Is not this to deny the Lord that bought them?—to crucify him in the house of his friends? Assuredly sermons of this cast had better not be delivered.

Another class of sermons are the controversial: those which undertake to settle points of dogmatic divinity. We believe that all rational men are united in opinion, that such discourses, addressed to ordinary congregations, can be of no use, and have a strong tendency to be hurtful. They have a direct tendency to attach undue importance to uniformity of belief on points on which it is not necessary. They have also a direct tendency to lower men's ideas of the Divine character—representing the Almighty as favouring those who adhere to one side in the controversy, hostile to those who adhere to the other. This is to suborn belief; to create in those who yield to such teaching a habit of forcing a belief; that is, of dealing dishonestly with their own convictions. To hold out rewards for believing one way, punishment for believing another way, is to hold out inducements to resist the force of evidence, on the one side, and lend to it a weight which does not belong to it, on the other. This is a mode of attaching belief to any opinions, however unfounded; and as soon as a man is thoroughly broken in to this mental habit, not only is the power of sound judgment destroyed within him, but the moral character does not escape

* Church of Englandism Examined. By Jeremy Bentham, Esq.

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uninjured. The man in whose breast this habit is created, never sees anything in an opinion, but whether it is agreeable to his interest or not. Whether it is founded on evidence or not, he has been trained to neglect. Truth or falsehood in matters of opinion is no longer with him the first consideration.

This is nearly the most immoral state of mind which can have existence in a human being. No other cause of criminal actions is of equal potency with this. A man in this state of mind has an opinion ready to justify him in any profitable course of villany in which he can engage. How great a proportion of Church of England teaching, in pulpits, in schools, and in universities, has this tendency, and no other, is a subject of immense importance, and to which we must recur on future occasions. Oh, for a Pascal! Oh, for a new set of Provincial Letters!

We shall pass by the other subdivisions of sermons, and come to the moral. Though a man of the proper stamp, residing among his fellow parishioners, would have other and still more effectual means of making the impressions on their minds which lead to good conduct, we do not dispute that a discourse of the proper kind, delivered to them when assembled on the day of rest, would have happy effects. In the first place, it would establish in their minds pure ideas of the moral character of God; and would root out of them every notion which implies imperfection in the Divine Mind. This is a matter of infinite importance, though neglected, or rather trampled upon by Church of England religion; for exactly in proportion as the model which men set up for imitation is perfect or imperfect, will be the performance which takes place in consequence. It is unavailing, it is poor childishness, to call the Almighty benevolent, when you ascribe to him lines of action which are entirely the reverse. It is vain to call him wise, when you represent him as moved by considerations which have weight with only the weakest of men.

We have already seen something of the extent to which the religion of the Church of England tends to imprint the notion of imperfection, both of the moral and intellectual kind, in the character of the Deity. But there is one particular to which we have hardly as yet adverted, which deserves the deepest attention. We mean the notions propagated about punishments after death.

No wise and good man ever thinks of punishment but as an undesirable means to a desirable end; and therefore to be applied in the smallest quantity possible. To ascribe to the

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Divine Being the use of punishments in atrocious excess; not applying it according to the rules of the most perfect benevolence, which is its character in the hand of a virtuous man, but in the spirit of revenge, and to vindicate his dignity, is to ascribe to him, not the character of a civilized man, but of an atrocious savage. Nor is the excess of future punishments the only point of importance. The uselessness of them also deserves the utmost regard in tracing the ways in which priests, for their own ends, have perverted men's notions of the Divine character. Punishment is employed by virtuous men for the prevention of hurtful actions. But what is the use of punishment when the time of action is gone by, and when the doom of the wretched victim is fixed for ever? It is said that the apprehension of these punishments is a restraint on men during their lives. But to make this allegation is only another mode of ascribing imperfection, both intellectual and moral, to the Supreme Being.

It is a certain and undisputed principle, that proximity of punishment is necessary to its efficiency; that if a punishment is distant, and hence the conception of it faint, it loses proportionally of its force. As it is the great rule of benevolence to be sparing in the use of punishment—that is, to employ it in the smallest possible quantity which will answer the end—it is the constant aim of benevolence to make it as proximate as possible—that is, to make the smallest possible quantity suffice. What would be thought of a legislator, who should ordain, that the punishment of murder and theft should not take place till twenty years, or so, after the commission of the crime; and that, for the distance of the time, compensation should be made in the severity of the punishment? Is not this the atrocity into which those theologians sink, who tell us that the punishments of hell are intended for the prevention of evil in the present life? That this theory is not derived from the Scripture, but is the pure forgery of priests, might be inferred with certainty *à priori*, and could also be easily proved by particular evidence. But the authority of Bishop Butler will be sufficient for us on the present occasion. He has given it as his opinion, an opinion which has never been accused as unscriptural, that the change from the present to the future life will not, in all probability, be greater, than the change from the state which precedes, to that which follows the birth; that the individual will pass into the future life with all the dispositions and habits which he had acquired in his previous course, producing misery to him if they are bad, happiness if they are good; but with this advantage, that the circumstances in which he will be placed will have an irresistible tendency to correct bad habits, and encourage good

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ones, whence, in time, it will be brought about, that none but good habits will exist, and happiness will be universal.

Next to the propagation of correct notions regarding the character of the Supreme Being, as the perfection of wisdom and goodness, with warnings against all such notions as imply imperfection in the Divine nature, the object of discourses, calculated to be of real utility to the majority of those who compose congregations, would be, to make, and as deeply as possible, all the impressions which lead to good conduct; to give strength and constancy to the kindly and generous feelings; to stimulate the desire of doing good, by showing the value of it, and the amount of good which even a very poor man may effect, in the course of his life, if he seizes the many little occasions which he will find put in his way; to make understood and felt the value of a good name; how much of the happiness of each individual depends upon the good-will of those among whom he lives; and that the sure way of obtaining it is to show by his acts his good-will to them. Such discourses would put the people on their guard against the misleading affections; would make them understand how much is lost by giving way to them; and with what a preponderance of good, even to ourselves, they are supplanted by those which lead us to rejoice in being the instruments of happiness to others. Above all things, such discourses would make parents clearly understand, and acutely feel, the power they have over the happiness or misery of their children, during the whole course of their lives. On the mode of creating in their children the habits on which their happiness depends, such discourses would enter into the most minute detail. They would carefully warn parents against every display of feeling or passion, every thing in word, or in action, having a tendency to produce an undesirable impression on the tender mind; and would give them an habitual conviction, and, as it were, a sense, of the importance of making none but the right impressions.

It is not necessary to go farther in illustrating what sermons of the useful class would be. It is only necessary to recollect what the moral class of Church of England sermons are. Other people may have been more fortunate than we; but though we have heard a good many of that class, we never heard one which we thought good for anything. They may be characterized as a parcel of vapid commonplaces, delivered in vague and vapouring phrases, having not even a tendency to give men more precise ideas of the good they may do, or to kindle within them a more strong and steady desire of performing it. We have often asked ourselves, after hearing such

a sermon, whether any human being could by possibility have received one useful impression from it; whether any one could have gone away after hearing it a better man than when he came; in the least degree more alive to the motives to good conduct, more capable of resisting the motives to bad? Never, in a single instance, do we remember having been able to make an answer in the affirmative. For a confirmation of the opinion we have thus formed of Church of England sermonizing, we appeal to the printed specimens of them, some of which are by men of considerable ability, skilful advocates of a cause, acute and eloquent controvertists, but all of them defective, or rather utterly worthless, in moral teaching.

We have now probably said enough to show how entirely of the ceremonial kind, and ceremonial with more or less of a hurtful tendency, the whole of the Sunday services obligatory on the Church of England clergyman are.

All that remains is the ceremony of baptism, the ceremony of marriage, and the ceremony of burying the dead. These services are so much regarded in the light of ceremonies, that they commonly go by that name.

The Church of England indeed pretends, that baptism washes away original sin; one of those cherished opinions by which it ascribes weakness, both intellectual and moral, to the Supreme Being. In this opinion it is reprobated by other churches, as retaining one of the errors of the Romish Church. For the rest, it cannot be pretended that it is other than ceremonial. To the infant, who knows nothing about the matter, it would be ridiculous to suppose that any good is done. And what can it be pretended is the good which it does to any other body? For a full exposure of the Church of England proceedings in respect to baptism, we refer to what is said by Mr. Bentham in his Examination of Church of England Catechism, pp. 47 to 59, where the reader will find both instruction and amusement.

About marriage it is not necessary to say much. It is in its essence a civil contract; and few rational men think that the religious ceremony is of any importance. It is very certain that nobody regards it as any security for the better performance of the duties which the contract implies.

The burial service consists in reading certain portions of Scripture and certain prayers. But to whom can this performance be considered as being of any use? Not certainly to the dead man; and certainly not to any of the living, excepting those who are present. And who are they? Hardly any body; some half-dozen of the dead man's nearest connexions being

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excepted. If the ceremony were believed to be of any use to those who witness the performance of it, means ought to have been employed to bring the people together for that purpose. No such means have ever been thought of. What does that declare? One of two things. Either that the Church of England clergy are utterly indifferent to the good which the witnessing of it is calculated to produce; or that they do not believe it is calculated to do any good at all.

We have thus examined in some detail the duties which are exacted of the Church of England clergy, and the only duties which they can be really considered as performing. The duties, the enforcement of which is left to conscience, to the desire of doing good, in the breast of the individual, are for the most part neglected, and never otherwise than ill-performed. We are far from denying that there are good men among the working clergy of the Church of England, notwithstanding the obstruction to goodness which their situation creates; men who reside among their parishioners, go about among them, and take pains to do them good. But these are the small number; and they never act systematically and upon a well-digested plan. They are left, unguided, to follow their own impulses; and often a great part of their well-meant endeavours is thrown away. They receive no instruction in the art of doing good. This is no part of Church of England education. Yet it is an art towards the perfection of which instruction is of first-rate importance. Few men are aware of the whole extent of their means in that respect; and still fewer judge accurately in what applications of their means they will prove the most productive. It follows, as a necessary consequence, that the amount of good which a well-intentioned man produces is often very short of what, if better directed, he would have been able to effect.

Thus employed, and thus paid, is it any wonder that the Church of England clergy should have lost their influence among a people improving, now at last improving rapidly, in knowledge and intelligence? And when a clergy have lost their influence, what is the use of them? The evidence of their total loss of influence is very striking, when it is fairly looked at and considered. The first fact is the notorious one, that one-half of the population have renounced them as utterly unfit to be their religious guides, and have chosen others of their own. This fact speaks inferences far beyond the numerical proportions. The Dissenters afford evidence of their being in earnest about their religion. The Established Church is the natural sink of all those who are indifferent about it, and belong to a church for the sake of the name, as long as there is any thing

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to be got by it. To this number may be added all those whose lives are too scandalous to let them be admitted into any other Christian society. Now, if we say that not more than every other man in a community is in earnest about religion, we shall not perhaps be considered as making a very unreasonable supposition. But if this be anything like an approximation to the fact, the members of the Church of England are almost wholly men who adhere to it either for the sake of the name, or for the good things which they owe to it, with a small proportion indeed of those in whose adherence to it regard for religion has any thing to do. The Church of England therefore exists in no other character than that of a state engine; a ready and ever-willing instrument in the hands of those who desire to monopolize the powers of government—that is, to hold them for the purpose of abusing them.

It is useful to mark, among the proofs that the Church of England exists for no good purpose, that those of the common people who brutalize themselves with intoxicating liquors belong almost wholly to the Church of England sect. A Dissenter is rarely a notorious drunkard, with whatever other sins he may be tainted. The coster-mongers are never Dissenters. It would be important to put means in operation to show what proportion of the people convicted of crime are Churchmen, and what Dissenters. Our conjecture would be, that nine in ten at least are of the Church of England. It would be easy to ascertain what proportion of parish paupers are Church of England men, and what Dissenters. And that, too, would be no insignificant article of evidence.

Though such, however, is the light in which the Church of England, in its present state, must appear to every intelligent and honest inquirer, we know what a clamor will be raised against us for expressing our opinion, by all those who derive their profit from what is evil in things as they are; who are therefore attached to the evil, and bitterly hostile to all who seek to expose it. With the reasonable and the sincere, we need no other protection than the evidence we adduce. With others, it may have some effect, to show them what eminent men before us have said of the clergy, and of the inevitable effect of the position in which they are placed, by a viciously constructed establishment.

Dr. Middleton, one of the greatest men whom the Church of England ever produced, has spoken of one of the most deplorable of the effects of their position, their hostility to the interests of truth, in the following terms:—

'Every man's experience will furnish instances of the wretched fruits

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of this zeal, in the bigoted, vicious, and ignorant part, both of the clergy and the laity; who, puffed up with the pride of an imaginary orthodoxy, and detesting all free inquiry, as dangerous to their case, and sure to expose their ignorance, take pleasure in defaming and insulting men of candor, learning, and probity, who happen to be touched with any scruples, or charged with any opinions which they call heretical*.'

One of the most respectable names to be found in the list of Church of England clergy is Jeremy Taylor. He speaks to the same effect, in the following terms:—

'Possibly men may be angry at me, and my design; for I do all them great displeasure, who think no end is then well served, when their interest is disserved†.'

'Opinions are called heresies, upon interest, and the grounds of emoluments‡.'

'Our opinions commence and are upheld, according as our turns are served and our interests are preserved§.'

To return again to Middleton, who saw this malignant disease of the Church of England with peculiar clearness:—

'I do not know how to account for that virulence of zeal, with which it [the Free Inquiry] is opposed by those writers, but by imputing it to their prejudices or habitual bigotry, or to some motives especially of interest; which, of course, bars all entrance to opinions, though ever so probable, if not stamped by an authority which can sweeten them with rewards‖.'

Nothing is of more importance than the repeated, and earnest, consideration of the fact, that the interest of a clergy, in the circumstances in which the Church of England clergy are placed, is in direct opposition to their duty, and makes them sworn enemies of the good of their fellow creatures. They are hired, for the purpose of propagating a certain set of opinions. They are sworn to retain them: that is, to keep their minds stationary in at least one department of thought. And it is curious to observe how far that creates a motive to exert themselves to keep the minds of other men stationary, not in that department only, but in all the departments of thought; to make the clergy the enemies of all improvement of the human mind. If one set of men stand still in this improvement, while other men go on, these men see that they will soon become objects of contempt. They are sworn to stand still; they, therefore, detest all those who go on, and exert themselves to impede their progress, and to discredit their design.

* Middleton's Works, 4to. ed., vol. ii. p. 117.

† Liberty of Prophesying. Epist. Ded. ‡ Ib. § Ib. Introd.

‖ Preface to an intended Answer to all Objections against the Free Inquiry. Works, 4to. ed., p. 374; where there is much more to the same purpose.

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This motive has a cruel extent of operation. To be bound to stand still, in any line of mental improvement, is a state of great degradation. The progress of other men in knowledge gives them a keener sense of this degradation. The clergy therefore perceive, that, in proportion as other men grow wiser, they will sink deeper in contempt. This gives them a hatred of the pursuit of knowledge. The search of truth bodes them evil, and not good; and therefore all their art is employed to prevent it.

We think, however, that by changes—far from violent, the Church of England might be converted from an instrument of evil into an instrument of much good; and to the consideration of this part of the subject we now proceed.

We consider a local clergy, distributed everywhere among the people, as the fundamental part of an institute really intended for moulding the character of the people, and shaping their actions, according to the spirit of pure religion. The question then is, what is required towards obtaining in greatest amount the beneficial services capable of being derived from such a set of men.

The very first particular which comes to be noticed, shows in what a different spirit from that of good to the people every thing relating to the Church of England has been arranged. It is very clear, that in employing men to the best advantage in any sort of service, each individual should have enough to do, and not more than enough. This care has been wholly renounced by Church of Englandism, which exhibits the most enormous disproportions; in one place, parishes far too large for any individual to manage; in other places so small, that a man has little to do in them. A good establishment would correct this abominable instance of careless and profligate management.

Next, the men who are to direct the people in the right path, and make them walk in it as diligently as possible, should be men capable of doing their work well: that is, they should, at least, be men of good education and good character. To this end, it is absolutely necessary that they should receive sufficient pay, to be an inducement to men of that description to undertake the duties. There is evidence enough to prove that this need not be high. We do not adduce the curates; because the baneful lottery of the over-paid places in the Church draws into it too great a number of adventurers. But the medical men, of whom one is to be found in every considerable village, afford evidence to the point, and that conclusive. Besides, the situation would be one of great consideration and dignity, as

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soon as it came to be regarded as a source of great utility; and men with property of their own would be desirous of filling it. The situation of judges in France is strong evidence to this point. The pay is so small, that the wonder of Englishmen always is, how any body can be found to accept the situation; yet the fact is, that it is in request; and the problem is solved, by learning that men, having a moderate property of their own, covet the dignity which the office confers.

Thus far we have proceeded with no difficulty, and with very little room for doubt; but having determined the sort of men we ought to have, we come next to the question by whom, in each instance, ought they to be appointed. Three considerations obviously enter into the solution of this question—the best means of securing honesty in the selection—the best means of giving satisfaction to the parishioners, without incurring the evils of a mistaken choice—the not giving too much power to one individual. The best chance, perhaps, for having honesty and intelligence in the selection, would be to have a Minister of Public Instruction, by whom all the appointments should be made. He would act under a stronger sense of responsibility, conspicuously placed, as he would be, under the eye of the public, than any other man; and in the majority of cases, would not have any interest in acting wrong. But this would be a great amount of patronage, possibly too great to exist without danger in any single hand; and it is not easy to find an unexceptionable mode of distribution. Suppose the patronage were in each county given to the principal civil authority in the county, he would be exposed to all the local influences which are known to be so adverse to the virtuous use of patronage; and acting in a corner with very little of the salutary influence of publicity, where the choice was not made by favouritism, it would be very apt to be made in negligence.

Suppose, however, that this difficulty is got over (it would interrupt us too much at present to show that it is not insurmountable), we may assume, that where provision is made for the appointment of a fit minister in every parish, complete provision is made for the religious instruction and guidance of the people—provided we can depend upon the due discharge of the duties which those ministers are appointed to perform. It has, however, been generally believed, that the due discharge of the duties of the parochial ministers cannot be depended upon without superintendence. A question then arises, what is the best contrivance for the superintendence of a parochial clergy?

Two methods have been thought of, and are at the present hour in operation: the one is, superintendence by individual

clergymen; the other is, superintendence by assemblies, in which clergy and laity are combined. One question is, which of these two methods is the best? and another question is, whether there may not be a third, which is better than either?

The two methods which are now in practice are exemplified respectively in the churches of England and Scotland. In England the scheme of superintendence by individuals has been tried, in Scotland that of superintendence by assemblies.

If we were to judge by the event, in these two instances, the question would be decided very rapidly. The Scottish system is proved by experience to have answered, and not very imperfectly, its end, while it occasions no expense whatsoever. The English system is at once disgracefully expensive, and totally inefficient to its end: it is an absolute failure, with an enormous burthen to the nation.

We hardly suppose that the proposition we have thus announced respecting those two churches will be disputed in regard to either. The general good conduct of the Scottish clergy, and the absence of flagrant abuses in that church, is matter of notoriety. The lamentable want of good conduct, though not universal, among the English clergy, and the existence of enormous abuses in their church, is matter of not less notoriety. There is no non-residence in Scotland, and no pluralities. Would such things have ever begun to exist in England, if the superintendence by bishops had been good for anything? The proportional amount of Dissenterism in Scotland is small, compared with what it is in England; and has arisen almost wholly from the people's dislike of patronage—a matter over which the clergy had no control, and of which the consequences are not to be imputed to them. There is nothing of the sort to screen the English clergy; and the enormous extent of Dissenterism in England is evidence—is *proof, invincible* proof—that the clergy have not done their duty.

It is not, however, safe to ground a general conclusion upon individual instances, unless where the reason—the *rationale* of the instances, applies to other cases. With respect to superintendence by individuals, the mode of it adopted in England is so glaringly absurd, so little reference has it to any rational purpose, that it never can have been intended to be an instrument of good—to be a means of obtaining from the local clergy the greatest amount of useful service to the people at large. The pay alone is perfect evidence to that effect. Who ever thinks of getting laborious service from a man on whom is bestowed an enormous income, which incessantly invites him to the enjoyment of voluptuous indolence, without any efficient

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call for exertion? Nor is this the only baneful effect of these enormous incomes: they created a line of separation between the superintending and the superintended clergy. They constituted them two castes; and well is it known how their conduct has conformed itself to the distinction. A principle of repulsion was created between them: often enough, it is true, commuted for prostitute servility on the part of the lower caste; and thus morality, by Church of England culture, was propagated and flourished. There could rarely be any cordial communication between two classes of men placed in such relation to one another. No bishop has an intimate knowledge of the character or turn of mind of any, except an accidental individual or two, among those whom he superintends. He does not go about into the several parishes, to see and inquire how the clerical duties are performed; he knows nothing at all about the matter, unless some extraordinary instance of misconduct, which makes all the country ring, should come to his ears.

Nor could it be otherwise. Natural causes produce their natural effects. A bishop was intended to be a great lord: of course he would be governed by the impulses which govern other great lords. Not one of these impulses is to go about parishes, seeing whether clergymen have been as effectual as they might, in training the people under their tuition to bring their children up well.

The very pretext of any such duty as this is absurd, when we recollect that these reverend lords have to be absent from their business of superintendence of their clergy for one full half of their time, by attendance on their *duties* (so by an abuse of language they are called) in parliament.

As we have seen how it is with the ordinary clergy of the Church of England—that of the two classes of their duties, one the ceremonial, another the useful, it is the ceremonial only which means are used to make them perform—the useful are left to themselves to perform, or not perform, as they please; so it is exactly with the bishops. There are certain ceremonies they have to go through: these are obligatory on them. The duty of vigilantly looking after their clergy—of using means to get them to do whatever it is in their power to do, to make their people more virtuous and more happy—is left to the bishops to do, or not do, as they please; and accordingly it never is done—at least, to any purpose: by the greater part of them it is never thought of.

But it does not follow, because the plan of superintendence by individuals was so ill-constructed by the Church of England as to make it a source of evil and not of good, that therefore it

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is in itself, and radically, bad. We are inclined to think that it is radically good, and might be so contrived as to be superior to the Scottish method.

We do not think that an assembly is well fitted for minute inspection; and that is the only inspection which is sure of answering its end. An assembly cannot go about visiting parishes, and ascertaining on the spot where the clergyman has been to the greatest degree, where to the lowest degree, useful to his parishioners.

But if we are to employ individual inspectors (the name bishop means inspector) by what scheme is the greatest amount of good to be obtained from them?

One thing is perfectly clear: you must not over-pay them. An inspector, to be useful, must be a hard-working man: that a very rich man never is. This is an established rule, though it does not altogether exclude exceptions. They should be paid higher than the parochial clergy, because they should be men of such high character and attainments as might give weight to their decisions. Still the business of an inspecting priest is so much of the same kind, with the business of a parochial priest, that the pay of the one should be a sort of criterion by which to regulate that of the other. If the highest pay of a parish priest were, say, 500*l.* per annum, we think 1000*l.* per annum should be the highest pay of an inspector; for we allow no weight whatsoever to the pretence which is set up with characteristic impudence by the friends of public plunder, that wealth gives efficiency to superintendence. It does no such thing. A man will pull off his hat with more hurry, will bend his body lower, will speak in a softer tone, before the man of great wealth; but he will not trouble himself to do his bidding one atom the more for his riches. Is any man, so nearly deprived of intellect, as still, though grown to be a man, to need evidence on this point? Let him see how the rich are served, even in their own houses. Are they better served than those among us whose riches are less? Do we not know that the men best served in their houses are not the richest, but the most sensible men?

There is another thing to be regarded in the matter of pay, which though it appear small intrinsically, is great by its mode of operation on the human mind. It is infinitely better that the clergy should be paid in the way of salary than in the way of estate. Between the idea of salary, and the idea of service to be performed for it, the association is close and strong. Between the idea of living on the proceeds of an estate, and the idea of having nothing to do, the association is equally powerful. And so it must be. In all our experience, we regu-

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larly observe that salary and service go together. We see that commonly estate and service have no connexion. Hence it comes, that a man who lives upon an estate seems to himself to share in the common privilege of those who live upon estates; that is, to enjoy himself. No man who has studied the human mind will doubt that this is a matter of the greatest importance. If the Church of England clergy had always been paid by salary, we may be assured they would not have sunk into the state of absolute uselessness in which we now behold them.

It is unnecessary to dwell upon the scheme of paying the clergy by that particular kind of estate called tithe, because people now pretty well understand it. Of all conceivable schemes for setting the interest and the duties of the clergy in direct opposition, this is the most perfect. And it makes a fearful revelation. It proves, beyond the possibility of a doubt, that the clergy, and all those who through so long a series of ages have had in their hands the power of regulating the payment of the clergy, have been void even of the desire that the clergy should be useful. Oh, what an odious thing is the pretence of caring for religion in the mouths of such men! Contrast an establishment of men whose business it would be to go about their parishes, planting themselves in the hearts of their people, and working upon their minds to the performing of all good actions, and the acquiring of all good habits, with an establishment of men who go about their parishes, indeed, but go about raping and rending, demanding what others are unwilling to pay, carrying strife and hatred along with them, looked at by their people in the light of enemies, not of friends, the very sight of whom is odious, and in whose mouths advice to their parishioners to be mutually forbearing and helpful could only be treated with ridicule; and say if the imagination of man can present any two things of a more opposite character. Reflect also deliberately who the men are who have so long strained their lungs, and now do, proclaiming that this church is 'most excellent.' What a help-meet it must have been for misrule to earn all the protection which it has received! That on any other score it has deserved it, there is hardly impudence enough in the world now to pretend.

But if it were determined that good inspection and stimulation were more to be expected from individual superintendents, properly paid and employed, than from assemblies, another question would remain to be answered: whether these inspectors should be clergymen or laymen? There are some reasons for thinking that laymen would be the best. They would be less under the influence of that feeling which men of a class commonly contract, and which makes them willing to favour

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one another, to make them sympathise with their self-indulgences, and to screen their neglects. If it be surmised that such men would be less acquainted than clergymen with the supposed science of the theologians, we answer, that if it were so, and it is by no means necessary that it should be so, for that science is easily learned, it would not, upon our scheme, be a matter of much importance. For we do not mean that our parochial clergy should trouble their parishioners with dogmas. Their business will be to train them in the habits of a good life; and what is necessary to that will be judged of fully as well by a layman as by a clergyman.

We have now supposed, that a well-selected person from the class of educated men has been placed as the minister of religion in every conveniently-sized district, called a parish. This we consider as the fundamental part of a religious establishment. We have next supposed that a well-selected person from the class of men of superior acquirements and intelligence has been appointed the inspector and superintendent of a convenient number of clergymen everywhere throughout the country. We have also spoken a little of the duties of each, but it is necessary to speak somewhat more in detail.

In the first place, it is a fundamental part of our scheme, that a clergy, paid by the state, should, in their instruction of the people, abstain entirely from the inculcation of dogmas. The reasons are conclusive. They cannot inculcate dogmas without attaching undue importance to uniformity of belief in doubtful matters; that is, classing men as good or bad on account of things which have no connexion with good conduct; that is, without derogating from morality, and lessening its influence on the minds of men.

They cannot inculcate dogmas—at least they never do—without attaching merit, and the rewards which belong to it, to belief on one side of a question; that is, without suborning belief, using means to make it exist independently of evidence; that is, to make men hold opinions without seeing that they are true—in other words, to affirm that they know to be true what they do not know to be true; that is, if we may give to the act its proper name—to lie. But a clergy, paid for teaching the people to live well, should assuredly not do what has a tendency to make them habitual liars.

To preach the importance of dogmas, is to teach men to impute imperfection to the Divine nature. It is according to the perfections of the Divine nature to approve in his rational creatures the love of truth. But the love of truth leads a man to search for evidence, and to place his belief on that side, whatsoever it be, on which the evidence appears to him to prepon-

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derate. The clergyman who tells him that God likes best belief on one side, declares to him that God does not like the honest search of truth. Oh God! with what perseverance and zeal has this representation of thy Divine nature been maintained, by men who, with the same breath, and therefore in the spirit of base adulation, were calling thee the God of truth!

Upon this ground it surely is proper to interdict the use of articles. The Articles of the Church of England are a set of propositions, the strangeness of which we shall not dilate upon. That, and the history of them, are both pretty well known. The clergy of the Church of England subscribe them as propositions which they are bound to believe. Anything more fraught with injury to the intellectual and moral parts of man's nature cannot be conceived. This is to make men enemies to truth.

We shall not repeat, what we have so immediately said, and what we are sure must make a deep impression on every untainted mind, on the atrocity of giving men inducements to make a belief, which they have not derived from evidence. The subscription of articles goes beyond this. It vouches for future belief. It is a bond, that the individual subscribing shall for ever after set his mind against the admission of evidence; that is, resist the entrance of truth; in other words, make war upon it, in the only way in which war upon truth is capable of being made.

It is a deplorable fact,—which deserves the most profound attention, though hitherto it has not received it,—that the creation of effectual motives to the hatred of truth in one department, creates effectual motives to the hatred of it generally. We have touched upon this point already. But it deserves further development; for it stands first in point of importance.

The man who is reduced to the degraded condition of resisting truth, lives under the painful assurance that he will be held to be a degraded being, by every man who sets a high value on truth, and is eager in the pursuit of it. The pursuit of truth brings thus along with it a consequence most painful to him. He therefore dislikes it. He would prevent it, if he could; and he is stimulated to do all that he can to prevent it. If the love and pursuit of truth should become general, he sees clearly that he must become an object of general contempt. What a motive is this to him to prevent its becoming general; to smother it in the very birth, if he can!—See in what perfect obedience to this impulse the Church of England has always acted! Above all, explore minutely the cruel ways in which, to this end, it has abused its power over the business of education! The whole bent of its tuition is to make its pupils acquiesce

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slavishly in a parcel of traditional dogmas, and instead of awakening the desire of farther progress, to frighten them at the idea of it; training them to regard it as a source of boundless evil; and all those who pursue it, as villains, aiming at the destruction of whatever is valuable among mankind.

They have thus been constituted the enemies of their species. The advance of mankind in happiness has, by a nefarious constitution of their church, been made a source of evil to them. And they have been, as it was certain they would be, its strenuous, and, to a deplorable extent, we must add, its successful opponents.

The steadiness with which the priests of this establishment have persevered in this course, is a point of great interest in their history, and should be carefully set to view. We may make it the subject of a future article. The barefacedness with which it is professed, up to the present hour, and by some of the most respectable among them, amounts to a striking phenomenon. They even reprobate Locke, the cautious, the modest, the sober-minded Locke, for that which is even *his* greatest distinction, the trusting to evidence; the seeking after truth; the desiring to know something beyond the traditional propositions of others; the taking the only course which leads to the advancement of human knowledge, the improvement of the human mind, the progress of the race in happiness and virtue. Listen to what Copleston, then Head of a House, now bishop, and peer of parliament, thought it not disgraceful to him to say a few years ago. 'His' (Locke's) 'own opinions would have been entitled to greater respect,' (observe for what) 'if he had himself treated with more respect the opinions of those who had gone before him,' (opinions, you see, are entitled to respect, not on account of the truth of them, but something else) 'and the practice of sensible men of his own time, whose judgment was worth more, in proportion as it was confirmed by experience.'—Locke misbehaved, you see, by seeking for evidence, and yielding to it when found. Had he disregarded evidence, that is truth, and taken passively the opinions given to him, he would have merited the praise of Church of England priests; by taking the course he did, no wonder he has been always unpopular among them. 'The light freedom, indeed, and the confidence with which this philosopher attacks all established notions, is one of the principal blemishes in his character.'—Is not this *instar omnium?* That is one of the principal blemishes in the character of one of the greatest philosophers who ever lived —so says Church of Englandism—which alone enabled him to do any good; namely, calling for evidence, marking where he did not find it, but only some man's *ipse dixit* instead, and then

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proceeding honestly in search of it himself! Good God! what sort of a place of education is it, where such a course is held up, not for imitation, but reprobation?*

How vividly does this call to memory the description which Pope gives of the clergy of the Church of England, as being among the most zealous of the votaries of the Goddess of Dulness, and the education they impart in their schools and colleges the most efficient of all instruments for extending her empire!

In the description given in the second book of the Dunciad of the games instituted in honour of the goddess, whereof one was swimming and plunging in Fleet Ditch, a reverend gentleman having therein distinguished himself, is thus, and his brethren along with him, held up to observation:

'Thence to the banks where reverend bards repose,
They led him soft; each reverend bard arose;
And Milbourn chief, deputed by the rest,
Gave him the cassock, surcingle, and vest.
"Receive," he said, "those robes which once were mine,
Dulness is sacred in a sound divine."

'He ceased, and spread the robe; the crowd confess
The reverend Flamen in his lengthen'd dress.
Around him wide a sable army stand,
A low-born, cell-bred, selfish, servile band,
Prompt or to guard or stab, or saint or damn,
Heaven's Swiss, who fight for any god or man.'—347-358.

Such is the character of the race, drawn by the hand of our moral poet. Next we present his account of the debt of gratitude which education owes to them.

DUNCIAD, BOOK IV.

. . . 'Since man from beast by words is known,
Words are man's province; words we teach alone.
When reason, doubtful, like the Samian letter,
Points here two ways, the narrower is the better.
Placed at the door of learning, youth to guide,
We never suffer it to stand too wide.
To ask, to guess, to know, as they commence;
As fancy opens the quick springs of sense;
We ply the memory, we load the brain,
Bind rebel wit, and double chain on chain;
Confine the thought, to exercise the breath,
And keep them in the pale of words till death.
Whate'er the talents, or howe'er design'd,
We hang one jingling padlock on the mind.'—149.

. . . . .

* See 'A Reply to the Calumnies of the Edinburgh Review against Oxford,' p. 127.

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'Oh, cried the goddess, for some pedant reign!
Some gentle James to bless the land again!
To stick the Doctor's chair into the throne,
Give law to words, or war with words alone;
Senates and courts with Greek and Latin rule,
And turn the council to a grammar-school.
For sure, if dulness sees a grateful day,
'Tis in the shade of arbitrary sway.
O! if my sons may learn one earthly thing,
Teach but that one, sufficient for a king;
That which my priests, and mine alone, maintain,
Which, as it dies or lives, we fall or reign;
May you, my Cam and Isis, preach it long—
The right divine of kings to govern wrong!
Prompt at the call, around the Goddess roll
Broad hats, and hoods, and caps, a sable shoal;
Thick, and more thick, the black blockade extends,
A hundred head of Aristotle's friends.
Nor wert thou, Isis, wanting to the day,
(Though Christ-Church long kept prudishly away).
Each staunch polemic, stubborn as a rock,
Each fierce logician still expelling Locke,
Came whip and spur, and dash'd through thin and thick.'—175.

. . . . .

''Tis true on words is still our whole debate,
Disputes of Me or Te, or Aut or At;
To sound or sink in *Cano*, *o* or *a*,
Or give up Cicero to C or K.'—219.

. . . . .

'Thine is the genuine head of many a house,
And much divinity without a Νοῦς.'—243.

. . . . .

'For thee we dim the eyes, and stuff the head
With all such reading as was never read;
For thee explain a thing till all men doubt it,
And work about it, goddess, and about it.'—249.

. . . . .

'What though we let some better sort of fool
Thred every science, run through every school?
Never by tumbler through the hoops was shown
Such skill in passing all, and touching none.
He may, indeed (if sober all this time),
Plague with dispute, or persecute in rhyme.
We only furnish what he cannot use,
Or wed to what he must divorce, a muse.'—255.

. . . . .

'With the same cement, ever sure to bind,
We bring to one dead level every mind.'—268.

. . . . .

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> 'O! would the sons of men once think their eyes
> And reason given them but to study flies!
> Learn but to trifle; or, who most observe,
> To wonder at their Maker, not to serve.'—453.
>
> . . . . .
>
> 'First slave to words, then vassal to a name;
> Then dupe to party; child and man the same:
> Bounded by nature; narrow'd still by art;
> A trifling mind, and a contracted heart;
> Thus bred, thus taught, how many have I seen,
> Smiling on all, and smiled on by a queen!'—501.

On the above passage is the following note: 'A recapitulation of the whole course of modern education, described in this book, which confines youth to the study of words only in schools; subjects them to the authority of systems in the universities; and deludes them with the names of party distinction in the world.'

After being thus educated, they are delivered over to the magus of Dulness, Influence, 'and then admitted,' says the poet, in the Argument of the Book, 'to taste the cup of the magus, her high priest, which causes a total oblivion of all obligation, divine, civil, moral, or rational; to these, her adepts, she sends priests, attendants, and comforters, of various kinds, confers on them orders and degrees,' &c. The lines are—

> 'Then take them all, oh take them to thy breast!
> Thy magus, Goddess! shall perform the rest.
> With that a wizard old his cup extends,
> Which whoso tastes forgets his former friends,
> Sire, ancestors, himself. One casts his eyes
> Up to a star—and like Endymion dies:
> A feather shooting from another's head
> Extracts his brain, and principle is fled:
> Lost is his god, his country, everything;
> And nothing left but homage to a king!
> The vulgar herd turn off to herd with hogs,
> To run with horses, or to hunt with dogs.'—515.

On the passage 'homage to a king,' is the following note:—'So strange as this must seem to a mere English reader, the famous M. de la Bruyere declares it to be the character of every good subject in a monarchy: "Where," says he, "there is no such thing as love of our country, the interest, the glory, and service of the prince supply its place*." Of this duty another celebrated French author speaks, indeed, a little more disrespectfully, which, for that reason, we shall not translate, but give in his own words: "L'amour de la patrie, le grand motif

* De la Republique, c. x.

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des premiers heros, n'est plus regardé que comme une chimère; l'idée du service du roi, etendue jusqu'à l'oubli de tout autre principe, tient lieu de ce qu'on appelloit autrefois grandeur d'ame et fidelité*."

'But she, good goddess, sent to every child
Firm impudence, or stupefaction mild;
And straight succeeded, leaving shame no room,
Cibberian forehead, or Cimmerian gloom.'—530.

. . . . .

'Others the syren sisters warble round,
And empty heads console with empty sound.

. . . . .

'The balm of dulness trickling in their ear.'—541.

A note on line 567 says: 'This tribe of men, our poet hath elsewhere admirably characterized in that happy line,

'"A brain of feather, and a heart of lead."

For the satire takes in the whole species of those, who, with an understanding too dissipated and futile for the offices of civil life, and a heart too lumpish, narrow, and contracted for those of social, become fit for nothing, and so turn wits and critics, where sense and civility are neither required nor expected.'

There is not a finer specimen of the arts of the clergy than their new-born zeal for the religious education of the children of the poor. The religious education of the children of the poor is not among the objects of the Church of England; there is no provision for it in that establishment; it was never a practice. Though the most eminently religious of all the possible functions of a minister of religion, a clergyman of the Church of England as little thought it belonged to him, as to make shoes for the children of his parishioners. Till the other day, there was in England no education for the children of the poor. They were absolutely uneducated, in religion, as in every thing else. During all the ages in which this state of things continued, the clergy saw no occasion for this religious education they are now so hot about. It is only when education in general, that is knowledge, begins to be, that they think education in religion is, required. Non-education in religion was not an evil, when in union with ignorance; in union with knowledge it becomes direful.—Can any body need help, in reading this passage of clergy?

So long as the people were in gross ignorance, their servility to their priests was to be depended upon. The moment light began to dawn upon them, it was, it seems, not to be expected, unless particular artifice was used. An expedient was fallen

* Boulainvillier's Hist. des Anc. Parl. de France.

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upon—that of clamouring for the union of religious education with other education.

This, in the first place, was a great impediment to education. It rendered it impossible for the children of people of different sects to be educated together. This was a capital stroke. It rendered the education of the people much more expensive, therefore much less likely to be carried into effect. It had other important consequences. It made all those benevolent individuals, whose partialities ran towards the Church, place the funds which they were disposed to contribute towards the education of the poor under the control of the Church, which was skilled in the art of giving education without instruction. From the evidence extracted by the committee of the House of Commons on Education, last year, it appears, that their endeavours in the National Schools are remarkable specimens of that art. They thus made sure of having all the children of those who nominally belong to the church in their own hands; and all the security against the desire of knowledge which education without instruction can yield.

The hollowness of the pretence is further seen in this, that all the education in religion which for ages the clergy thought necessary for the children of the poor, was only to make them able to repeat a few questions of the Catechism, before confirmation; and surely this it would not be difficult to attain, if they were educated in schools for all. What should hinder the parson of the parish (it is his business if any thing be), to assemble the children of his flock as often as needful, for the purpose of imparting to them much more religious instruction than this? That the clergy are not in earnest in their talk about the necessity of schooling in religion, is manifest from this, that they have done nothing to have it given. They have made use of the cry solely for the purpose of making schooling difficult. But where is the parson of a parish who takes the trouble to instruct the children of his parishioners in religion? Where is there one ordinance of the bishops rendering it imperative upon their clergy to fulfil the great duty of administering religious instruction to the young? The whole thing is a farce.

Having thus seen the importance of relieving the parochial ministers of religion from all concern with dogmas, we come to another question of no small importance, whether their labours of love should not also be relieved from the incumbrance of ceremonies?

The example of our Saviour shows, that in certain circumstances they cannot be dispensed with; that where the human

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mind is spell-bound in old habits, you cannot obtain access to it except through the medium of some of these habits.

We persuade ourselves, however, that we have attained in this country such a degree of advancement, notwithstanding the efforts of the Church of England to prevent it, that we may dispense with the performance of ceremonies on the part of those ministers of religion whom the state appoints for the pure purpose of making the people conform to the designs of a Being of perfect wisdom and goodness.

The importance would be immense of constituting a church without dogmas and ceremonies. It would be truly a Catholic church. Its ministers would be ministers of good, in the highest of all senses of the word, to men of all religious denominations. All would share in the religious services of such a church, and all would share in the blessings which would result from them. This is the true idea of a State religion; and there is no other. It ought to be stripped of all which is separating; of all that divides men from one another; and to present a point whereon, in the true spirit of reverence to the perfect being, and love to one another, they may all unite. So long as there are men who think dogmas and ceremonies a necessary part of religion, those who agree about such dogmas and ceremonies may have their separate and respective institutions of their own providing, for their inculcation and performance. But this is extraneous to the provisions which alone it is proper for the State to make, and which ought to be so contrived as to embrace, if it were possible, the whole population.

This, the scheme of which we have been endeavouring to convey the idea, we think, would effect. There is no class of Christians, who could not join in the labours of love of one who was going about continually doing good; whose more solemn addresses to his assembled parishioners would never have any other object than to assimilate them more and more in heart and mind to Him who is the author of all good, and the perfection of wisdom and benevolence. Men could not long attend a worship of this description, worship of the perfect being, by acts of goodness, without acquiring attachment to it, and learning by degrees that it is the one thing needful. All would belong to this church; and after a short time would belong to no other. Familiarized with the true worship of the Divine Being, they would throw off the pseudo worship, dogmas and ceremonies. This is the true plan for converting Dissenters. There would be no schism, if men had nothing to scind about.

If the ministers of the Established Church had nothing to

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do with dogmas, and nothing to do with ceremonies, how would we have them employed?

We have already expressed the general idea of their employment. It would be assiduous endeavour to make all the impressions on the minds of their parishioners which conduce to good conduct; not merely negative, in abstaining from ill; but positive, in doing all the good to one another which the means put in their power enable them to do.

It is very evident, that rules for the making of those all-important impressions cannot be given. General rules would be too vague to be of any use; and the variety of differing cases is so great, that it can only be met by the resources of zeal and discretion in the daily intercourse between the minister and the individuals of his flock. There are, however, certain things which may be assumed as tests, in each instance, of the manner in which the duties of the parochial minister are performed, and which afford a guide to the manner in which stimulants may be applied to him.

For example; we would give annual premiums to those ministers in whose parishes certain favourable results were manifested—in whose parishes there was the smallest number of crimes committed within the year—in whose parishes there was the smallest number of law-suits—in whose parishes there was the smallest number of paupers—in whose parishes there was the smallest number of uneducated children—in whose parishes the reading-rooms were best attended, and supplied with the most instructive books. We mention these as specimens. If there were any other results of the same kind, of which the evidence could be made equally certain, there would be good reason for including them in the same provision. In this manner, would pretty decisive evidence be obtained of the comparative prevalence of good conduct in the different parishes, and a motive of some importance would be applied to the obtaining of it.

We think that infinite advantage might be derived from the day of rest, if real Christian consideration, exempt from all superstitious feelings, by which the clergy have hitherto converted it to their own use, were applied to it.

We think it of great importance, that all the families of a parish should be got to assemble on the Sunday—clean, and so dressed, as to make a favourable appearance in the eyes of one another. This alone is ameliorating.

An address delivered to these assembled neighbours, by their common friend and benefactor, on their means of lessening the evils, and ensuring the happiness of one another, the

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motives they have to this conduct, its harmony with the laws of that benevolent Being of whom our lives are the gift, and who has made the connexion between our own happiness and the aid we afford to the happiness of others inseparable—would come powerfully in aid of all the other means employed to make salutary impressions on their minds.

When the parishioners are assembled, it is of importance to consider in what other ways the meeting can be turned to advantage.

One thing is very obvious: the opportunity would be favourable of doing something to add to their education. As often as the means were available, useful lectures on various branches of art and science might be delivered to them. Of what importance would it be to the numerous classes of workmen who make use of tools, to be made acquainted, in a general way, with the mechanical powers? What interest might be excited by chemical experiments; and what benefit derived from the knowledge of the composition and decomposition of bodies, which that science imparts. The science of botany, to all those whose employment is in the fields, and to the females whose monotonous lives are confined to their cottages, would afford a great source of interest and delight. Why should not even the wonders of the distant world—the magnitude and laws of the celestial bodies, be laid open to their minds? It will not be disputed that lectures on the art of preserving the health, pointing out the mistakes which ignorant people commit in the physical management, both of themselves and their children, and both the preventive and curative means which they might employ, would be of infinite importance to them.

It is impossible to estimate too highly the benefit which would be derived from good lectures to those parochial assemblies on the education of their children: not merely in sending them to school, and getting them taught to read and write, but in moulding their tempers; in making them gentle, moderate, forbearing, kind, and deeply impressed with the importance to themselves of habits of industry and frugality.

Not merely the mode of conducting themselves towards their children—the mode of conducting themselves towards their servants is an important topic. On the right and the wrong in this matter, in which the grossest errors are habitually committed, good teaching would be of the greatest utility. Even in the mode of training and conducting their beasts, there is great good to be done by proper instruction—in order to habituate them to the thought that gentleness is more effectual than cruelty—that when the animal disappoints our expecta-

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tion, it is not by design, but by its not knowing what we desire, and that beating it for it knows not what, is no means of correction to the animal, but fuel to one of the worst of our own distempers—the disposition to inflict evil upon whatsoever or whosoever is the cause of immediate annoyance to ourselves. No man practises ferocity towards animals who would not, with a little more temptation, practise it towards his fellow-men; and this is a propensity which may be effectually rooted out.

There are even branches of political science, in which it would be of importance that the people should receive instruction in their weekly assemblies. They cannot, for example, be too completely made to understand the laws which determine the rate of wages—from ignorance of which rise most of their contentions with their masters, as well as the other evils which they endure. Indeed, a knowledge of the laws of nature, by operation of which the annual produce of the labour of the community is distributed, is the best of all modes of reconciling them to that inequality of distribution which they see takes place, and which there are people ignorant or wicked enough to tell them, is all in violation of their rights, because it is by their labour that everything is produced.

We go farther: we say there is no branch of political knowledge which ought not to be carefully taught to the people in their parochial assemblies on the day of rest. If it be an established maxim of reason, that there is no security for the good use of the powers of government, but through the check imposed upon it by the representatives of the people, and no security that the representatives will duly apply that check, unless the people make them, by a right use of the power of choosing and dismissing them, it is evident how necessary a condition of good government it is that political knowledge should be diffused among the people.

And the elements of the politics are not abstruse. There is nothing in them above the comprehension of a sensible man of the most numerous class. They relate to nothing but the common-sense means for the attainment of a common-sense object—the means of compelling those in whose hands the powers of government are placed, to make the best use of them. Questions, no doubt, arise in the exercise of those powers, which are exceedingly difficult, and require the highest measure of knowledge and understanding rightly to determine them: the question of war for example. The decision whether the known calamities of war, or the evils threatened by the unchecked proceedings of another state, are, in any instance, the greatest, may require the most extensive range of know-

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ledge, and the utmost skill and sagacity in placing the exact value on the causes of future events.

Even the elements of jurisprudence might be taught to the people with great advantage in their Sunday meetings. The art and science of protection might be opened up to them in a manner which they would find in the highest degree interesting. How usefully might they be made to perceive that to them, above all others, it is the most necessary? The rich man can always do a great deal for his own protection. The poor man—unless the means of many, combined with art, are applied to protect him—is totally deprived of it. The institution of laws and tribunals is that combination; and the essence of them it is not difficult to unfold. To protect a man in the use of what is his own, the means must be provided of determining what is his own—that is, a civil code must be constructed. To prevent violations of what the law has declared to be a man's own—that is, declared to be his rights—the law must determine what acts shall be considered violations of them, and what penalty shall be annexed to each: that is, a criminal code must be made. This is all plain; and the development of it would convey, even to the common people, the most useful ideas.

The necessity of a third party, to settle disputes, and afford redress of wrongs, is a maxim of common sense, familiar to all. This is the establishment of courts of justice; and the discussion of that subject is merely the inquiry, by the instrumentality of what means can the settlement of questions of right, and the redress of wrongs, be most effectually and cheaply accomplished. Not only is there nothing abstruse in this developement—it is a subject, the discussion of which, as coming home to their businesses and bosoms, is calculated to excite the most lively interest, and exceedingly to improve their minds.

So much, then, for the serious matters with which the minds of the people might be usefully engaged in their parochial meetings on the day of rest. But further than this, it is well known to those who have made the principles of human nature their study, that few things tend more effectually to make impressions on the minds of men, favourable to kindness, to generosity, to feeling joy with the joys, sorrow with the sorrows of others; from which the disposition to mutual helpfulness mainly proceeds,—than their being habituated to rejoice together—to partake of pleasures in common. Upon this principle it is that the amusements of the common people are looked upon by philosophical minds as a matter of grave importance. We think that social amusements, of which the tendency would be ame-

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liorating with respect to the people, might be invented for the parochial meetings. They should be of a gentle character; harmonizing rather with the moderate, than the violent emotions; promoting cheerfulness, not profuse merriment. We think that sports, requiring great bodily exertion, and in which bodily strength is mainly displayed, are not well adapted to the day of rest, nor favourable to the feelings of brotherly love, to which the occupations of that day should be mainly subservient. The people of antiquity, who most encouraged sports of that description, did so with a view to war, to the evils of which they were almost incessantly exposed. We can enter but a very little way into the details of this subject. When the time shall come for thinking of it seriously, it will deserve a very careful and minute consideration.

Music and dancing, if regulated, as we think they might be, would afford an important resource. Dancing is a mimetic art, and might be so contrived as to represent all the social affections, which we most desire to implant in the breasts of the people, and to call up the trains of ideas by which they are nourished. A dance might be invented which would represent, as far as gestures and movements afford the means, the parental and filial affections; another, the fraternal affections; another, the sorrowing with those that sorrow, and rejoicing with those that rejoice. There is not any affection in itself more virtuous than that which exists between two unspotted persons of different sex, looking forward to the happiness of wedded life. But dances to represent that affection would be so apt to slide into lasciviousness, that we should be afraid to trust them. Dancing, as generally practised at present, is either a representation of profuse merriment, or of lasciviousness. In both shapes, it is altogether unfit for the moral and tranquil amusements of the day of rest. The dances which would harmonize with the tone of mind we desire to engender by everything which is done or witnessed on that day, would consist of the quiet and gentle motions, and would rather be an exhibition of grace, than of agility and strength.

The smallest tendency to exceed the bounds of decency and order in these amusements would be easily checked by a very simple expedient. The parishioners would select among themselves one of the most discreet of the elders, and one of the most discreet of the matrons, to be from time to time the master and mistress of the ceremonies, whom they would authorize to preserve regularity, and whose decisions they would firmly support.

In all ages and nations of the world, the taking of the

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meals together, or separately, has been considered a matter of importance. The conjunct meal has always been found a promoter of union; wherever, on the other hand, for some accursed cause, the object has been to separate men from one another, the eating and drinking together has been as carefully prevented. The institution of castes is mainly upheld by the strict separation of meals; and wherever anything partaking of the nature of the institution of castes is found to exist, as between the noble and plebeian in modern Europe, the separation in eating and drinking is more or less strictly attended to.

We are sure it would be a thing attended with the happiest effects, if the proper regulations could be enforced, that the people at their Sunday assemblings should partake of meals together, in greater or smaller parties, as convenience might direct. This would be a renewal of the social meals of the early Christians, for which the Greek language afforded an appropriate name. They were called *Agapai:* that is, friendship-meals. When the Christians of any particular place assembled to hear the instruction of an Apostle, or other teacher, it was their custom to carry with them something to eat and drink; of which they partook in common when the business of instruction was over; and thereby bound themselves to one another in stronger ties of affection.

The circumstance unfavourable to this practice in modern manners, is the prevalence of the taste for intoxicating liquors, in which there would be always some who would indulge to excess. This would produce disorder, and a spectacle far from favourable to the class of impressions which it should be the object of all the occupations of the day of rest to produce.

If there were not means by which this consequence could be prevented—and we suspect there are none but the total interdiction of intoxicating liquors—we believe it would be necessary to forego the advantages of the social meal. However, we see no reason to despair, especially under the influence of such a truly Christian pastor as we have been all along supposing, that the parishoners would come to an agreement among themselves to abstain at these meals from the use of intoxicating liquors, and not to permit any one to infringe the rule. They would have the resource of tea and coffee; and the example of the happiness of the Sunday meal would operate powerfully in weaning from the attachment to intoxicating liquors even those by whom it had been acquired.

We shall speedily hear an objector saying, 'All very fine! But how to be done? In what parish are the people to be found, who will submit to all this moral drilling?' The mis-

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fortune is, that such talk proceeds from objectors, who care not whether the work be done or not done; but they thus exempt themselves at small cost from the trouble of bearing a hand in it. However, if there were as many people in earnest about religion, as there are who pretend to be; if there were as many imbued and animated with the spirit of true religion, as there are besotted with dogmas and ceremonies, all the difficulties which present themselves would be overcome. Have not those who were interested in the work got men to submit to whatever was most repugnant to their nature and feelings? to fall in love with propositions incredible? to practise tiresome, and endless, and often painful tricks, in supposed service of the Deity, which sink the performers of them to the level of monkeys? And can we despair, if similar pains were taken, of getting them to do what, at every step, would be delightful, and from which they would derive the greatest of all conceivable pleasures, the consciousness, the heart-felt assurance, of rising higher and higher in the scale of virtue and intelligence every day! Assuredly, the best means of carrying on the moral culture of the people will not speedily present themselves to the people, if they are not aided; and if the influence of those whom they are always ready to follow is not employed to put them in the right path, and urge them forward in it to a certain extent. But for the accomplishment of all this, we should rely much on the efforts of such a class of parochial ministers as we have just been describing; who might be truly styled the servants of God, and the friends of man; who would do much, by their own influence, and much, by stimulating men of station and wealth to employ their influence in the same beneficent direction. P. Q.

ART. II.

NAPIER ON THE IONIAN ISLANDS.

The Colonies, Ionian Islands, and Sir Frederick Adam. By Colonel Charles James Napier, C.B. London: Boone. 1833.

THIS work contains few remarks on the general colonial policy of this country; and even these are merely introductory to the account of the Ionian Isles, and the criticism of the government of Sir Frederick Adam, which occupy almost the whole of a pretty thick octavo volume. Colonel Napier, a brother of the distinguished historian, was for several years Resident (or Lieutenant-Governor) of Cefalonia, the largest of the Ionian Islands. From this government he was removed in the year 1830, in consequence of a misunderstanding with Sir Frederick. His object in this

work is to defend himself against the charges affecting his own conduct, on which this removal was attempted to be justified; to detail the different measures which he adopted for the improvement of the island; to expose the errors of Sir Frederick Adam, and to point out a mode of so managing the Ionian Islands, as, by avoiding the errors hitherto committed, to provide a good government for those colonies without any expense to Great Britain. It is not of course our purpose to enter into the controversy between Sir Frederick Adam and Colonel Napier,—in fact, whatever may be the impression produced on us by the account contained in the work before us, we are not called upon to pronounce any judgment in the matter, on the authority of an *ex parte* statement. But the statements of Colonel Napier afford a view of colonial government calculated to make the strongest and most useful impression on the public mind. The details of his own management of the island of Cefalonia present the interesting spectacle of an economical, vigorous, and improving administration; and the picture which he gives us of the general mismanagement of the government in various particulars, in which his statements are to our knowledge corroborated by perfectly authentic and undisputed evidence, exhibits a glaring specimen of that general extravagance and incompetence which have rendered the colonial government of this country so costly and mischievous to itself, and so little beneficial to the subject states.

The Ionian Islands belong to that class of the foreign possessions of this country of which the good government is the most important and the most difficult. In those colonies, in which a vast unappropriated expanse of fertile land lies open to the energies of the British settler, in which the swarms, which emigration and a rapid multiplication of the species are continually sending forth, find an ever-certain and ample provision for their wants in the constant returns to their labour; the duties of government are fulfilled by a slender provision for the protection of person and property; the temptations of crime are comparatively unknown; the cravings of want are almost unfelt; the interests, passions, and prejudices of large bodies are seldom brought into dangerous collision; and the minds of men being assiduously bent on the one object, of gaining their food by industry, are little inclined to think much of their government, to require its interference, or complain of its conduct. But in some of those extensive and densely-populated regions, which have been won by our arms from native rulers or the foreign domination of other powers, the aspect of society and the position and influence of government are widely different. We have

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there the difficult task of promoting the welfare of a numerous population struggling with the wants incidental to numbers and an artificial state of society. We have there to conciliate long-existing, deep-felt, and widely-spread prejudices, arising from peculiar religions or manners; to administer laws and conform to customs most remote from our own notions of fitness, and most difficult for us rightly to understand; and while we respect the opinions and feelings of an ancient people, at the same time to correct the defects, and repair the long-established evils of ill-devised institutions. In no countries in the world is the vigilance of an enlightened government more constantly required; in none are the people more apt to rely on the supervision, or clamour against the remissness of their rulers; while, at the same time, in none is it more difficult for the government rightly to understand the interests of the people, or come at a correct knowledge of its own situation, or to carry its purposes into effect in spite of the corruption of its own functionaries, the resistance of the powerful few who profit by abuses, or the ignorance of the many who constantly thwart every plan which wisdom or benevolence design for their benefit.

The vast extent, the countless population of our Indian possessions, and the great antiquity and peculiar religion, character, and manners of their inhabitants, render those undoubtedly the first in interest and importance of our colonies. But the petty population of the Ionian Isles possesses claims on our interest which yield to those of no other of our possessions, whether we consider the associations which history has connected with the race from which it is derived, or the singular state in which the result of its past revolutions has placed it. The muse of Homer has consecrated a portion of these islands as the petty kingdom which was ruled by the wisdom of Ulysses; and the reader of Thucydides contemplates with interest the site of the famous republic of Corcyra, and the hardy descendants of the mariners whose rivalry with Corinth gave the signal for the Peloponnesian war. The Greeks of these islands resemble their continental countrymen in manners, language, and religion; they exhibit the national character, freed from the extreme debasement occasioned by the pressure of that Turkish tyranny which they have fortunately escaped, but modified by the foreign and not very mild yoke of the Venetians. A rich soil and favourable climate maintain a pretty dense population: the position of the islands, and the nautical skill for which their inhabitants are famous, have given rise to a considerable commerce, which has of late years been much augmented by the advantages which a government comparatively stable and popular has given

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it over that of the continent of Greece, which has been suffering under the disasters of civil war and the turmoil of successive revolutions. With no feelings of national independence, and divided into the various parties, which have sprung up under the influence of the different nations which have enjoyed or intrigued for their possession, the inhabitants of these islands have, since the peace, been subjected to the rule of Great Britain; and great as are the benefits which the mere strength and civilization of their rulers have conferred, it is lamentable to find how much good has been unaccomplished, how much mischief caused, by our ignorance of their character and situation, and the ordinary imperfection of our colonial government.

Each of the seven islands comprised in the republic is governed by its own resident, who is subordinate to the general government, of which the seat is Corfu. The legislative authority is nominally divided between the Lord High Commissioner and a representative body, called the Senate; but as the latter body is wholly under the influence of the Lord High Commissioner, and as the initiative of all laws is entirely in his hands, he has in fact an authority under no restraint, save that imposed by the government of this country. Colonel Napier objects to this general government, as a source of needless expense; he maintains that the islands might each be quite sufficiently governed by their own resident, and that no good is conferred by the ostentatious machinery of a general government. In fact, he shews that the general government is positively mischievous; that the interference of the Lord High Commissioner, residing in one of the islands, and influenced by the opinions prevalent there, with the system adopted by the resident of each of the others, is generally an interference of a person comparatively ignorant of the situation of the subordinate island, with the plans of a person who has the advantages of local knowledge and undivided attention. He shows that the result is that the welfare of the subordinate islands is apt to be sacrificed by the Lord High Commissioner to that of the favoured one in which his residence is placed. Sir Frederick Adam, he tells us, taxed the other islands for the benefit of Corfu; and his partiality to that spot was marked in the nickname which he received of 'Resident of Corfu.'

Colonel Napier tells us that the population of the islands is divided into four parties, each attached to the interests of some one of the foreign nations which are looked on as likely eventually to govern the islands. The four parties are the English, the French, the Russian, and the Greek. Of these, the latter, which is said to be the largest and most respectable, though

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described as wishing for an union with Greece at some future period, appears to be perfectly content to remain for the present under the protection of Great Britain. The French party, which is described as small, respectable, and quiet, seems to feel no strong aversion to the British government. In fact, these two parties may be looked on as almost amalgamated with the English party, or at least as well inclined to become so. The only really hostile faction is that which is in the interest of Russia. This party, of which the discontented nobles form the chief strength, which collects under its banner all, whom disappointment or distress renders desperate, and which builds largely on the secret assurances and aid of the Russian government, is described by Colonel Napier as 'clever, active, and animated by a virulent hatred to the English;' and is said to foment every popular discontent against the government. Nevertheless, it appears to have but little strength; and though its chiefs have shown themselves prominent in every intrigue and even commotion against our government, their mischievous influence has owed its existence to the errors of the government. The body of the people is well disposed; and the discontents, of which we have lately heard so much, appear to be attributable to the blunders of the rulers rather than any excessive turbulence of the ruled.

The bane of the Ionian Islands appears to be the influence of a very powerful, corrupt, and oppressive aristocracy. Colonel Napier speaks, we think, incorrectly, when he designates as '*feudal*' the tyranny of the nobles. It seems to be a species of tyranny by no means peculiar to countries in which the feudal system is established; but one which exists, and has existed, wherever the influence of hereditary wealth is not checked by great civilization, popular institutions, or the power of a very strong and enlightened government. The feudal system, in fact, instead of producing or organizing this species of oppression, did, as Adam Smith remarked, place limits on the natural tyranny of the wealthy over the poor. In the Ionian Islands no such restraints appear ever to have existed. Unrestrained by a government too weak to impose terror on them—by laws, which they wrested to their own purposes—by a public opinion which was but the stifled indignation of helpless suffering, the hereditary proprietors of the Ionian Islands have, from time immemorial, plundered and degraded the labouring classes of their countrymen. Ground down by the most oppressive exactions, the peasantry are everywhere deeply in debt to the rich: and harsh laws, most corruptly administered, placed them at the mercy of the tyrants, whose wealth or connexions enabled them to influence the venal tribunals.

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Sir Thomas Maitland, whose wise, vigorous, and honest government Colonel Napier highly extols, perceived the evils of this state of things, and set himself vigorously to the correction of them. For this purpose, he wisely judged it necessary to give great power to the residents; and he did accordingly invest them with a degree of arbitrary control over the ordinary course of law, which the necessities of the case seem to have fully warranted. The following extracts contain an ample vindication of Maitland's system, and a striking exposition of the evils which it was intended to correct:—

'When I was appointed resident of Cefalonia, martial law existed in that island; and on arriving I found myself sole judge in all criminal and correctional cases. When the usual course of law was resumed, the people of the labouring class, or, as they are there termed the "infamous class" (the very expression exhibits the state of society!) did all in their power to persuade me to continue to judge their causes, instead of sending them to the regular courts of justice: nearly a month elapsed after the abolition of martial law, before I could convince them that I had no longer the authority to act as judge; my house was continually beset by the country people, entreating of me, in the most earnest manner, to decide their cases without reference to the courts. "What chance of justice have I there?" said one; "What protection (meaning the protection of some great family) have I?" said another. "Would the judge give me favour?" "Will he who is a—— (naming the judge's family name) give sentence in favour of a man bearing my name?" (mentioning his own family name,) said a third. "Hang us if you will, Colonel, but, for the love of God, judge us yourself, and don't send us to be crucified in the courts."

'Such were the scenes which passed at my house for some time after the cessation of martial law. This was not a feeling produced by my conduct individually, I believe it was the same in all the islands: everywhere the poor preferred martial law, administered by an English officer, to the regular proceedings of the courts under direction of their natural judges. In Cefalonia such was the fact; the residents of other islands are alive, and can contradict my assertion, if incorrect, as regards them.

'I was struck with disgust at this state of things. I found that every man sentenced in the courts was looked upon, not as a criminal, but as a martyr to the ascendancy of the faction on the bench; that this sacrifice of justice was so frequent as to warrant the feeling in its fullest extent; and that the sentence of a foreigner, alone, seemed to command respect.'—pp. 56, 57.

Again—

'I ask was not Sir Thomas right? He was sent to protect the people, and he did so; he prevented the poor and unprotected from being crushed by the barefaced perversion of the law. It was, assuredly, an act of despotism for me, a soldier and a stranger, to read over the minutes of every criminal process; to send for judges; to overlook their proceedings; criticise their conduct, and even to report upon that conduct to

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my general. All this sounds like wild work to British ears; and assuredly it was so: but patience, reader, one moment, and look at the reverse of the medal: behold the judge who tries, and the lawyer who defends the prisoner; see a host of witnesses, all suborned against the prisoner, who, however innocent, has no prospect of justice, no safety but in the exertions of the resident. The judge on the bench receives a pencilled note; what does that note contain? it contains *the order of a feudal chief to the judge, dictating what sentence shall be passed upon the prisoner*. The judge dares not disobey the chief, and obey the law; it behoves him, therefore, by some quibble, to reconcile the law to the will of his chief.

* * * *

'Far from being unknown to each other, the *judge*, the *pleaders* on each side, the *accused*, the *accuser*, and the *witnesses*, are, one and all, known to each other, and have passed through life in habits of affection, or of mortal hatred. These, or the innumerable modifications of these passions, which in hot climates are far more violent than with us, influence not only the actors in this scene, but also *all the spectators*. In England the accused enters the court confident in his innocence or hopeless in his guilt. In those small islands he enters it, with a bold carriage, to daunt the foe: he is in presence of a multitude, and well he knows that either his own, or his enemies' blood, flows through all their veins: no pulse beats in that hall which is not agitated with the hopes of vengeance, or with the fears of affection. The judges, the lawyers, what are they? the leaders of the battle! the judges, the lawyers, the witnesses, the jailor, have all been previously tampered with, in every way in which the human passions can be influenced, till one or all give way. When sentence is pronounced, a combat is decided, rather than a criminal condemned, and a shout of triumph rings through the land, while the defeated party brood in secret over the hopes of future vengeance.'—pp. 58, 61.

In other respects Maitland seems to have shown equal vigour and sagacity. To appease the rapacity of the numerous and needy members of the nobility, whom he wished to detach from the interest of Capo d'Istria and Russia, he was obliged to create a number of petty places, by which he bribed the occupants and their families. In order, also, to prevent their looking to the Russian court for all personal distinctions, he created an order of 'St. Michael and St. George,' of which he lavished the stars among the influential inhabitants of the islands. As a minor distinction he invented an 'Ionian uniform;' and Colonel Napier gives a ludicrous account of the effect produced on the ambition of the Ionian Islanders by the honour of being allowed to wear yellow breeches. To compensate for the expenses thus incurred, he pursued, in almost all respects, a very rigid system of economy. 'In the midst of a caballing government, he formed (as he used jokingly to boast) the richest

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treasury in Europe.' Determined in the execution of his intentions, and totally free from cant, he used to treat with contempt the notion of '*giving liberty to the islanders*.' Nevertheless, he appears to have taken care to provide them with a good government; and at his death, Colonel Napier says, 'he left a full treasury and a satisfied people.' Of his rough manners, and strange habits, Colonel Napier gives us some amusing details. But he also tells us anecdotes highly honourable to his good feelings, and leaves impressed on us a decided admiration of his vigorous and sagacious administration of the islands.

'When he died,' says Colonel Napier, 'the withering blight of incapacity fell upon them.' Colonel Napier represents the government of Sir Frederick Adam as one of 'fuss and indecision.' He describes him as desirous of interfering with every portion of the business of government; as adopting the most incorrect notions respecting the character and circumstances of the people whom he had to govern; and led away by the advice of persons the most incompetent or ill-intentioned. How far these dark colours may be exaggerated by the personal hostility, which the author takes no pains to disguise, we cannot say; but the picture of incapacity and presumption is at least a very consistent one; and the conduct attributed to Sir Frederick Adam is just that which, under the circumstances, might be supposed to be that of a vain and incapable man.

The charge which appears to be best established against Sir Frederick Adam, is that of great profusion in his government. The annual revenue of the island appears under Sir Thomas Maitland to have amounted to 103,997*l*., and out of this he expended annually only 87,420*l*. He left in the treasury, at his death, 130,000*l*. The annnal revenue in the time of Sir Frederick Adam amounted to 140,000*l*.; Sir Frederick Adam, instead of saving to the same amount as his predecessor, or remitting any portion of the very heavy taxation, spent not only the whole augmented revenue, but also all that had been accumulated by Maitland. He seems, indeed, to have had the foolish notion so common among our public men, that the dignity and influence of the government was to be kept up by ostentation. There is an amusing description of the importance which he attached to a fine coach and a fine coat, which it is here said that he told his successor he considered 'a principle of government.' He seems also to have laid much stress on having a troop of splendid-attired lancers to attend his coach. Having two palaces already, he made the islands build him a third. In all this, Colonel Napier says that he thoroughly mistook the Greek character, which is averse to profusion. This we can

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easily believe. Those who affect to lead mankind by show generally fall into the trap of thinking that they are imposing on the folly of others, while they are, in fact, only gratifying their own childish love of ostentation.

Colonel Napier accuses Sir Frederick Adam of a fault which is not wholly unknown among public men in this country: that of an inclination to impertinent and useless activity. In particular, he makes very merry with his childish love of petty legislation. Sir Frederick Adam had his own senate, and seems to have been inspired with the passion of introducing bills. These bills seem to have been tainted with a common vice of parliamentary achievements,—to have meddled with matters beyond the province of legislation, and to have been concocted in ignorance of the circumstances under which they were to be brought into operation. A law for the establishment of ticketed porters, and another respecting the maintenance of prisoners, are given as samples of this kind of folly. Sir Frederick Adam's quarantine law appears, in addition, to have been horribly sanguinary; and in petty imitation of foreign customs, he seems to have laboured to organize a most impertinent and mischievous system of police, and most vexatious restrictions on strangers. Against his executive and administrative proceedings Colonel Napier alleges grievous charges. Accusations of neglect the most flagrant, and injustice the most atrocious, are detailed as the result of Sir Frederick's ill-advised and ignorant interference. At the same time all useful and requisite legislation seems to have been utterly arrested.

A great many of Sir Thomas Maitland's plans for the improvement of the laws of the islands were abandoned. We quote one passage to show the abominable mode in which justice is administered in the Ionian Islands, and the little pains Sir Frederick Adam took to remedy its wants and most apparent defects.

'And here let me remark upon a strange practice which prevails, and which a Lord High Commissioner who sought to do real good, and possessed talents, would long since have taken steps to remedy. The grievance I complain of is this: the trials are carried on in the Italian language, and the unhappy peasant who is tried, but speaks only his native Greek, stands by, hearing the trial (on the issue of which his life, perhaps, depends), without comprehending the language in which the process is conducted! In a foreign tongue he is accused, in a foreign tongue he is defended, and he learns the result by his lawyer turning round to tell him that he is to be hanged! The horror of this can only be fully appreciated by those who know the virulence of party feeling in these islands; and that if a peasant is accused by a feudal chief, it not unfrequently happens that the legal adviser of the peasant is bribed

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by the opponent of the latter to betray his client; or the advocate is on such terms with some friend of the rich man, that (without taking a direct bribe) he still finds it convenient to sacrifice his client. The peasants are perfectly aware of all this danger; they well know how little safety there is in the law, and they leave no exertion untried which their extreme acuteness of intellect can suggest, to defend themselves. Perjury is their best and safest course; and I have heard that at Zante there are regular shops for furnishing false witnesses at so much per head. Among other straits to which the peasants are put to obtain justice, is that of keeping a lawyer by the year. By paying the annual stipend, the client places himself under the protection of the advocate, (which, in feudal society, is far more effectual than his law,) and the rustic pays for this with fowls, eggs, labour, and various other ways: in short, he is the slave of this gentleman; and if the latter happens to be a bad man, the consequences are lamentable. All these shifts are the preparations for the day of trial: but when before the judge, then begins the, to him, unknown language, in which, however, his fate is to be discussed. This is a hard measure, miscalled justice; and established by the Venetians to introduce their language among the people. Sir Thomas Maitland provided a remedy for this in the constitution, which Sir Frederick Adam neglected to make use of; and after ruling eight years, he has left this abomination untouched, in all its appalling and horrible vigour.'—pp. 119, 120.

It is impossible to conceive a system more iniquitously oppressive, or habits in a people indicative of a more thorough want of confidence in the administration of the laws. The mode in which the lawyer is retained by the peasant puts us in mind of the account given by Manzoni, in his admirable novel of 'I Promessi Sposi,' of the habits prevalent in Italy in the early part of the 17th century.

Colonel Napier concludes these strictures on Sir Frederick Adam's misapplied activity and real negligence, by a remark, forcibly descriptive of a sort of folly attributable to many public men besides Sir Frederick. 'He has,' he says, 'as many a man has done before, *mistaken riding about for activity:* the activity of the horse is assumed by the rider: but (if I may be permitted to use the expression) Sir Frederick's *physical fuss is not governing.*'

But the great fault of Sir Frederick Adam, according to Colonel Napier's account, was that of allowing himself to be influenced by certain intriguing Greeks at Corfu, who induced him to thwart the residents in their attempts to repress the power of the feudal chiefs, and gave fresh life to the abuses which Maitland had taken so much pains to repress. In Chapter 13, there is a detailed account of the steps taken respecting a very atrocious piece of injustice committed by two judges in Cefalonia, who mutually agreed to violate the law to the injury

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of a poor man. These judges Colonel Napier removed: their removal was approved by the Lord High Commissioner. But this was in itself no punishment; and the weakness of Sir Frederick Adam prevented his ever taking any further steps against persons stigmatised as guilty of so gross a crime. The removed judges defied the government; and, after remaining in perfect impunity for some years, were the chief instigators of the insurrection in Cefalonia. In all the instances, Colonel Napier tells us, in which he exerted himself to expose and punish injustice, and to give the poor the protection of the law against the rich, he was thwarted by Sir Fred. Adam. And the result, he informs us, was, that all his efforts proved unavailing; and that, after all the labours of Maitland and himself, the abuses, against which they had struggled, were eventually re-established as firmly as before.

From a person of the calibre of Sir Frederick Adam, we may expect blunders at least as great in the delicate operations of finance, as in other departments of legislation. A sample of his political economy is afforded, by the circumstance of his having selected corn as a subject of taxation. To attempt to raise a revenue from the food of the people, without even the pretext of protection to a home agricultural interest, is the grossest and most hazardous of follies.

From this displeasing picture of mismanagement on the part of the governor, we turn with pleasure to Colonel Napier's account of his own policy in Cefalonia. However we may hope that his indignation against Sir Frederick Adam may, in some instances, have led him to exaggerate his errors, we need not fear to be deceived by his partiality in his own favour. The description of the objects which he had in view, the means by which he sought to attain them, and the principles on which he proceeded, are such as no incompetent or unenlightened man would affect. The description of his own zeal for the benefit of the Cefalonians, and of his activity to promote it, is given in language which can emanate only from a person actuated by the highest impulses of duty. At first sight it would almost appear as if he were acknowledging having exhibited too great an activity, and having interfered in matters which are better without the interposition of government. Nothing seems to have escaped his care. His great object was to break the power of the nobility, and to elevate the peasantry by causing their rights to be respected. He appears also to have had a vigilant eye to every detail of the administration of the government: to have been careful of the observance of economy, and eager to promote the adoption of every improvement which

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might conduce to the comfort of the inhabitants, or render their industry productive. He gives the details of the various measures which he took to promote the agriculture of the island—particularly of an attempt to colonize it with a body of Maltese, which appears to have been defeated by the interference of Sir Frederick Adam. By procuring the removal of many impolitic restrictions, he greatly promoted the prosperity of the commerce of the island. In a time of famine, he contrived and organized a plan for providing for the subsistence of the people, which appears judicious, and is reported to have been successful. He describes the measures which he took for the improvement of the public property, large tracts of which had been for a long time wholly neglected. The details of all the public works which he carried through are given at considerable length: prisons constructed on sound principles, spacious and convenient market-places, suitable courts of justice, a quay to the principal harbour, were among the works which were executed under his superintendence—on a scale which, considering the size and means of the island, we may call magnificent, and at an expense which we must admit to be most moderate. The architectural skill of his friend Captain Kennedy, to whose assistance he acknowledges his great obligations, is indeed, if we may trust the sketches with which this volume is illustrated, of the highest order; and his singular economy is an even rarer merit. Two handsome light-houses were erected, of which one cost 753*l*., and the other only 117*l*. Whether these works really were as admirable as Colonel Napier's description would lead us to suppose,—whether his plans for the benefit of the island were as successful as he would have us believe, we have not the means of positively deciding; but we have all the evidence in his favour which can be given by the exceeding correctness of the principles on which he professes to have proceeded. It is extraordinary that a man, who seems to have busied himself with affairs of so varied a nature should judge so very soundly on them as Colonel Napier does. Of his greatest works, namely, the roads which he carried, at a small expense, through the most mountainous and difficult tracts of country, and by which he gave the greatest facilities to the industry of the inhabitants, we are convinced, by the unvarying evidence of all whom we have heard describe them, that he does not give an exaggerated description. Sir Frederick in vain tried, by taxing the other islands for the benefit of Corfu, to construct roads as extensive and as magnificent throughout that island. By this he only succeeded in rendering the continuation of the works in Cefalonia impossible; and Colonel

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Napier, with much apparent reason, dreads that the ultimate effect of this ill-considered rivalry, or petty jealousy, may be, not merely the prevention of any further undertakings of the kind, but the speedy destruction of all that had hitherto been effected.

Though continually thwarted by the interference which the Lord High Commissioner, acting under the ill advice of the persons by whom he was surrounded, was constantly interposing, Colonel Napier, nevertheless, continued on good terms with him while he remained as Resident in Cefalonia; and when he parted from him, in 1830, on a temporary absence, for the purpose of going to England, received every assurance of esteem and regard. During this absence, which was occasioned by Mrs. Napier's ill-health, he received the unexpected intelligence that discontent had arisen in Cefalonia, and that Sir Frederick Adam, in a public address to the inhabitants, had attributed them to his misgovernment. Soon after this he was dismissed from the Government of Cefalonia. On Sir Frederick Adam's arrival in England, in September, 1831, Colonel Napier called on him to specify the charges which he had hinted against him in his speech at Cefalonia. Sir Frederick Adam refused any explanation; and Colonel Napier then appealed to Lord Goderich, who was then Secretary of State for the Colonies. Lord Goderich—after endeavouring to put the matter off, and trying to get Colonel Napier to agree to a compromise, accept the superior residency of Zante, and say nothing more of his dispute with Sir Frederick Adam, at last declared himself ready to arbitrate between the two—called on Sir Frederick Adam for a statement, which was supplied, and received an answer from Colonel Napier. Soon after, Sir Frederick Adam was appointed to the government of Madras; and thenceforth Colonel Napier heard nothing more respecting either the charges which Sir Frederick had brought against him, or those which he had urged in reply against Sir Frederick for his behaviour towards himself. An inquiry appears to have been instituted by Lord Goderich: at least, both parties were called on for their defence: whether inquiry followed or not cannot be determined. The statement of each party is before the public. The party that, on the face of these statements, is apparently in the wrong, has powerful interest, and is promoted: the party apparently injured obtains no redress.

On the face of his own statement, Sir Frederick Adam appears to have behaved with great rashness and great injustice. During the whole period of Colonel Napier's being a resident of Cefalonia, he seems to have approved of his proceedings, and to

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have parted from him with marks of esteem, and expressions of a wish for his speedy return. He then appears to have listened, in his absence, to secret accusers—to have publicly reprobated his conduct when he had no opportunity of defending himself, and loaded him with the accusation of having caused an insurrection by his misconduct. Sir Frederick's statement to Lord Goderich bears out none of these charges. It appears, from his own account, that the discontents had an obvious and acknowledged ground in the supposition, on the part of the islanders, of a project of interfering with their religion; and that the trumpery complaints against Colonel Napier did not afford a plausible pretext for a general discontent. He appears, on his own showing, to have acted with singular harshness and injustice, in inflicting a public stigma on an officer with whom he has little fault to find, and whose alleged errors, he acknowledged, 'were infinitely overbalanced by the good he had done.'

Lord Goderich's conduct appears to have been a fine sample of the mode in which the colonies are governed by weak men. Colonel Napier acknowledges the kindness of his manners, while he describes the unfairness of his conduct. Lord Goderich appears to be one of those men who do acts of injustice with great politeness. Though he talked boldly of taking upon himself the painful duty of arbitrating between Sir Frederick Adam and Colonel Napier, the idea of dispensing equal justice, and inflicting punishment on the wrong-doer, seems never to have crossed his mind. He endeavoured to soothe Colonel Napier into submission, and compromise his complaints by promotion. After an inadequate inquiry, he got rid of the affair: the person apparently in the wrong was promoted, if not by his desire, at least without his opposition: and the complaints of the sufferer were passed over in utter silence.

Such is the appearance of this affair on Colonel Napier's statement. We know that implicit credence is not to be given to the accounts of a complaining party; but we know that it is of importance that complaints such as these should not be treated as unimportant. If Sir Frederick Adam and the Colonial Government have allowed such complaints against them to remain for two years unanswered, they must be content to find them generally believed as unanswerable. If Sir Frederick Adam's friends have taken any way of meeting the accusation, it is by one which admits his guilt: for we cannot help suspecting, from the difficulty which we experienced in getting a copy of Colonel Napier's work, that they have been endeavouring to stifle the complaint by buying up the book.

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Colonel Napier's account of the treatment which he expected, contrasted with that which he has experienced, is very touching. He concludes his statement to Lord Goderich, in reply to Sir Frederick Adam's charges, in these words:—

'I had laboured for years to exalt the name of my country among a foreign people, and to make that people happy under the protection of the King of England. I came away, bearing with me the often-expressed respect of that people, the approbation of my superior officers, and, above all, the consciousness that I deserved both—yet do I find myself unexpectedly attacked, and, nearly two years after my departure, obliged to justify my conduct against that very superior officer, who, while I was present, and able to defend myself, publicly approved of all that I had done.'—pp. 444, 445.

His administration seems fully vindicated by the state of the islands during his government, and that which was exhibited on his removal. During the eight years of his residency, Cefalonia enjoyed perfect tranquillity: almost immediately after his departure, serious disturbances commenced, and have continued ever since. Cefalonia, from being the most tranquil and contented of the islands, is now become, as has been significantly said, 'the *Ireland* of the Ionian Islands.' Indeed, the state of all the Septinsular Republic appears most unsatisfactory. Lord Nugent has been recalled, it is said, on account of the dissatisfaction caused by his conduct in the government. It is possible that he may be the butt of the faction, who constantly resist and cry out against every attempt to introduce a system of justice and order into the islands; but from the accounts that have reached this country, there appears too much reason to fear that his Lordship's government has, in truth, increased the discontent of the Ionian Islands, and given just cause of complaint.

Such, indeed, has been the mismanagement of these islands, that it has become a question of considerable importance, whether it would not be better, both for this country and for the Ionian Islands, that our connexion with them should be entirely dissolved. We have read with great interest the arguments adduced by Colonel Napier against their abandonment, and we must say that they appear unanswerable. Could the Ionian Islands be governed without any expense to this country, there can be no doubt that the possession of them, as far as it might serve to facilitate an intercourse with the East, and to enable us to protect our trade in the Levant, would, though perhaps of no very great advantage, produce at least as much benefit as we might be well content to accept, had we nothing

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to pay for it. On the other hand, could the government be rendered less expensive to the inhabitants themselves, and a little more care taken to provide them with competent governors, there seems little doubt that their wishes and real interests would be best promoted by our continuing to retain the government for a considerable period. That the largest and most respectable portion of the inhabitants wish ultimately to be united under the same government with the continental Greeks, is admitted by Colonel Napier; but he adds that those who most ardently desire the junction would wish to see it postponed until the establishment of a firmer government in Greece.

A junction, in the present state of the two countries, would, they think, throw on the wealthy islands a portion of the expenses of the comparatively poor continent; and they dread lest advantage should be taken of their submissive and orderly habits, to make their inhabitants supply any deficiencies in the revenue which might be occasioned by the refusal of the turbulent chiefs of Greece to pay their contingents. There can be no doubt that to a people in the state of the Ionian Islanders, the influence of a powerful and civilized nation like Great Britain must be advantageous, if the Colonial government be managed with common honesty and discretion. The interests of civilization and humanity seem to demand our retention of the Ionian Islands, if our management of them can be improved, and all expense to ourselves avoided. And if we can govern those islands without expense, the possession of them, though not, perhaps, so advantageous as Colonel Napier would represent it, would at least do us no harm.

Colonel Napier asserts, and takes great pains to prove that the Ionian Islands might be governed without any cost to this country, and with much less cost to themselves. We think he fully proves his assertion. And the account which he gives of the waste that has hitherto gone on in the expenditure of these islands, and the details which he gives of the retrenchments which might be effected, give a deep insight into the scandalous abuses of our colonial system.

The annual revenue of the Ionian Islands amounts, according to Colonel Napier, to 140,000*l*. This is raised on a population of 190,000 persons; and amounts, therefore, to nearly 14*s*. 9*d*. per head. For a country so poor, this appears a very heavy degree of taxation; and Colonel Napier says, that it is found to be most oppressive. The whole of this revenue was expended by Sir Frederick Adam, who, in addition, spent 130,000*l*.

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which was left in the treasury by Sir Thomas Maitland, having been saved out of a much smaller revenue in seven years. In addition this country had to pay, during the period of Sir Frederick Adam's government, about 113,000*l*. per annum for the troops kept in the islands, besides the immense expense of transporting them thither. This charge had probably been as great in Maitland's time. It appears by a return laid before the Committee of the House of Commons, which sat last Session, to enquire into the military expenditure of the colonies, that the expense to this country of our military establishment in the Ionian Islands amounted, in the year 1832, to about 103,000*l*. The British force in the islands amounted in that year to 3000 men; and that is the present amount.

Colonel Napier, proceeding on the principle, that a long-established colony must be made to pay the expenses of its own government, proceeds to show that the Ionian Islands might be governed without any expense to this country: that the whole of this 103,000*l*. per annum might be saved: that the islands might be made to support their military as well as their civil establishments; and that, after paying all charges, the revenue might be reduced by 50,000*l*. a year. He shows that Maitland provided for all charges, except the payment of the British military force, with no more than 87,240*l*. a-year. He asserts that this was too much by about 22,000*l*.; that 25,000*l*. ought to suffice for the whole military expenditure of the islands; and that, consequently, 90,000*l*. per annum would be sufficient to defray the whole necessary expenditure of the government.

Colonel Napier points out several items in the civil establishment, in which great reductions might be made. Thus, he proposes that instead of 5000*l*., the Lord High Commissioner should have 2000*l*. a-year; a salary, which, considering the size and means of the petty republic, and the cheapness of living, appears amply sufficient. He also proposes to abolish or greatly curtail the salaries of the regent, senators, legislators, and other native functionaries. But, without entering into the items, we take at once the most striking view which he gives of the practicability of retrenchment. He tells us, that he, as resident, offered to reduce the annual expenses of the civil government of Cefalonia to 10,000*l*. As Cefalonia is much larger, more populous, and, from its local character, more difficult to govern, than the other islands, and as two of them (Ithaca and Paxo) are merely dependencies on the larger islands, and ought to have no separate government, he infers that 65,000*l*. a year would suffice for the civil government of all the seven islands.

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The whole machinery of the general government he would abolish as utterly useless, and as most unjust to all the islands, except the one in which it is kept up.

With respect to the military expenditure, we give our author's own words :—

'I think I have now only to show that 25,000*l.* is enough for the military expenditure. The population of the islands being well-disposed, I will maintain that, in time of profound peace, one thousand soldiers is a sufficient garrison. If these thousand men are English soldiers, twenty-five thousand pounds will not cover the expense, but this sum will pay, feed, and clothe, a thousand Greek soldiers. If it is objected that though a Greek force would be cheap, circumstances may prevent such a force being safe, I can only answer that a long acquaintance with the Greeks has given me confidence in them if they are properly managed. I should not be the least afraid to undertake the government of Cefalonia, without any force but the Greek constables that are now there (about thirty in number, I think). In saying that the island could be governed without any other force than the constables, I beg to be understood to mean also, without a general government, like that of Sir Frederick Adam's, to be relieved from which I should have considered at any time a security equal to a reinforcement of five hundred bayonets. But if a Greek force is disapproved of, then form the garrison of Maltese, whose country, habits, and religion, separate them from the islanders, if that is to be desired; in short, there is a choice of nations; for my own part I prefer the Greeks to all others except the British, whose costliness alone makes them objectionable. If I am told that a thousand men are not enough for the garrison of the islands, I can only answer that it is a matter of opinion, and I have offered mine, backed up by thirty-eight years' military service, about twelve of which I was inspector of Ionian militia, and eight years resident (or lieutenant-governor) of Cefalonia: however, to those who will not allow me to be a judge, I have two remarks to make: the first is, that there may be a large surplus revenue as I have stated; apply that to increase the military force, which you insist and which I deny to be necessary: secondly, if you still say that is not enough, I answer, try it, and if it does not prove sufficient, England can only give up the islands at last.' —pp. 32, 33.

Colonel Napier was examined before the Committee on the Military Expenditure of the Colonies, and in spite of severe cross-examination, stuck manfully to this estimate of the amount of men necessary for the peace establishment of the Ionian Islands, and of the kind of troops of which it might safely be composed, with a view to economy. From the perusal of the evidence, it is obvious that the answerer had greatly the advantage of the questioner. He confined himself to his assertion respecting a period of profound peace. He maintained

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that a thousand troops, and those even Greek or Maltese, would suffice to give the requisite aid to the police, to guard the fortifications and public works, and to defend them against any insurrectionary attack made by the inhabitants, if discontented. When asked whether such a number would garrison them against a systematic attack from a regular force, he answers, that ten or fifteen thousand soldiers would be necessary. When asked what number could defend the fortresses against a *coup de main*, he replies, that that must depend entirely on the forces with which the *coup de main* is made. But he always returns to his assertion, that for a time of profound peace a thousand are quite sufficient: and he shows that there is not the slightest probability of a force requiring greater means of defence being brought against the islands, without ample notice, and the opportunity of bringing adequate reinforcements from Malta or England. He points out the immense advantages for defence, which our naval superiority places in our hands, stipulating always, that his thousand men shall have the support of a man-of-war.

The idea which was uppermost in his examiner's mind is very obvious. He is always contemplating the possibility of a sudden attack being made by some great power in time of profound peace; and thinks that the garrison, if not sufficient to sustain a regular siege, ought always to be capable of repelling such an attack. The probability, or even possibility of such an attack being suddenly made seems never to enter into the consideration of the gentlemen, who propose to garrison our colonies with a view to guard against the attacks of chimerical enemies under inconceivable circumstances. It is under the influence of such fancies that the military establishments of our colonies seem to have been formed, by those who talk of its being desirable to keep them always in an efficient state of defence. Our colonies are protected against such attacks by the laws of nations, the respect for national honour, the dread of the ulterior consequences of unjust aggression, our command of the seas, and the terror of our arms. These are the real safeguards of our possessions. Not even the lavish admirers of efficient defences have ventured to squander the public money on military establishments sufficient to protect every spot of our dominions against every conceivable enemy. Our own island is indeed most shamefully neglected if such principles are correct. The county of Cornwall, for instance, within twenty-four hours' sail of the two great naval arsenals of France, is defended generally by rather less than forty soldiers; and there can be no doubt that Louis Philippe might very probably, were

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he minded to try, fit out an expedition which should obtain possession of the whole district in question. We imagine, even if inclined to violate national faith, and incur the risks of war, he might be deterred from this idea by the fear of his preparations being discovered, and by the certainty, if he did thus obtain possession of a corner of the county, of being very soon turned out of it again. We do not see why these considerations should not occur with equal force to Russia, Austria, Naples, or Otho, meditating the seizure of Corfu; and why in peace Corfu may not be considered as safe as Cornwall.

Colonel Napier gives an admirable exposure of the manner in which 160,000*l.* have been wasted on the fortifications of Corfu, which were so strong before our acquiring them, that, with full possession of the sea, we never thought of attacking the French in them.

On the whole, Colonel Napier's economical suggestions are very valuable. We must close our account of them with extracting a proposal which we think perfectly reasonable, but which would excite alarm and contempt among our colonial functionaries:—

'Perhaps no better rule could be established for appointing governors, than removing all those who do not make the colonies they govern pay each its own expenses. If a rule of this kind were established, we should have very few men in gold coats, and our colonies would become sources of national power and riches; for it is impossible to dispute the fact, that (land and labour being the sources of wealth) where men can live, they can pay for their own government; and, consequently, need not demand pecuniary assistance from another country. Where there is a drain upon the mother country, there must be something wrong, except in the case of first settlements: *there*, men cannot, for some time, draw food from the soil; in such cases assistance must be rendered, and the only question is, how far these colonies are worth the purchase money.'—p. 154.

Some of the scattered remarks in this work, on various miscellaneous subjects, are very well worth attention. His exposure of the exceeding imbecility of the monster Ali Pacha may be read with profit by those who have been deceived by some exaggerated account of his barbarian abilities. There is a remark on absenteeism, in p. 299, which is a forcible exposition of the real evils of that practice. But we cannot resist the pleasure of extracting one passage in favour of the ballot, of which Colonel Napier is a strenuous supporter, and which he blâmes Maitland for abolishing. The humility with which the gallant soldier confesses his cowardice may be studied with profit by those magnanimous civilians, who, in the enjoyment of luxury and independence, preach heroism to empty bellies, and spurn

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the baseness of those who would seek protection in order to do their duty:—

'It is really amusing to hear men talk of its being "*un-English and cowardly*" to vote by ballot. Why do the members of the United Service Club, and all other clubs, vote by ballot, if it is so vile? Are our generals and our admirals so "*un-English?*" Do they, the chivalry of England, and history records none more brilliant, fear saying openly, "*I vote against that gentleman's admission?*" Are they to be so "*un-English,*" and to adopt the ballot as a protection from this slight inconvenience to politeness; while a poor man, whose total ruin would attend the same speech at the hustings, is to be called a coward if he shrink from what would starve his children? Formerly we were told, "*of two evils choose the least.*" The doctrine now is altered: "of two evils choose the *greatest.*" Starve your children rather than give your vote against your politics. Break the law of nature, rather than disoblige a man of adverse politics. Destroy your family immediately for fear the Habeas Corpus Act should be suspended a hundred years hence; this is "*being English*" in the opinion of those who breakfast, dine, and sup plenteously: Stoics in theory, and Sybarites in practice. When the Duke of Wellington chased Massena from Portugal, I was three days without food, the first day was anything but agreeable; the second convinced me of the close alliance that there is between honour and an oven; and on the third day I would, for a biscuit, have voted for the Duke of Newcastle himself! If any Tory can prove to me that my not voting for him at the next election will be followed by the untoward feel I had in my stomach in the Estrella mountains, I will give him a plumper, against the best reformer in England. Really one cannot reason, seriously, on such a subject; and it is ungracious in the editor of the Morning Chronicle to abuse the electors of North Essex, who may be considered as the staunchest opponents of open voting. While other men argued on the necessity of the ballot, they, by overthrowing Mr. Western, went direct to the proof!'—pp. 358, 359.

From the extracts we have given, the reader must have acquired some notion of the rambling, quaint, but humorous and forcible style in which this work is written. We understand that many gentlemanly men regret exceedingly that Colonel Napier should ever have written such a book, and think his publishing it a piece of very bad taste. We cannot coincide in such a judgment. Colonel Napier had a tale of public misconduct to unfold, which he was right in making public; he had complaints to utter, to which he was justified in giving voice. If he has deluded himself and the public by an imaginary or artfully false statement of grievances, he will suffer the penalty of public exposure; if his assertions are true and moderate,—and they have every internal evidence of both characteristics,—he deserves praise and redress. Nor can we blame him for adopting a style which is evidently natural, and very forcible; and

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which, while it diverts the reader, must occasion peculiar annoyance to a person of the pompous character which he attributes to his opponent.

It is to the honour of Mr. Spring Rice, that while Colonial Secretary he acknowledged and rewarded Colonel Napier's merits. Without any personal interest, and with no very great similarity of political feelings, Colonel Napier, at the request of several of the intended settlers, applied for the government of the new colony of South Australia. After a long discussion with him on the subject of the colony, Mr. Spring Rice gave him the appointment. To that, as to every other projected improvement, the accession of the Tories to power opposed obstacles; and we regret to find that disagreements have subsequently taken place, which have prevented Colonel Napier's being intrusted with this task. Θ.

Art. III.

The Poetical Works of the Rev. George Crabbe; with his Letters and Journals, and his Life, by his Son. 8 vols. London. 1834. Murray.

'NEVER be discouraged' (wrote Sir Walter Scott to Mr. Crabbe, in 1813) 'from the constant use of your charming talent. The opinions of reviewers are really too contradictory to found any thing upon them, whether they are favourable or otherwise; for it is usually their principal object to display the abilities of the writers of the critical lucubrations themselves. Your "Tales" are universally admired here. I go but little out, but the few judges, whose opinions I have been accustomed to look up to, are unanimous*.' With such a decision before our eyes, we confess that we undertake our present task in a state of feeling very far removed from that pleasurable anticipation of judicial power and mental display, which is apt to rise in the bosom of younger, or more hardened critics than ourselves. Were the love of display our object, the present subject would have been far from our thoughts. Crabbe's works have been examined so frequently by the best contemporary critics, that even the most independent judge must be under a strong apprehension that many unavoidable coincidences between his views and the critiques already before the public will be readily set down as plagiarisms. We may add that, though the advantages which the works of the late Mr. Crabbe presented to their critics, when those works appeared,

* Crabbe's Life, p. 210.

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one by one, for the first time ,were great and obvious,—a collection of all those works, when that part of the public who feel an interest in them has become quite familiar with them, would be a kind of publication from which we should almost instinctively turn away, if we wished to indulge either indolence or vanity, or both. It is no easy task, indeed, to re-examine, with critical attention, seven closely-printed volumes of any kind of poetry, much less of poetry which is far from numbering variety of style among its attractions. It is still more difficult so to class the observations made in the course of that reading, as to give them both unity and comprehensiveness. In spite, however, of all these difficulties, the hope that, among our readers, there might be not a few to whom a brief account of so remarkable a man as Crabbe will be acceptable, and some critical observations on his poetry not quite unwelcome, has induced us to undertake a task, in the execution of which, whatever other faults we may fear, we feel assured of not falling under the condemnation of the eminent man whose words stand at the beginning of this article.

The first volume of this tastefully printed collection contains the life of the poet Crabbe, written by his son. The often-repeated observation, that the lives of literary men are deficient in events of any interest, is not quite applicable in the present case. The hard struggle with poverty, on the issue of which depended Crabbe's lot in life—whether he was to employ his bodily strength in the service of his father, as a warehouseman of the meanest description, or to rise into undying celebrity, and become 'the first of living poets,' when Byron himself could attest Crabbe's right to that intellectual rank—such a struggle is one which will stir the bosom of every Englishman, who, for ages to come, shall be able to feel for the intellectual glories of his country.

Crabbe was born at Aldborough, Suffolk, in 1754. His father, to use the language of the biographer, his grandson, 'appears to have been very early in life the keeper of a parochial school, in the porch of the church of Orford.' He is described as a man of 'strong and vigorous' talents, with 'an extraordinary faculty' for arithmetical calculation; who, after having been schoolmaster and parish-clerk, in a small village, became settled at Aldborough as collector of the salt-duties, or salt-master. This man had many of the moral features of the 'savage race,' which his son, our poet, has described as inhabiting the village where he himself grew up. Crabbe, in some verses found among his papers, records the oppressive feelings he experienced in early life, in consequence of the violence of

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his father's passions. This melancholy impression was connected with the loss of a sister:

> 'For then first met and moved my early fears,
> A father's terrors and a mother's tears.
> Though greater anguish I have since endured,
> Some heal'd in part, some never to be cured;
> Yet was there something in that first-born ill
> So new, so strange, that memory feels it still.'

The object of this early terror seems to have been less fierce and passionate in his younger days. He used to read to his family passages from Milton and Young, which probably were the originally exciting cause of Crabbe's poetical taste; but intemperance in drinking (as we infer from his grandson's properly softened expressions) roused the evil passions which caused the misery of his mild wife, and our peculiarly sensitive poet.

Crabbe received very little assistance from education; yet his gratitude to the village dame who taught him to read, and from whom he experienced a kindness and encouragement which his naturally tender and sensitive heart seems to have sadly longed for and missed in childhood, has been recorded in lines which must perpetuate the memory of that humble teacher.

> 'If ought of mine have gained the public ear;
> If RUTLAND deigns these humble Tales to hear;
> If critics pardon what my friends approved;
> Can I mine ancient widow pass unmoved?
> Shall I not think what pains the matron took,
> When first I trembled o'er the gilded book?
> How she, all patient, both at eve and morn,
> Her needle pointed at the guardian horn;
> And how she sooth'd me, when, with study sad,
> I labour'd on to reach the final zad?
> Shall I not grateful still the dame survey,
> And ask the Muse the poet's debt to pay?'*

Crabbe's taste for verse appeared at an early period. His father took in a periodical work, called 'Martin's Philosophical Magazine,' which contained, at the end of each number, a sheet of 'occasional poetry.' The salt-master irreverently cut out these sheets when he sent his magazines to be bound up at the end of the year; and the 'Poet's Corner' became the property of George, who read its contents until he had most of them by heart. The boy ere long tried to imitate the pieces which he thus studied; and one of which, he used to say, par-

* The Borough; Letter xviii.

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ticularly struck his childish fancy by this terrible concluding couplet—

> 'The boat went down in flames of fire,
> Which made the people all admire.' *

This taste for reading, and a proportionate awkwardness as a sailor, made the salt-master declare that 'his son George must be a *fool*." To this unfavourable impression we probably owe the existence of Crabbe as a *poet*. Had he been, in bodily qualifications, a boy after his father's own heart, whatever seeds of mental power might have been in him, there was not the remotest chance of their cultivation. But since the bookish boy held out no prospect whatever to his father's low and vulgar ambition, he was forced to turn an unwilling eye towards something like a learned profession. Crabbe was sent to a miserable school, as a preparation for placing him as apprentice to a country surgeon. Here he acquired a scanty knowledge of Latin, which he seems to have improved in after life. We are inclined, however, to doubt, in spite of his frequent Latin mottos, whether he ever mastered that language sufficiently to enjoy the reading of the Roman poets. The ground of this doubt is the total absence of a classical taste in Crabbe's compositions. The beauties of his poetry do not exhibit a single trace of those models, and seem now and then to approach them only by chance; his peculiar defects would not have sprung up in a mind which had been under the influence of the ancient classical school.

Crabbe was, from his earliest youth, endowed with a talent for that minute, penetrating, and accurate observation, which, combined with deep, though not ardent feeling, irrevocably decided the character of his poetry. For the grand and sublime beauties of nature he seems to have had no capacity;—the ocean alone appears at times to have awakened in his soul some perception of grandeur;† but that perception was always transient and feeble. Crabbe's biographer very truly observes that, though his father had resided in some of the finest parts of England, he never described them, nor took any great plea-

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* Life, p. 15.

† See, for instance, one of his most successful attempts at elevation, on that, his favourite object of visible Nature: 'Borough,' letter ix.—

> 'Then may the poorest with the wealthy look
> On Ocean, glorious page of Nature's book!
> May see its varying views in every hour—
> All softness now, then rising with all power,
> As sleeping to invite, or threat'ning to devour.'

But the poet's effort is too laborious to last. He attempts to draw largely and boldly; but he fails, and flies to individuality.

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sure in them. That in his poems there are some beautiful pictures of visible nature, any one who has read them must recollect with intense pleasure; but it must also be acknowledged that it was not the picturesque that struck the imagination of the poet in such cases. For *visible* beauty he seems to have had no taste; or, to speak more correctly, to *Beauty*, as such, he seems to have been indifferent. Neither Music nor Painting had any attractions for him. *Sentiment* alone possessed his soul. Any object which by association could be made to take the colouring and tone of human passions and feelings—any part of nature which the poet could make reflect the moral sentiments of man (and there was, indeed, scarcely an object to which Crabbe could not impart a moral life), seized and pervaded his whole mind—and thus identified with it, became *poetical*, in his peculiar and inimitable manner. But even this talent was not of sudden growth. The tendency to that particular kind of observation appeared in Crabbe at an early age, but the power to convey its results in verse was acquired by a very long and persevering practice. He seems to have written much which he judiciously condemned to the flames. Nothing but long practice could have given him that facility of versification which, combined with his wonderful talent for minute, yet animated description, is the most alluring and characteristic feature of his poetry.

With such a decided taste for versification, it could not be expected that Crabbe would make much progress in the medical studies, which his father's poverty obliged him to undertake under the greatest disadvantages. The surgeon's apprentice was often employed in the drudgery of a farm, to which his master paid as much, or more attention than to his patients. The youth, who some years after was to become the friend of the first ornaments of English literature and society, was now the bedfellow of a ploughboy, in the service of a country apothecary. He was, however, delivered from this degrading apprenticeship, and put under the care of a practitioner who seems to have been more competent to impart instruction. Crabbe, however, seems to have always remained under a consciousness of his incompetency to act as a surgeon, in any case of danger and difficulty. This consciousness made him unhappy when, some years after, he began to practise in his native village; and, as might be expected, he was soon obliged to retreat before his more confident and better instructed rivals in the medical profession. For a time, he had to submit to earn his subsistence by assisting his father, as a common porter. Urged at length by despair, he took the reso-

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lution of trying his fortune in London, as a literary adventurer, with only three pounds in his pocket. The distress to which he was reduced in the capital is almost too melancholy a subject for description. After several fruitless attempts to obtain some money from the booksellers by the sale of his poetry, and after enduring successive repulses from Lord North, Lord Shelburne, and Lord Thurlow, Crabbe thought of applying to Mr. Burke, who was then at the height of his fame and political influence.

Whoever takes a strong interest in our common humanity, especially as, exalted by genius and virtue, it is frequently seen struggling with adversity—whoever is capable of that indescribable exultation, which arises from the view of any virtuous and gifted individual, rescued, in a happy moment, from the gulf of misery in which he was about irrecoverably to sink, should read the fourth chapter of Crabbe's Life, by his son. As for ourselves, we confess that we are so divided between interest for our poet, at the critical moment which decided his fate in life, and love and admiration for the noble mind which saved him from imminent destruction, that we scarcely know to which of the two feelings we ought to attribute the principal share in the delight we experienced in reading that passage. Crabbe, threatened with a prison for debt, conceived the idea of addressing to Mr. Burke a statement of his own circumstances, and a copy of his poems, 'The Library,' 'The Village,' and some minor compositions. While expecting the result, his agitation was such, that he passed the night preceding the day when he was to call for an answer walking up and down Westminster Bridge. But (we quote the words of Mr. Crabbe, the biographer) his father

'went into Mr. Burke's room, a poor young adventurer, spurned by the opulent, and rejected by the publishers—his last shilling gone, and all but his last hope with it; he came out virtually secure of almost all the good fortune that, by successive steps, afterwards fell to his lot—his genius acknowledged by one whose verdict could not be questioned—his character and manners appreciated and approved by a noble and capacious heart, whose benevolence knew no limits but its power—that of a giant in intellect, who was in feeling an unsophisticated child—a bright example of the close affinity between superlative talents, and the warmth of the generous affections.'

And here let us be allowed to moralize a little on what we conceive to have been the most important circumstance in the production of the affecting result which, as long as Crabbe's Poems shall be read, must give delight to every good heart. Mr. Burke condescended to *see* the needy adventurer, of whose

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genius he had received some proofs in writing. To an interview granted by a man who, on the plea of overwhelming public business, might well have sent the petitioner away with a message conveyed by his valet, and by means of a few pounds might have satisfied himself that he had fulfilled every demand of benevolence—to such an interview it was that Crabbe owed his well-merited happiness, and the benefactor himself the highest and purest pleasure of his brilliant life. Burke could not interchange many sentences with the simple-hearted and honest young man who had addressed him by letter, without being fully convinced that nothing which might be done in his favour would be above his natural claims to sympathy and support. Had those from whom Crabbe met with a peremptory rejection sacrificed a few moments to a personal examination of the moral stamp which is almost always perceived in the first address of a stranger, they would have escaped the blame which is now inseparably attached to their selfish indolence. To the credit of Lord Chancellor Thurlow, it must be stated that when, in consequence of Burke's generous patronage of Crabbe, he became acquainted with the man whom he had neglected to rescue from the brink of utter despair, his first care was to atone for that fault. Our poet having now very wisely turned his thoughts towards the Church—the shortest, and, with such patrons, the easiest way to rise out of the low rank of life in which he was born and educated—Lord Thurlow not only engaged to give him preferment as soon as he should obtain orders, but in the most delicate manner presented him with one hundred pounds, as the means of an outfit. Dr. Yonge, then Bishop of Norwich, ordained him, and Dr. Moore, the contemporary Archbishop of Canterbury, gave him the degree of LL.B., which seems to have been required to hold some livings in the gift of the Chancellor, which fell vacant soon after.

Those who may take a particular interest in the subsequent events of our poet's life, will learn them with pleasure from the narrative which occupies the first volume of the collection before us. Our main concern is not with that piece of biography. It has no peculiar merit; but it is also free from gross defects. A sketch, however, of such a writer as Crabbe, provided it be correct in point of facts, is of great value to the critic of his works. Crabbe's poetry is peculiarly a reflection of the poet's own mind: it is, to an unusual degree, stamped with the individuality of the writer, whose character is its best commentary. Let us try to form an accurate notion of that mental character, as connected with the works which we intend to judge.

The works of Crabbe do not contain a single proof of his

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possessing strong intellectual powers. Had he been born with any one particle of that energetic principle of mental activity which always attends first-rate talents, he could not have allowed a long life, abounding in leisure, to leave no stronger proofs of industry and intellectual exertion than the poems before us. As to his 'Sermons,' which are announced for publication*, we take upon ourselves to predict that they will not in the least add to the author's reputation; for it is the peculiar misfortune of that sort of composition that, with very rare exceptions, they generally form an article *per con.* to the intellectual merits of their authors. Now, it is evident to us, that had it not been for the idle amusement which, in his earliest years, Crabbe found in versification, and the facility he obtained of rendering his usual thoughts in rhyme, his aversion to the mean and servile occupations to which he was originally brought up, and the consequent want of more liberal means of subsistence, would not, by themselves, have been sufficient to raise him above mediocrity in any other direction. Circumstances combined most wonderfully to elicit the only mental power he possessed in a remarkable degree. That talent consisted in the observation of human character, as exhibited in the every-day concerns of life, especially among the uneducated and poorer classes of society. For the successful application of that talent in writing, it was absolutely necessary that it should be exhibited *in verse.* Crabbe could not have been a good novelist, even if he had taken up the very same subjects which are the ground-work of his poems. He evidently wanted invention, and could not supply the fictitious events which were necessary to connect his pictures into an interesting narrative. All he could do, when his talents had been matured by time and experience, was to collect a series of such pictures, by means of a general introduction, into a kind of Decameron. Such is the arrangement of the 'Tales of the Hall.' We had, indeed, entertained this view for a long time, when the Life of Crabbe supplied us with a very interesting confirmation. It is a fact, that our poet wrote three novels; and it was fortunate for him that his wife, unassisted by any such theory as that which would have led us to condemn them unread, perceived the very fault which we should have anticipated. The passage in which the fate of those novels is recorded may afford some curious speculation to many of our readers.

'But among other prose writings of the same period (between 1792

* The announcement of Crabbe's Sermons having again caught our eye, we suspect that the publication must have already taken place. But we do not feel inclined either to read them or retract our prediction. We know too much about sermons to fear the chances of our being mistaken.

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and 1804), some were of a class which, perhaps, few have ever suspected Mr. Crabbe of meddling with, though it be one in which so many of his poetical contemporaries have earned high distinction. During one or two of his winters in Suffolk, he gave most of his evening hours to the writing of *novels*, and he brought not less than three such works to a conclusion. The first was entitled "The Widow Grey;" but I recollect nothing of it, except that the principal character was a benevolent humorist, a Dr. Allison. The next was called "Reginald Glenshaw; or the Man who commanded Success;" a portrait of an assuming, overbearing, ambitious mind, rendered interesting by some generous virtues, and gradually wearing down into idiotism. I cannot help thinking that this Glenshaw was drawn with a very extraordinary power; but the story was not well managed in the details. I forget the title of his third novel; but I clearly remember that it opened with a description of a wretched room, similar to some that are presented in his poetry, and that, on my mother's telling him frankly, that she thought the effect very inferior to that of the corresponding pieces in verse, he paused in his reading, and after some reflection said, "Your remark is just." The result was a leisurely examination of all these manuscript novels, and another of those grand incremations which, at an earlier period, had been sport to his children.'—p. 167.

We give Mrs. Crabbe credit for her natural taste and judgment; but reserve the explanation of what she instinctively perceived, for a connected view of her husband's poetical character.

Nor was our poet's love of his own art sufficiently strong to lead him into constant exertion.

'Give poets claret, they grow idle soon*,'

must have been written under the inspiration of Crabbe's own experience. Two-and-twenty years elapsed between the publication of the compositions which obtained ease, comfort, and growing wealth to their distressed author, and that of the 'Parish Register.' He thus passed the most vigorous portion of his life—from the thirty-first to the fifty-second year—without a single effort worthy of the promise of his early poems. But was he, in the meantime, feeding his mind with the knowledge which had been so scantily dealt to him in his original education? Was he wrapt up in the pursuit of philosophical truth, either in the external, or in the internal and spiritual world? There is not the least ground for that supposition. The only branch of science to which he seems to have paid habitual attention was botany. He also amused himself with entomology and geology; but it is clear that these studies were superficially pursued. With botany, as a classification and nomenclature, he became so well acquainted as to have written a

* The Newspaper.

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treatise upon it. The manuscript was however condemned to the flames, by the advice of one of the Cambridge luminaries of that period, who was shocked to see that the treatise was written in the *vulgar* tongue. Every thing, indeed, which we know of Crabbe convinces us that the world would not have enjoyed even the fruits of his muse, if he had not originally been desperately goaded into exertion, and subsequently stimulated by applause and a sense of duty to the public. Crabbe took up his pen, after a very long interval of indolence, not from the internal impulse of a teeming genius, but from the creditable desire of showing his gratitude, which 'mixed,' as he expresses himself, 'with other motives, . . . operated with considerable force . . . acting as a stimulus to exertions naturally tardy, and to expectations easily checked*.'

Of one important duty to the public our poet does not appear to us to have been aware—the duty of qualifying himself thoroughly as an instructor on points which deeply concern the welfare of society. A man endowed by nature with the power of arming his thoughts with the charms of poetry or eloquence has a great moral responsibility upon him. Such a man should spare himself no pains in the acquisition of sound knowledge—the all-important *recte sapere,* without which he will only echo the most mischievous vulgar errors back to the deluded vulgar, of all kinds, from whom he has received them. Crabbe was naturally a satirist. That he clearly perceived his natural tendency to censure appears by his own confession—

> 'Besides, a muse like mine, to satire prone,
> Would fail in themes where there is praise alone.'

Yet it is a low conception of the proper duty of the satirical muse, to suppose it fulfilled when the poet has dealt out sarcasm, or revelled in the mere exposure of what is odious or ridiculous. The satirical poet should, at all times, be a profound moralist, in order to avoid being taken for a dissatisfied and envious railer; but in the present state of civilized society, no one can be a good moralist—nay, no moralist, whether he teaches from the pulpit or his closet, whether he employs verse or prose to convey his lessons, can avoid doing mischief—unless he has made the structure of society the subject of a serious and patient study. Such is, indeed, the influence of the social progress, that Crabbe himself was led, without any deliberate plan, to paint vice and misery, not as arising from inherent individual character, but as the usual (if not the *natural*) growth of certain situations in society. To us it appears evident, that the greatest part of Crabbe's poetry is a bitter invective against

* Preface to 'The Borough.'

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the effects of social institutions on the great mass of the poorer classes. We find a very great analogy between the impressions which society habitually produced in the mind of Crabbe, and in the still more powerful one of Mandeville. The great difference between them is, that Mandeville relieved himself from the painful impression of the great mass of evil which he found inseparably joined with a certain degree of social prosperity, by plausibly, though most fallaciously representing it to himself as an essential instrument, if not the cause, of that prosperity itself; while Crabbe dwelt upon it with intellectual apathy. He certainly pitied the sufferers; for he was a man of a tender and compassionate heart; but, though constantly employed in dissecting misery, till he made it too horrible for contemplation, he seems to have looked upon it with the same settled composure with which he dwells on the views of disgusting filth to which he is provokingly anxious to lead his readers*.

To perceive the total absence of clear and definite moral notions (we use the word *moral* in its most comprehensive sense) in which Crabbe wrote the large collection of his versified *moral* pictures, we have only to examine 'The Borough'—a composition in which he took to pieces a complete limb of the great social body. We do not here speak of the poetical beauties or defects of that or any other of his works; we are examining the qualifications of his mind as a public moralist. 'The Borough' is evidently among his poems that in which he seems to have poured out whatever his mind contained in the shape of generalized knowledge. But look at the picture of the election. It is impossible not to perceive that the poet treated the subject only for the sake of venting his disgust, and revenging the annoyances and mortifications which elections had caused him. Had he nothing higher to aim at? We do not demand lectures on the theory of political representation from the poet; but we should certainly value him infinitely more, if he had known how to blend his satire with impressions more favourable to freedom, to the hope of future improvement in the most important functions of society, and to that strengthening of the really charitable and brotherly feelings towards the classes which he caricatures, the necessity of which, for the purpose of stopping a most dangerous and disorganizing ferment, had for many years been evident at the time when the 'Borough' was written. The poet himself had some consciousness of the

* 'Say, wilt thou more of scenes so sordid know?'
This ludicrous question comes after an elaborate description of 'putrifying masses,' &c. &c.; and the reason, as we guess from another passage, must be, that
'The gayest palace has its sinks and sewers.'—*The Borough.*

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questionable tendency of his satire, and seems to have wished to correct it. But he contents himself with the following coldest of all cold '*Morals*:'—

> 'But this admitted; be it still agreed
> These ill effects from noble cause proceed;
> Though like some vile excrescences they be,
> The tree they spring from is a sacred tree,
> And its true produce, strength and liberty.
> Yet if we could the attendant ills suppress;
> If we could make the sum of mischief less;
> If we could warm and angry men persuade
> No more man's common comforts to invade;
> And that old ease and harmony reseat
> In all our meetings, so in joy to meet;
> Much would of glory to the muse ensue,
> And our good vicar would have less to do.'

But we fear that the muse and the vicar (whom we take to be identical with the poet) were of one mind upon this and similar subjects. The muse could easily draw up a description, and the vicar fill up a sermon with striking pictures of misery and vice; and both concluded with a hearty good wish that things were otherwise; but, having thus sufficiently attended to the decencies of their respective offices, composed themselves with the thought, that things were in a very bad state, but could not be expected to be better. If any one among the multitudes who have read Crabbe's poems, just culling here and there the beauties which spring as it were spontaneously from his neither powerful nor cultivated mind, should think this judgment harsh and unmerited, we request them to examine his poems again, considering him in the light of a *moralist*, and a Christian divine, who is still more a moralist by profession. Few, indeed, can we conceive to be more passionate admirers of Crabbe's peculiar beauties than ourselves; but we confess that his defects—especially such *moral* defects as we are pointing to—provoke us to real anger. We suffer more particularly under that feeling, when, at the end of some heart-rending story, he discharges the moral part of his duty with some cold distich, like that at the end of the picture of Cynthia, one of the company of the strolling players described in Letter XII. of 'The Borough.' Having harrowed the soul of the reader with a picture of most perfect wretchedness, he concludes (we really do not know whether warning or sneering) in the following flat couplet:

> 'Ye gentle Cynthias of the shop, take heed
> What dreams ye cherish, and what books ye read.'

That this cold resignation to the existence of suffering, quite disproportionate to the faults from which it is shown generally

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to originate, was a settled habit of mind in our poet, might be proved by many more instances, amounting to a large collection, of the same appalling pictures, closed with an *official* advice to people, desiring them to be good. Who that has read the 'Parish Register' can forget the picture of Phœbe Dawson? Careless of everything except transient amusement must, however, the reader be, who has not felt quite chilled by these lines at the close of it:

> 'Then fly temptation, youth; resist, refrain!
> Nor let me preach for ever and in vain!'

We sincerely respect the memory of the good and benevolent Crabbe; but it requires some effort to believe that he had a higher opinion of mankind than Mandeville himself, whose book, we have little doubt, must have been frequently in his hands*.

We hope to be excused for dwelling on a subject which might appear out of the province of criticism. But we are persuaded that the period is nearly gone by, during which either poets or critics have been considered as dealers in words. The great concern of social man, his progress as a rational and moral being, must now be the final end of every work of literature and art. This object must be more or less prominent, according to the nature and circumstances of each particular work; but no performance whatever will obtain a permanent hold on the public mind, unless it can contribute to the great object in question. It happens, however, that though our poet decidedly wished to promote moral good, he totally mistook the means.† It is therefore necessary to expose his error, lest the power of pleasing, which he so remarkably possessed, should mislead others in the employment of similar talents.

* The striking similarities in the minds of Mandeville and Crabbe are to us an object of no small interest. The manner of painting in both writers is strikingly similar. Let any one compare the description of the fighting-cock ('Parish Register,' Part I.) and that of the ox in the slaughter-house ('Fable of the Bees,' Remark P.) This similarity was alluded to in general terms in the Edinburgh Review. We could match several other pictures of both writers, if the search were worth the trouble. But in support of the conjecture which we have expressed, we refer our readers to the following sketches of Mandeville: 'Picture of the Soldier,' Remark R.; 'Married Women's Arts,' Remark T.; 'The Lazy Porter,' Remark V.; 'The Shopman, a Search into the Nature of Society,' at the end of Vol. I.

† On the important points which he made the principal theme of his poems—the vices, the miseries of the poor, their causes, and their remedies—he evidently knew little, and that little was wrong. We especially refer those who have bestowed an enlightened attention upon these subjects to the Letter xviii. of 'The Borough,' on THE POOR AND THEIR DWELLINGS. It is true, that when that letter was written, the abundant light whtch has been lately thrown upon that subject had scarcely begun to dawn. The poet assures us, in a note, that he was 'aware of the great difficulty of acquiring just notions on the maintenance and management of this class of our fellow-subjects;' and he wished to forbear expressing any opinion on that question. In spite, however, of this consciousness of his ignorance, and this general determination, he enters into a long tirade against workhouses—the great corrective of the enormous evils of pauper administration.

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Crabbe was not without a theory on the subject of his own poetry; but unfortunately (that theory being totally wrong) his only partially-trained mind naturally grew more obstinately attached to it, in proportion as his success with the public surpassed his most sanguine expectations. Like all men of one insulated talent, and little knowledge, he became opinionative, and impatient of contradiction. This fact, recorded by his biographer,* appears evident in his answer † to the judicious remonstrances in the Edinburgh and the Quarterly Reviews. In an article of the latter, attributed to Gifford, there are some striking observations addressed to Crabbe, on the necessity of proposing models refined and elevated by the combined powers of reason and fancy, when a novelist or a poet 'aims at improving the understanding or touching the heart.' 'Elevating the mind and improving the heart' would, it seems to us, be more correct expressions. But Crabbe's theory, according to his practice, and his positive declarations, was, that the proper means to make men better than they are, is to familiarize them with the most appalling views of the moral and physical evils to which they are exposed. It is, indeed, not improbable that this pernicious error was only a reflection of that widely-spread theological notion, which proposes a conviction of the most abject and helpless degradation of man, as the only effectual method of raising him to such perfection as is attainable by him. In theory Crabbe did not, it is true, carry this notion so far as to desire a total exclusion of good from the characters he wished to present. His plan was to mix good with bad qualities:—

> 'Let us a mortal as he was behold,
> And see the dross adhering to the gold;
> When we the errors of the virtuous state,
> Then erring men their worth may emulate.'

Why should men be induced to 'emulate' what is virtuous, and reject what is vicious, when they see both not only blended, as if they were the growth of one and the same principle, but virtue itself represented, in a great degree, as a modification of what is vicious?

> 'View then this picture of a noble mind,
> Let him be wise, magnanimous, and kind;
> What was the wisdom? Was it not the frown
> That keeps all question, all inquiry down?
> His words were powerful and decisive all,
> But his slow reasons came for no man's call.'‡

* Vol. i. p. 236.

† See Preface to 'Tales.' The theory is also more than once given in verse. See the beginning of Letter XX. in 'The Borough.'

‡ 'The Alms-house and Trustees.' 'The Borough,' Letter XIII.

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The picture of Sir Denys Brand, of which the above lines are a fragment, is one of the many instances which we could present of the misdirected moral aim of our poet. The public virtues of that striking character are so perversely shaded by the defects to which the poet gives a decided prominence, that the effect is, not to make him an object of emulation, but the very reverse. Most portraits of that kind, it must be confessed, are drawn by Crabbe under the influence of a satirical tendency, not at all in conformity with his general good-nature. To us he evidently appears, not 'to state the errors of the virtuous,' that 'erring men may emulate their worth,' but because, from some natural defect of moral perception, or rather from a general incapacity to take delight in anything *great*, he was constantly led into the practice of reducing every object to dimensions suited to his microscopic mental eye. The only way of presenting errors and faults, with advantage to those whom we wish to instruct, is to demonstrate how easily those faults might have been separated from the virtues which they injured and lowered—to show those evils, not as a kind of necessary and mysterious growth, much less as the manure which helped to bring up the better sort of produce; but as accidental impediments thrown in the way of virtue, by false notions and mischievous institutions. Thus it is that men will be encouraged to weed their own souls from similar evils, and to assist in the removal of the many political and religious delusions which now pervert some of the best and highest qualities of our species.

Most of the pictures of virtue (and some are exquisitely beautiful) which are found in Crabbe's works are totally deficient in a stimulating power. He presents you his best characters as mere *individual* facts: they seem to have been produced in the infinite series of chances—as fortunate combinations, which appear among us, nobody knows how, 'few and far between.' His moral system is made up of lurid meteors: the mild stars which twinkle here and there belong to an unknown world, of which it is difficult to tell how it came in contact with that where the poet lived. We remember but one exception to this, in his noble picture of Isaac Ashford. But in drawing that picture, he abjured his erroneous theory; for he has presented us with a true, *i.e.* a *not unnatural* picture (a picture within the truth of ideal nature)—which is in itself perfect.* Unhappy the man who can read that description without feeling his heart warmed with the love of mankind, and cheered with the hope of their gradual improvement. Would a mixture of

* See 'Parish Register,' part iii.

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dross in that character have improved its moral and poetical effect, and added encouragement to virtuous aspirations? Let any one contrast with this the horrid picture in the *Introduction* to the same poem, which begins—

'Here in cabal, a disputatious crew,' &c.*

and ask himself what possible good can come of it. It is a pervading error of our poet, that, wrapt up in the gratification of drawing minute copies of every object that falls in his way, he seems never to have considered to whom he was addressing his poetry. Are these hideous descriptions intended to improve the poor? Crabbe's poems can never reach them; and if they did, they would be received as an insult. Crabbe wrote for the higher classes of society; and these alone take delight in his works. Why? On that principle of *security,* of which the well-known illustration, *Suave, mari magno turbantibus æquora ventis,* will remind most of our readers. In Crabbe's pictures, the rich enjoy both a sense of exemption from the horrible evils which rage among the poor, and the pleasure of curiosity gratified, without the pain and trouble of a disgusting experience. This knowledge might indeed have been conveyed so as to raise an interest for the sufferers, and engage, if not the services, at least the good wishes, of the readers, in favour of the victims of vice and misery. But the poet could not impart feelings which he had not. The personal sufferings of Crabbe's early years arose too directly from the moral degradation of the class in which he was born; and however inclined to give them relief, he seems to have been incurably prejudiced against them. Men of that description had been the tyrants and oppressors of his youth, and he could not eradicate from his heart a something like resentment against the class. There is bitterness and sneering, and coarse jocularity—the *vestigia ruris,* the remnants of habits acquired in his childhood and early youth—in the pictures which he draws of the wretchedness and misery of the poorer classes. 'The Borough' abounds in examples of what we are stating. We are bound to declare that Crabbe's jocularity offends us more by the absence of sympathy with *real* cases of deep misery which it betrays, than by the vulgarity of which it reminds us.

'The insolvent griffin struck his wings sublime;
Forth from the palace walk'd the ejected queen,
And show'd to frowning fate a look serene;
Gay, spite of time, though poor, yet well attired,
Kind without love, and vain if not admired.'

The guilty sufferer (how much less *guilty* than others whom

* Vol. ii. p. 149.

the poet does not visit with this kind of raillery, we will not examine) had been known to the poet; but she belonged to a class for which he had lost all sympathy. Mr. Crabbe, by his early experience and extraordinary good fortune in life, had been made more an *aristocrat* at heart than those on whom fortune smiles in their cradles. What we most regret in this case is, that instead of his being, as it might be supposed, a link between the class he left and that to which he rose—instead of bespeaking interest and sympathy for the great mass of the people whom he described, he inspires disgust and contempt for them into the minds of those who know them only through his pictures:—

> 'See! yonder badgeman, with a glowing face,
> A meteor shining in this sober place;
> Vast sums were paid, and many years were past,
> Ere gems so rich around their radiance cast!'*

It is painful indeed to find so much bad taste, and what is worse, so much low feeling breaking out, and that not unfrequently, where the most enchanting talent is displayed.

Before we pass to another subject, we wish to remark that, among the remnants of early vulgar habits, there appears, though not frequently, a fondness for allusions and jokes of a still worse kind. Who could imagine, for instance, that, in one of the unfortunate works left for posthumous publication, there should be found one of the most unpardonable instances of the impropriety to which we allude? How could it be conceived, that, in one of the 'New Tales,' Madam Johnson, the housekeeper of a great show-place in the country, should be introduced cross-questioning a simple rustic lad about the history of the Hebrew Joseph, which she was showing to him in a picture? We would not mention this error, could we attribute it to the evident decay of judgment which the 'New Tales' exhibit throughout. But we have always objected to the pictures of most of Mr. Crabbe's coquettes, whether of the lower or of the higher classes; and considering his faults particularly infectious, we think it our duty not to allow them to escape unnoticed.

Our poet's fundamental error in regard to the Good (good in the abstract) is perfectly analogous to that which misguided him in respect to the Beautiful. As he imagined that virtue, without a strong mixture of evil, would fail to possess the attraction of truth; so he conceived that beauty derived reality and charms from blemishes. Of the theory of poetry, it is clear that he had a very imperfect notion, and entertained

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* The two last quotations are from 'The Borough.'

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even the vulgar error, that *fiction* is the great characteristic of the poet. In the interpretation he gives to that philosophical as well as poetical definition of the poet's talent, which is contained in the conclusion of the well-known passage of Shakspeare,

'The poet's eye in a fine frenzy rolling,'

Crabbe, grossly mistaking the meaning, supposes that the great poet himself intended exclusively to convey the notion of a fairy land, and imaginary adventures. We will not copy the prose passage where this very imperfect, not to say vulgar conception is developed. It is found in the Preface to the 'Tales,' where he shows great anxiety to vindicate to himself the name of poet. The whole of that Preface, which is in fact a very erroneous essay on poetry, may be reduced to this paltry view,—that since the artist 'who takes an accurate likeness of individuals, or a faithful representation of scenery," though he may not rank so high in the public estimation, 'is nevertheless a painter, and his accuracy is so far from diminishing his reputation, that it procures for him both fame and emolument;' it would be unjust to determine, 'that the credit and reputation of those verses which strongly and faithfully delineate character and manners should be lessened in the opinion of the public by the very accuracy which gives value and distinction to the production of the pencil.'* How perfectly incapable of a true conception of art that man must have been, who, having frequently passed whole mornings with Sir Joshua Reynolds in his study, could miss the *poetry* of his portraits? Yet Crabbe did not perceive that the likenesses produced by that great artist did not delineate with minute accuracy the features of each individual; but that 'his imagination bodied forth' a more perfect form, which those features failed more or less to reach, but which they certainly resembled.

Fortunately for us, as Cicero said of those philosophers who, in spite of systems which directly tended to vice, were led to virtue by the excellence of their nature—'*victi bonitate naturæ*'—so Crabbe, conquered by his exquisite feeling of character, became a great poet in direct opposition to his poetical theory.

We have already protested against the vulgar notion, which makes poetry exclusively consist in fiction. Nor are we more ready to acquiesce in the notion that the poet must be moved by an internal agitation, of the nature of enthusiasm. Such metaphors are too stale for serious use, and are admissible only in a school-boy's theme. It is true that there was a period

* Vol. iv. p. 141.

when the poet and the *prophet* were identical. At that period, men of natural genius, moved by a spontaneous impulse to express the strong impressions they received from the objects of visible nature, from the reflections of those objects modified by their own fancy, and from the workings of their young, unsophisticated, and vigorous affections, might well conceive themselves, and might be conceived by others, as inspired by a power superior to man. In all ages of the world, *spontaneous* internal activity may be properly called *inspiration*. But the spontaneous activity of the soul disappears, in proportion as knowledge acquires definiteness, by means of experience and reflection. The whole mind of man is subject to this law, and no part of it so much as the faculties employed in poetry. To attempt artificial inspiration is absurd and ridiculous. The poetry of our age is, and must continue to be, the work of *reflection*. How then, it will be asked, are we to distinguish poetry from prose? Shall we distinguish them only by means of rhyme and metre? Our poet Crabbe never could disentangle himself from the difficulties of this question. "I have not (he said) ambition of so humble a kind as to be satisfied with a concession which requires nothing in the poet, except his ability for counting syllables*." Yet if you asked him what else made him a poet, he seems to have known no answer but that he described faithfully "men, manners, and things," and could engage the attention of his readers†. It is true that much more analytical heads than that of our poet have frequently shown that they could not give a much better answer. What is the source of this difficulty? The determination to find a specific difference where there is none; to draw a definite line of separation at some point of a minutely graduated scale, in the parts of which no perceptible difference can be found, except by comparing very distant portions with each other. What is poetry? What is prose? We will answer by two other questions. What is singing? What is speaking? Those who, endowed with musical taste and the habit of observation, are old enough to remember the Italian *Buffos* of the old school—those who remember Naldi, one of the best specimens of that school—can tell with what surprising dexterity and knowledge singing and talking were at times blended by him, and bear witness to the striking effect which that mixture produced. But is there no difference between singing and speaking? Can we not distinguish Pasta's and Sontag's bold and wonderful displays of

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* Ubi supra.

† "A principal view of the poet must be to engage the mind of his readers." Ib. p. 148.

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the power of definite sounds joined with words, from the twang of the parish clerk in his desk? Such is the real state of the question about poetry and prose. Let us make it still plainer by an instance. We will not seek the example far away; we turn a few pages in Crabbe's *Parish Register,* and here is the example we wanted. The first passage is taken from the affecting story of Lucy, the purse-proud Miller's daughter.

> 'Throughout the lanes she glides, at evening's close,
> And softly lulls her infant to repose;
> Then sits and gazes, but with viewless look,
> As gilds the moon the rippling of the brook;
> And sings her vespers, but in voice so low,
> She hears their murmurs as the waters flow:
> And she too murmurs, and begins to find
> The solemn wanderings of a wounded mind:
> Visions of terror, views of woe succeed,
> The mind's impatience, to the body's need;
> By turns to that, by turns to this a prey,
> She knows what reason yields, and dreads what madness may.'

This is singing of the sweetest, softest, most melting kind. Let us hear the *Buffo.*

> 'Some harden'd knaves, who roved the country round,
> Had left a babe within the parish-bound.
> First, of the fact they' [the rural sages] 'questioned, "Was it true?"
> The child was brought—"What then remain'd to do?
> 'Twas dead or living?" This was fairly proved—
> 'Twas pinch'd, it roar'd, and every doubt removed.'

What shall we call this passage? The question is very difficult. But there needed only *taste,* regularly formed and chastened taste, to have excluded this coarse, vulgar drollery from the neighbourhood of unquestionable poetry.

Nor is it very difficult to show the rational principle, which, as in every instance of true taste, lies here concealed in the shape of feeling. Poetry and prose are only different applications of language, in conformity with two different ends. Language employed *principally* for some necessary or useful purpose, and *incidentally* for gratification, is prose; reverse the two conditions and it is poetry. Were the stories which Crabbe has given to the world in verse, of sufficient interest to engage the reader's curiosity and sympathy, both measure and rhyme might have been omitted. But is the charm of these two modifications of sound so important, as by itself to produce the difference which would exist between Crabbe in prose, and Crabbe in verse? Far from it. Measure and rhyme are little more than mechanical means of perpetually reminding the reader of the end of the writer; they are what dress is, in many

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of the functions of public life. The military officer, in his regimentals, may assume an air which would make him appear affected in plain clothes; the judge and the barrister, in their wigs and gowns, may use language and tones which would be intolerable but for these *mementos* of their official object. These external contrivances may be so arranged as to act as ornaments, as now happens with military dresses, or, as in the case of law officers, so as to require all the power of habit not to excite a sense of the ridiculous. So it is with rhyme and measure in regard to language. Their intrinsic power is slight, and of an inferior kind; but though they may be used as auxiliaries to the power of language, their real importance arises from their constantly pointing to the chief end of the writer, when that end is gratification. The moment you perceive that dress, you feel disposed to allow the writer full time and liberty in the use of things which would otherwise raise impatience. This explains the fact we have mentioned respecting the novels attempted by Crabbe. Writing, as he used, by feeling, and without a philosophical knowledge of his art, he imagined that the same minute description of common, and even disagreeable objects, which he blindly and obstinately pursued in verse, would please, or, at all events, be tolerated in prose; but he was surprised to find that the case was quite altered. It would have been well if he had been able to understand the reason; for then he would have abstained from nearly one-half of his pictures, and thereby left the beautiful effect of the other half undisturbed.

Suppose the description of the peasant's library, in the introduction to the 'Parish Register*,' which extends to fifty-seven lines, written in prose, preparatory to a tale. Who could endure the tiresome minuteness of such a description? especially attended with such digressions and observations as these—'That Bible, newly bound, was bought by sixpence weekly saved, and has the choicest prints, engraved by the choicest hands, and choice notes by a famous head—notes, however, which lead rustic readers to doubt, and inquire the *why* and *how* of things on which they once agreed. Here we have the Pilgrim's Progress, by John Bunyan: John was honest, and had a rare genius, but uncultivated: he dabbled in the sacred springs, and drank them muddy and debased with things which do not belong to them.' Add a similar account of fortune-telling books, of Philip Quarll, the Wandering Jew, Tom Thumb the Great, and Jack the Giant Killer. Would such an introduction be tolerated? Impossible. But let all this be in verse—if the writer has

* Vol. ii. p. 145.

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a delicate ear for measure, (and surely no one will deny that advantage to Crabbe,)* and has become familiar with the mechanical process of arranging words rhythmically, every couplet will amuse us, both by the sound, and the ingenious adaptation of the thought to the space and laws of motion to which the poet, confident of his peculiar power, has voluntarily submitted. Difficulty gracefully conquered, unless it be excessive, and require a great waste of labour, is always an object of interest. Thus, at every step we are reminded that the writer does not so much trust to *what* he has to tell us, as to the *how* he tells us; that we are not *necessarily* to expect what will deeply engage our sympathy, or gratify our curiosity, but that our pleasure will be attended to more in the details than in the substance: in a word, that we are called to enjoy a thing more intended for ornament than for use. This principle is nowhere so clearly exhibited at work, as in the similes or illustrations of the best poets. It is perhaps carried to excess in Homer, who, for the sake of ornamental effect, describes every part of the illustration, even those which do not illustrate the main subject. But let us turn to the happy simile used by Pope,† in illustration of the gradually fading vividness of language as it becomes obsolete. The simile would be certainly admissible in prose; but no writer of taste and judgment would give it in detail. The poet, on the contrary, dwells with advantage on every circumstance which can make the illustration assume relief as a picture.

> 'Our sons, their fathers' failing language see,
> And such as Chaucer is, shall Dryden be.
> *So when the faithful pencil has design'd*
> *Some bright idea of the master's mind,*
> *Where a new world leaps out at his command,*
> *And ready nature waits upon his hand;*

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* Crabbe's superiority of ear to Dr. Johnson, appears in a correction which the Cyclop of English Literature made in 'The Village.' Crabbe had written,

> 'In fairer scenes, where peaceful pleasures spring,
> Tityrus, the pride of Mantuan swains, might sing;
> But, charm'd by him, or smitten with his views,
> Shall modern poets court the Mantuan muse?'

Johnson substituted the following lines:

> 'On Mincio's banks, in Cæsar's bounteous reign,
> If Tityrus found the golden age again,
> Must sleepy bards the flattering dream prolong,
> Mechanic echoes of the Mantuan song?'

To us, these lines (which were, as a matter of course, inserted in Crabbe's poem, to the exclusion of his own verses) appear like the notes of a Chinese gong, combined with the tones of the flute. The last line is perfectly *metallic*. See vol. ii. p. 74.

† Essay on Criticism, lines 484—494.

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When the ripe colours soften and unite,
And sweetly melt into just shade and light;
When mellowing years their full perfection give,
And each bold figure just begins to live;
The treacherous colours the fair art betray,
And all the bright creation fades away!'

It is unquestionably true that the poet may combine gratification with instruction; but the latter must give way to the former. This is so true, that if a story, for instance, had the power to excite that intense curiosity and interest which some novels can produce, it could not well be given in verse; for the necessary attention to ornaments of detail, and consequent delay in conveying the information for which the reader would pant, would produce, not pleasure, but real annoyance. Poetry, in fact, is a luxury of language—a mere delicacy of the intellectual feast; and as such it is rejected when we are hungry. We find it, indeed, delightful, when what we chiefly desire is pleasure: in that case, it need not be of the most exciting kind in order to gratify the taste. But even then (if we are not driving the illustration too far) it must be recommended by a delicate flavour. There is a great deal of that quality in the conclusion of the description of the Peasant's Library by Crabbe:—

'There too is he, by wizard-power upheld,
Jack, by whose arm the giant-brood were quell'd.
His shoes of swiftness on his feet he placed;
His coat of darkness on his loins he braced;
His sword of sharpness in his hand he took,
And off the heads of doughty giants stroke.
Their glaring eyes beheld no mortal near;
No sound of feet alarm'd the drowsy ear;
No English blood their pagan sense could smell,
But heads dropt headlong, wondering why they fell.'

Two lines, containing one of the happiest touches of Crabbe's peculiar genius, produce the most delightful *retrospective* pleasure, in reading this passage:—

'These are the peasant's joy, when, placed at ease,
Half his delighted offspring mount his knees.'

A burst of benevolent sympathy makes the imagination of the reader rush back to what he had almost disdainfully run over; and he longs to partake the joys of the group, which the poet had dexterously kept out of view till the moment when it was sure to reflect light and warmth on the infantine and playful pictures he had been drawing from the cottage.

Crabbe, without exception, would have been the most delightful of poets, had he not laboured under the grievous error

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of supposing that correct *copies* of all things whatever are an infallible source of pleasure. A copy, *as such*, does not please, except slightly and transiently, and that only if it exhibit cleverness and ingenuity. The copies which well-directed art produces are, indeed, sources of a peculiar gratification, when they minister to one or other of our mental desires, and when they bring the benevolent affections into action. The most odious and frightful object, judiciously copied by Art, gives pleasure, when the object is to gratify our desire of knowledge, and yet spare us the pain of actual experience. The most heart-rending picture of human woe rivets our attention, and gives us peculiarly mixed pleasure—more valuable even than joy, because it calls forth our benevolent sympathy: it being the law of our nature that the benevolent affections shall always be pleasurable, even when misdirected and morally wrong. If we extend this view to every modification of sympathy—even to that which we experienced in the joys of the peasant's children, above described—we shall have become acquainted with every source from which *copies* can derive the power of pleasing. But it is a great mistake to suppose that even the most perfect copy of a vulgar and disgusting object can produce any other than a *scientific* gratification to any but a grossly perverted taste. The consequences of this error are unfortunately too visible in the earlier works of Crabbe. The 'Tales' and the 'Tales of the Hall' are nearly free from such blemishes; but they, nevertheless, dwell too frequently and too minutely on objects of no interest, only because the poet imagined that accuracy of description had charms in itself.

But, is Crabbe a poet? We answer—one placed by Nature in a privileged and most distinguished rank. Crabbe is the poet of sympathy: the secrets of the heart were revealed to him in a degree not much inferior to the revelation which Nature made to Shakspeare. Look at his pictures of character, and you forget the provoking perverseness of his systematic bad taste. He well knew where his strength lay, but knowing it, he seems, nevertheless, to have indulged the rustic and vulgar pride of placing himself at his ease, and taking liberties with his readers:—

> 'Of sea or river, of a quay or street,
> The best description must be incomplete;
> But when a happier theme succeeds, and when
> Men are our subjects, and the deeds of men,
> Then may we find the muse in happier style,
> And we may sometimes laugh and sometimes smile*.'

* The Borough. Conclusion of Letter I.

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To his unfortunate propensity for the broad laugh, and the knowing smile, we may certainly attribute all his poetical errors; for he could rise to something like the simple and mild sublimity of Homer, when, abjuring his taste for frolic and coarse satire, he looked on man with a solemn and reverential feeling.

> 'Now to the church behold the mourners come,
> Sedately torpid and devoutly dumb*;
> The village children now their games suspend,
> To see the bier that bears their ancient friend;
> For he was one in all their idle sport,
> And like a monarch ruled their little court;
> The pliant bow he form'd, the flying ball,
> The bat, the wicket, were his labours all;
> Him now they follow to his grave, and stand
> Silent and sad, and gazing, hand in hand;
> While bending low, their eager eyes explore
> The mingled relics of the parish poor.
> The bell tolls late, the moping owl flies round,
> Fear marks the flight and magnifies the sound†.'

We had intended to take leave of our readers, quoting the equally beautiful passage of the same poem ('The Village'), which begins—

> 'He once was chief in all the rustic trade:'

a noble though sad picture, which, like that which we have just now inserted, reminds us most powerfully of Homer. But it is too long, and we have already trespassed too much. We heartily wish our duty allowed us to leave off at this moment, and pass the eighth volume—the collection of Crabbe's unpublished poems—in silence. The editor had strong misgivings about the publication of those poems, and pleads 'filial reverence' in excuse. He quotes a passage in a letter to him, where the author expresses, not so much his positive wish that the manuscript should be sent to the press, as his hope that 'it may be worth something' to his son. We therefore conceive that the legatee was fully at liberty to forego the profit which might arise from the sale of an additional volume. At all events, we feel certain that he would thus have more effectually fulfilled the duties of 'filial reverence.' We are far from wishing to attribute any sordid motives to the editor, but we heartily lament his mistake. The contents of the eighth volume are

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* There is a touch of satire in this line which disturbs the general effect.

† We omit the poet's fling at the clergyman, because it spoils the effect of the preceding beautiful lines. The biographer of Crabbe has piously endeavoured to represent his father as one of the class of pietists called Evangelicals. Crabbe may have adopted their notions and feelings; but the tendency of his mind was in an opposite direction. The comforts and elevation which he owed to the clerical gown must have kept that tendency in check.

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totally unworthy of Mr. Crabbe. They are duplicates of his old poetical pictures, executed with half-palsied hands, and faded colours.

> 'So two cold limbs, touch'd by Galvani's wire,
> Move with new life, and feel awaken'd fire;
> Quivering awhile their flaccid forms remain,
> Then turn to cold torpidity again*.'

Let none who loves the memory of Crabbe's splendid success in early life dwell on the abortive attempts of his decrepit muse. W.

Art. IV.

The Rationale of Political Representation. By the Author of 'Essays on the Formation of Opinions,' &c. &c. London, 1835. Hunter. 8vo., pp. 436.

THIS is the work of a writer who, in the difficult art of making philosophy popular, has excelled most of his contemporaries; and his present is not inferior to the best of his former productions.

The theoretical grounds of Representative Government, and the solutions of the more momentous of its practical problems, are laid down by our author, in the spirit which is now nearly universal among the more advanced thinkers on the subject, but with a felicity of adaptation to the wants of the most numerous class of readers, which is peculiarly his own. In addition to this, several popular fallacies, of most extensive prevalence, and infecting the very elements of political speculation, are refuted, conclusively and forcibly, and with as much depth of philosophy as the purpose required. The thoughts succeed one another in the most lucid order. The style is perspicuity itself. To a practised student in abstract speculation, it will appear diffuse; but this, in a book intended for popularity, is far from being a defect. To common readers a condensed style is always cramped and obscure: they want a manner of writing which shall detain them long enough upon each thought to give it time to sink into their minds. Our author is not, indeed, entitled to the transcendant praise due to those who, like Hobbes or Bacon, employ at pleasure either the power of condensation or that of enlargement; dwelling on the idea until it has made its way into the understanding, and then clenching it by one of those striking images, or of those pregnant and apophthegmatic expressions, which sum up whole paragraphs in a line, and engrave the

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* The Parish Register.

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meaning as with a burning steel upon the imagination. But if our author's style does not come up to this exalted standard, it is easy, flowing, always unaffected, and has the greatest of merits, that to which all other excellencies of manner are merely subsidiary—that of perfectly expressing whatever he has occasion to express by it.

The work consists of an Introduction, and six Chapters: 'On the proper Object and Province of Government;' 'On the Grounds of Preference for a Representative Government;' 'On the Representative Body;' 'On the Electoral Body;' 'On Elections;' and 'On the Introduction of Changes in Political Institutions;' with two supplementary essays 'On Political Equality,' and 'On Rights.'

This *programme* gives a correct indication of the scope and purpose of the book. It is rightly termed 'The Rationale of Political Representation,' not 'The Rationale of Government.' It attempts an outline of a part only of the philosophy of government, not the whole. The philosophy of government, a most extensive and complicated science, would comprise a complete view of the influences of political institutions; not only their direct, but what are in general so little attended to, their indirect and remote influences: how they affect the national character, and all the social relations of a people; and reciprocally, how the state of society, and of the human mind, aids, counteracts, or modifies the effects of a form of government, and promotes or impairs its stability. Such is not the design of this work; and, considered in this comprehensive sense, the science itself is in its infancy.* But the advantages of a representative government, and the principles on which it must be constructed in order to realise those advantages, form a branch of the subject, the theory of which, so far as one branch can be considered separately from the rest, may be regarded as nearly perfect; and to the exposition of this, the work before us is dedicated.

It must be admitted also, that this one branch of the inquiry

* The most important contribution which has been made for many years to the Philosophy of Government, in this extensive sense of the term, is the recent work of M. Alexis de Tocqueville, 'De la Démocratie en Amérique;' a book, the publication of which constitutes an epoch in the kind of writing to which it belongs. A minute analysis of this admirable work will be given in our next Number. The Tory writers have already, we perceive, attempted to press it into their service, as an attack upon Democracy: in opposition both to the author's avowed opinions, and to his purpose expressly declared in the work itself. M. de Tocqueville's views are eminently favourable to Democracy, though his picture, like every true picture of anything, exhibits the shadows as well as the bright side; and as it keeps back nothing, supplies materials from which Democracy may, as suits the purpose of a writer, be either attacked or defended, and, we may add, *better* attacked and *better* defended than it could ever have been before.

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runs parallel, for a considerable distance, to the main trunk. The reasons for having a representative government, and the reasons for having a government at all, are, to a very considerable extent, identical. The ends or uses of government are indeed multifarious, since we may include among them all benefits, of whatever kind, to the existence of which government is indispensable; but the first and most fundamental of all, the only one the importance of which literally amounts to necessity, is to enable mankind to live in society without oppressing and injuring one another. And the need of a representative government rests upon precisely the same basis. As mankind, in a state of society, have need of government, because, without it, every strong man would oppress his weaker neighbour; so mankind, in a state of government, have need of popular representation, because, without it, those who wielded the powers of government would oppress the rest.

Of this fundamental truth an acute sense is manifested by our author. He rests the necessity of a popular government upon one primary axiom: 'That men will, in the majority of cases, prefer their own interest to that of others, when the two are placed in competition.' (p. 68.) Whoever denies this, denies the principle on which, it is most certain, he himself habitually acts, when the interest at stake happens to be his own. It is the principle which all persons, when at liberty to follow their inclinations, uniformly observe in the guardianship of their own property. They do not appoint an agent, with liberty to do as he pleases, and without reserving the power of instantaneous dismissal. If they did, they would expect that the obligations of his trust would be disregarded, when in competition either with the interest of his pocket or with that of his ease.

'From this principle,' says our author, 'that men will prefer their own interest to that of others, when the two are placed in competition, it follows, that the interest of the community at large will be uniformly consulted only when they have the regulation of their own affairs.'

But since government cannot be performed by the community *en masse;* since 'it is implied in the very notion of government, that a few are invested with authority over the rest; since, from the nature of the case, the legislative power must be lodged in the hands of a few; and as the few possessing it will be tempted in a thousand ways to sacrifice the public good to their own private interest;' there is but one resource:—

'It becomes essentially requisite *to place them in such a position that their own interest, and the public good, shall be identified.* The simple expedient which meets this is to make the office of legislator

dependent on the will of the people. If his power were irresponsible, if it were subject to no direct control, if the improper exercise of it were not followed by evil consequences to the possessor, it would be inevitably abused; the public good would be neglected, and his own habitually preferred; but by the simple expedient of *rendering the continuance of his power dependent on his constituents, his interest is forced into coincidence with theirs.* Any sinister advantage which he might derive from the power intrusted to him would cease with the loss of the office, and he would have no inducement to pursue an advantage of that kind, if by so doing he unavoidably subjected himself to dismissal. Such is the general theory of political representation. An individual, under the title of a representative, is delegated by the people to do that which they cannot do in their own persons, and *he is determined in his acts to consult the public good, by the power which they retain of dismissing him from the office.*'—p. 71.

One might have imagined, that if any propositions on public affairs deserved the character of maxims of common sense, these did. Views of human affairs more practical and business-like, more in accordance with the received rules of prudence in private life, it would be difficult to find. These doctrines, nevertheless, or at least the possibility of drawing any conclusions from them, have met with questioners. That human beings will commonly prefer their own interests to those of other people, and that the way to secure fidelity to a trust is to make the trustee's interest coincide with his duty, have been classed among propositions which are either not true, or, if true at all, only in a sense in which they are insignificant and unmeaning. Nor has the assertion been made of these doctrines alone, but of all propositions relating to the motives of human actions. 'When we pass,' it has been said, 'beyond maxims which it is impossible to deny without a contradiction in terms, and which therefore do not enable us to advance a single step in practical knowledge, it is not possible to lay down a single general rule respecting the motives which influence human actions.' Such was the doctrine maintained in a memorable article in the 'Edinburgh Review,' by a writer, all whose ingenuity and brilliancy would not have made his subsequent fortunes what they have been, but for the grateful acceptance which this doctrine found in influential quarters.

Our author has no great difficulty in disposing of this theory:

'Nothing (says he) can be more extraordinary than an assertion of this kind, in an age when, at all events, the nature of moral inquiries is better understood than formerly, however insignificant may have been our progress in the inquiries themselves. It is extraordinary, too, as having appeared in a work which is in the habit of favouring its readers with articles of distinguished ability on political economy, a science founded

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on "general rules respecting the motives which influence human actions," and which is, further, in the habit of drawing out long deductions from such general rules. Whoever turns over its pages may find inferences constantly made from propositions like the following: "commercial countries will resort to the cheapest market;" "high duties on imported articles inevitably cause smuggling;" "unusually large profits in any trade attract capital to it;" "a rise in the price of corn forces capital on inferior soils."

'It would almost seem as if the reviewer was not aware that all these are general rules respecting the actions of men. To take the last proposition: we might conclude from his own doctrine, that he regarded the high price of corn as a physical agent propelling a material substance, called capital, upon a sterile field; and had forgotten that the proposition is an elliptical expression, under which is couched a law respecting human motives, and which virtually asserts, that when men become willing to give more money for corn, other men will be willing to grow it on land before uncultivated.

'Political economy abounds with such laws; the common business of life abounds with them; every trade, every profession, legislation itself, abounds with them. Is not the whole system of penal legislation founded on the general rule, that if a punishment is denounced against any given act, there will be fewer instances of the commission of that act than if no penalty were annexed to it? Can there be a proposition which comes more decidedly under the designation of a general rule respecting the motives which influence human actions? Can there be a more certain law in physics, and can there be one more fertile in practical consequences? The very term, efficacy of punishment, is only an abridged expression of this law of human nature; it implies a general rule respecting the motives which influence human actions, and a rule on which all mankind unhesitatingly and habitually proceed, both in national legislation and private management.'—p. 16—18.

He then shows, by copious examples, what it is strange should require to be exemplified in order to be understood—that a general proposition may be of the greatest practical moment, although not absolutely true without a single exception; and that in managing the affairs of great aggregations of human beings, we must adapt our rules to the nine hundred and ninety-nine cases, and not to the thousandth extraordinary case. ''Tis certain,' says Hume (in a remarkable passage quoted by our author), 'that general principles, however intricate they may seem, must always, if they are just and sound, prevail in the general course of things, though they may fail in particular cases; and it is the chief business of philosophers to regard the general course of things. I may add, that it is also the chief business of politicians, especially in the domestic government of the state, when the public good, which is or ought to be their object, depends on the concurrence of a

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multitude of causes—not as in foreign politics, upon accidents and chances, and the caprices of a few persons.'

'The views of political reasoning here advocated,' continues our author, 'might be confirmed by an appeal to some of our ablest writers;' and among other apt quotations, he adds two from Burke, whom Conservatives of all denominations glorify as an oracle, because on one great occasion his prejudices coincided with theirs, but for whose authority they have not a shadow of respect when it tells against their vulgar errors.

'Far' (says our author) 'from regarding deductions from human nature as vain or frivolous, or leading to what are usually honoured by the designation of wild theories, he considers such deductions as opposed to speculative views, and as proceeding on experience. Thus, in his Letter to the Sheriffs of Bristol, speaking of the plan of pacification pursued in 1776, in reference to our colonies, he says, "That plan being built *on the nature of man*, and the circumstances and habits of the two countries, and not on any *visionary speculations*, perfectly answered its end." And in his Speech on Economical Reform he tells the House, "I propose to economize by *principle;* that is, I propose to put affairs into that train, which experience points out as the most effectual from the *nature of things*, and from *the constitution of the human mind.*"' —pp. 30, 31.

If principles of politics cannot be founded, as Burke says, 'on the nature of man,' on what can they be founded? On history? But is there a single fact in history which can be interpreted but by means of principles drawn from human nature? We will suppose your fact made out: the thing happened (we will admit) as you affirm it did; but who shall tell what produced it?—the only question you want answered. On this subject our author has some instructive remarks, which we regret that our limits do not permit us to quote, as well as to corroborate by some others which we think necessary to complete the analysis of the subject. It is well worthy to be treated in a separate article.

It may be interesting to collate with our author's refutation of the Edinburgh Reviewer, what the writer, who was the principal object of the reviewer's attack, has deemed it needful to say in his defence. This is to be found in p. 277 to 292 of a recent volume, entitled 'A Fragment on Mackintosh,' where it is shown that the necessity of identification of interest between the rulers and the ruled, and the probability (amounting practically to certainty) that, in so far as that identification is incomplete, the rulers will pursue their separate interest, to the detriment of the ruled, has been recognised as the foundation of political wisdom by almost all its greatest masters, ancient and modern. Well may the writer exclaim—'It is mortifying

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to find one's self under the necessity of vindicating the wisdom of ages' against what he calls (not too severely) 'pitiful objections.'

From this principle, of the necessity of identifying the interest of the government with that of the people, most of the practical maxims of a representative government are corollaries. All popular institutions are means towards rendering the identity of interest more complete. We say *more* complete, because (and this it is important to remark) perfectly complete it can never be. An approximation is all that is, in the nature of things, possible. By pushing to its utmost extent the accountability of governments to the people, you indeed take away from them the power of prosecuting their own interests at the expense of the people by force, but you leave to them the whole range and compass of fraud. An attorney is accountable to his client, and removable at his client's pleasure; but we should scarcely say that his interest is identical with that of his client. When the accountability is perfect, the interest of rulers approximates more and more to identity with that of the people, in proportion as the people are more enlightened. The identity would be perfect, only if the people were so wise, that it should no longer be practicable to employ deceit as an instrument of government: a point of advancement only one stage below that at which they could do without government altogether; at least, without force, and penal sanctions, not (of course) without guidance, and organized co-operation.

Identification of interest between the rulers and the ruled, being, therefore, in a literal sense, impossible to be realized, must not be spoken of as a condition which a government must absolutely fulfil; but as an end to be incessantly aimed at, and approximated to as nearly as circumstances render possible, and as is compatible with the regard due to other ends. For the identity of interest, even if it were wholly attainable, not being the sole requisite of good government, expediency may require that we should sacrifice some portion of it, or (to speak more precisely) content ourselves with a somewhat less approximation to it than might possibly be attainable, for the sake of some other end.

The only end, liable occasionally to conflict with that which we have been insisting on, and at all comparable to it in importance—the only other condition essential to good government—is this: That it be government by a select body, not by the people collectively: That political questions be not decided by an appeal, either direct or indirect, to the judgment or will of an uninstructed mass, whether of gentlemen or of clowns;

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but by the deliberately-formed opinions of a comparatively few, specially educated for the task. This is an element of good government which has existed, in a greater or less degree, in some aristocracies, though unhappily not in our own; and has been the cause of whatever reputation for prudent and skilful administration those governments have enjoyed. It has seldom been found in any aristocracies but those which were avowedly such. Aristocracies in the guise of monarchies (such as those of England and France) have very generally been aristocracies of idlers; while the others (such as Rome, Venice, and Holland) might partially be considered as aristocracies of experienced and laborious men. But of all governments, ancient or modern, the one by which this excellence is possessed in the most eminent degree is the government of Prussia—a most powerfully and skilfully organized aristocracy of all the most highly educated men in the kingdom. The British government in India partakes (with considerable modifications) of the same character.

Where this principle has been combined with other fortunate circumstances, and particularly (as in Prussia) with circumstances rendering the popularity of the government almost a necessary condition of its security, a very considerable degree of good government has occasionally been produced, even without any express accountability to the people. Such fortunate circumstances, however, are seldom to be reckoned upon. But though the principle of government by persons specially brought up to it will not suffice to produce good government, good government cannot be had without it; and the grand difficulty in politics will for a long time be, how best to conciliate the two great elements on which good government depends; to combine the greatest amount of the advantage derived from the independent judgment of a specially instructed Few, with the greatest degree of the security for rectitude of purpose derived from rendering those Few responsible to the Many.

What is necessary, however, to make the two ends perfectly reconcilable, is a smaller matter than might at first sight be supposed. It is not necessary that the Many should themselves be perfectly wise; it is sufficient, if they be duly sensible of the value of superior wisdom. It is sufficient if they be aware, that the majority of political questions turn upon considerations of which they, and all persons not trained for the purpose, must necessarily be very imperfect judges; and that their judgment must in general be exercised rather upon the characters and talents of the persons whom they appoint to decide these ques-

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tions for them, than upon the questions themselves. They would then select as their representatives those whom the general voice of the instructed pointed out as the *most* instructed; and would retain them, so long as no symptom was manifested in their conduct of being under the influence of interests or of feelings at variance with the public welfare. This implies no greater wisdom in the people than the very ordinary wisdom, of knowing what things they are and are not sufficient judges of. If the bulk of any nation possess a fair share of this wisdom, the argument for universal suffrage, so far as respects that people, is irresistible: for, the experience of ages, and especially of all great national emergencies, bears out the assertion, that whenever the multitude are really alive to the necessity of superior intellect, they rarely fail to distinguish those who possess it.

The opinions which we have been stating are substantially those of our author: from whose pages we now proceed to exemplify their application.

From the principle that the interest of the ruling body should be as closely as possible identified with that of the people, follow most of the conclusions respecting the constitution of the supreme legislature, which are commonly contended for by the thorough reformers. Such are—first, that the utmost possible publicity should be given to the proceedings of parliament: secondly, that its members should be elected at stated periods: thirdly, that these periods should be short; sufficiently so, to render the sense of responsibility a perpetual, not an occasional feeling. Our author thinks, with most of the complete reformers, that three years are 'the longest period consistent with a salutary sense of accountableness.'—(p. 203.) Fourthly, the votes at elections must be so taken, as to express the real sentiments of the electors, and not the sentiments merely of some person who has the means of bribing or of coercing them. This, where there are great inequalities of fortune, and where the majority of all classes but the richest are more or less in a dependent condition, requires that the votes be taken in secret. All these topics are handled in our author's best manner. We shall quote one passage from near the end of the discussion on the ballot; and should have extended our quotation, had not the subject been so recently and so fully treated by ourselves. After replying to some of the common objections on the ballot, our author says—

'The great opposition to secret voting does not, however, arise from the consideration of its being unmanly or un-English, or leading to insincerity and deception, but from a deeper source—from a feeling which

many who entertain it perhaps would not avow even to themselves, although others make no scruple of publicly declaring it. The higher classes fear to commit the election of legislators to the genuine sentiments of the people. They have so long exercised a power over the community, by means of the brute force of rank and riches applied to the hopes and fears of those below them, that they have accustomed themselves to regard it as a salutary and even necessary control. It has relieved them too from a great part of the trouble of being intelligent, active, and virtuous. They have found it much easier to arrive at the office of legislator, by throwing away a few thousand pounds for a seat, or ejecting a few miserable tenants as a terror to the rest, than by winning affection through their virtues, or commanding esteem by their superior intelligence and well-directed activity. To men accustomed to domineer over the wills of their fellow-creatures, it is intolerably irksome to be reduced to the necessity of appealing to their understandings. Having been obliged to concede, nevertheless, a more popular system of representation, having been reduced to the necessity of ostensibly yielding the elective franchise to those who never before possessed it, they are unwilling to trust the real exercise of it to the parties on whom it is conferred by law. They consent to confide the privilege to a popular constitueney, but only as instruments to receive a direction from a higher guidance. They cannot bear the idea for a moment of trusting the machinery to work by its own inherent power. They therefore oppose a system of voting which would snatch this domination out of their hands—which would really give to the people what the law professes to bestow upon them, which would effect what has never yet been effected in this country, that the issue of the elections should express the genuine sense of the constituent body. Here indeed would be an end to all the despotic sway of rank and riches; by this would be established the fatal necessity of combining them with moral and intellectual excellence: on this system there would be a lamentable predominance conferred on talents and virtues. Those therefore do perfectly right to oppose the ballot, who fear that it would annihilate that unjust influence in elections which they have hitherto enjoyed from mere wealth and station; who are apprehensive that to maintain themselves on the vantage-ground where they have been set down by fortune, they would have to task all their faculties: who recoil from the labour of thought, and shrink from the hardship of being useful. All those, in a word, who wish to retain any unfair domination over others in the business of elections, should rouse themselves to resist the adoption of the ballot, as utterly destructive of the object of their desires.'—pp. 296-298.

We believe this to be a true picture of the feelings of at least the most powerful class among the enemies of popular institutions. Experience proves but too truly, that 'to men accustomed to domineer over the wills of their fellow-creatures, it is intolerably irksome to be reduced to the necessity of appealing to their understandings.' The hands which have ruled by force will not submit to rule by persuasion. A generation

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at least must elapse, before an aristocracy will consent to seek by fair means the power they have been used to exercise by foul. And yet, their portion of importance under popular institutions is no niggardly one, unless made so by their own perverseness. In every country where there are rich and poor, the administration of public affairs would, even under the most democratic constitution, be mainly in the hands of the rich; as has been the case in all the republics of the old world, ancient and modern. Not only have the wealthy and leisured classes ten times the means of acquiring personal influence, ten times the means of acquiring intellectual cultivation, which any other person can bring into competition with them; but the very jealousies, supposed to be characteristic of democracy, conspire to the same result. Men are more jealous of being commanded by their equals in fortune and condition, than by their superiors. Political power will generally be the rich man's privilege, as heretofore; but it will no longer be born with him, nor come to him, as heretofore, while he is asleep. He must not only resign all corrupt advantage from its possession, but he must pay the price for it of a life of labour. More than this: he must consent to associate with his poorer fellow-citizens, as if there existed between him and them something like human feelings, and must give over treating them as if they were a race to be kept coldly at a distance—a sort of beings connected with him by a less tie of sympathy than the brute animals of his household. Under really popular institutions, the higher classes must give up either this anti-social and inhuman feeling, or their political influence. Surely no good, hardly even any rational person, to whom the alternative was offered, would hesitate about the choice.

Is it not, then, a melancholy reflection, that in England (and in England, we believe, alone, among the great European nations) the youth of the aristocratic classes are even more intensely aristocratic than their fathers—more wedded to all that is most noxious in the privileges of their class—animated by a more violent hostility to those tendencies of their age, in accommodating themselves to which lies their sole chance of either being at ease in it, or exercising any beneficial influence over it? And how deeply ought this thought to impress upon us the necessity, the pressing and immediate necessity, of a radical reform in those institutions of education, which mould these youthful minds, and cherish, when they ought to counteract, the baneful influences exercised over them by the accident of their social position?

The question, Who should compose the constituency? is the next which presents itself. This is rather a more complicated

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question than any of the preceding, having to be decided by a compromise between conflicting considerations.

By making the members of the sovereign legislature elective, by sending them back to their constituents at short intervals, and by taking the votes in secret, we provide for the identity of their interest with that of the electors. But what if the interest of the electors differs from that of the community? We have then only an oligarchy of electors, instead of an oligarchy of senators. There is not the slightest reason for supposing that the former oligarchy will be less tenacious of its separate interest than the other, or less ready to sacrifice the public interest to it. Not only must the interest of the representatives be made, so far as possible, coincident with that of the electors, but the interest of the electors must be made coincident with the interest of the whole people.

If this principle were to be followed out, without limitation from any other principle, it would, we conceive, lead to universal suffrage. Imposing authorities, it is true, have held that a portion of the people may be found, much less than the whole, whose interest, so far as government is concerned, is identical with that of the whole. A portion might undoubtedly be found, less than the whole, whose interest would generally lie in good government, and only occasionally in bad. But complete identity of interest appears to us to be unattainable: (we are speaking, of course, as our argument requires, of *selfish* interest.*) The identity which is contended for cannot be iden-

* Take, for instance, the strongest of all cases, and one in which nobody ever doubted the propriety of the exclusion—the case of children. Is it true that their interest is completely identical with that of their parents? Certainly not: the child is interested in being secured, in so far as security is attainable, against the parent's cruelty, the parent's caprice, the parent's weak indulgence, the parent's avarice, and, in at least nine cases out of ten, the parent's indolence and negligence, which disregards the child's good when in competition with the parent's ease. It may be said, that all these kinds of misconduct are inconsistent with the real happiness of the parent, and that the parent's interest, rightly understood, and the child's, are the same. And so also has it been said, that the true interest of kings is the same with that of their subjects. There is as much truth in the one doctrine as in the other. Both are true in a certain sense: both kings and parents would enjoy greater happiness on the whole, if they could learn to find it in the happiness of those under their charge. But this is a capacity seldom acquired after an early age; and those who have not acquired it, would not gain the pleasures of benevolence, even were they to forego those of selfishness. If a father be by character a bad and selfish man, it is not true that his happiness may not be promoted by tyrannizing over his children. We by no means seek to infer that parents in general treat their children no better than kings treat their subjects, or that there is not a far greater coincidence of interest. We only deny that the coincidence is anything like perfect. But if it be not perfect between parents and children, still less can it be so in any other case.

On this principle, our author characterizes the exclusion of women from the elective franchise as indefensible in principle, and standing on no better ground than any other arbitrary disqualification.

'The legitimate object of all government—namely, the happiness of the community—comprehends alike male and female, as alike susceptible of pain and pleasure;

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tity in all things, but only in those which properly fall within the province of government. The payers of wages, for instance, and the receivers, have opposite interests on the question of high or low wages; but as this is a question in which the interference of government cannot be really beneficial to either, the interest of both, so far as relates to the purposes of government, is (it may be contended) the same. Admitting, however (which is more than we are prepared to admit), that there exists no mode in which the middle classes could really benefit their

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and the principle, that power will be uniformly exercised for the good of the parties subject to it, only when it is under their control, or the control of persons who have an identity of interests with themselves, is equally applicable in the case of both sexes. The exclusion of the female sex from the electoral privilege can therefore be consistently contended for only by showing two things; first, that their interests are so closely allied with those of the male sex, and allied in such a manner, as to render the two nearly identical; secondly, that the female sex are incompetent, from want of intelligence, to make a choice for their own good, and that, on this account, it would be to the advantage of the community, on the whole, to leave the selection of representatives to the stronger part of the human race, the disadvantages arising from any want of perfect identity of interests being more than compensated by the advantages of that superior discernment which the male sex would bring to the task. Let us examine, for a moment, the force of these allegations. The interests of the female sex are so far from being identified with those of the male sex, that the latter half of the human species have almost universally used their power to oppress the former. By the present regulations of society, men wield over women, to a certain extent, irresponsible power; and one of the fundamental maxims on which representative government is founded is, that irresponsible power will be abused. The case before us presents no exception: the power of man over woman is constantly misemployed; and it may be doubted whether the relation of the sexes to each other will ever be placed on a just and proper footing, until they have both their share of control over the enactments of the legislature. If none of these regulations applied specifically to women as women, and to men as men, and to the circumstances arising from their peculiar connexion with each other, their interests might perhaps be considered as identified; but in the actual relative position in which by nature the sexes stand, and must always remain, as two parties marked by peculiar and indelible differences, separate interests cannot fail to grow up between them, and numerous laws must be directed to the regulation of their respective rights and duties. If the enactment of these laws concerning two parties who have distinct interests is solely under the control of one party, we know the consequence.'—pp. 236-8.

If any exemplification be necessary of these last words, an obvious one may be found in the disgraceful state of the English law respecting the property of married women. If women had votes, could laws ever have existed by which a husband, who perhaps derives from his wife all he has, is entitled to the absolute and exclusive control of it the moment it comes into her hands? As to the other objection which our author anticipates, 'incompetency from ignorance,' (a strange objection in a country which has produced Queen Elizabeth,) of that ignorance the exclusion itself is the main cause. Was it to be expected that women should frequently feel any interest in acquiring a knowledge of politics, when they are pronounced by law incompetent to hold even the smallest political function, and when the opinion of the stronger sex discountenances their meddling with the subject, as a departure from their proper sphere?

Into the reasons of any other kind, which may be given for the exclusion of women, we shall not enter; not because we think any of them valid, but because the subject (though in a philosophical treatise on representation it could not have been passed over in silence) is not one which, in the present state of the public mind, could be made a topic of popular discussion with any prospect of practical advantage.

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selfish interests at the expense of the poorer class, by means of their exclusive possession of the government; still, when there is a real diversity of interest between two parties, although confined to matters with which law cannot beneficially interfere, and the powers of law are in the hands of one party, it is rarely that we do not witness some attempt, well or ill advised, to make those powers instrumental to the peculiar purposes of the one party; and if these purposes are not thereby compassed, yet the interests of the other party often suffer exceedingly by the means used to compass them. Such, for example, were the laws against combinations of workmen; and the laws which have existed at some periods of our history, fixing a maximum of wages. Nor is the evil annihilated although the excluded be a minority: the small number of the oppressed diminishes the profits of oppression, but does not always weaken the feelings which lead to it. Is the interest of the free blacks in the northern states of America the same with that of the whites? If so, why are they a kind of outcasts? So long, therefore, as any person capable of an independent will is excluded from the elective franchise, we cannot think that the evils of misgovernment, in so far as liable to arise from a diversity of interest between the ruling body and the community, are entirely guarded against.

There are, however, other evils to be contended with, besides those arising from diversity of interest; and granting, that, by the exclusion of one class from the suffrage, something must be given up of the identity of interest between the constituency and the entire community, yet if some purpose of more than equivalent utility be attained by the sacrifice, it may still be advisable. And this, in our author's opinion, is the case. He proposes that a certain portion of identity of interest should be sacrificed, for the sake of obtaining a higher average degree of intelligence. That this is an object worth attaining at some cost, nobody will deny. A certain measure of intelligence in the electors is manifestly indispensable: a much larger measure would be eminently desirable; and if any test, even an approximative one, could be obtained of its existence, without trenching too much upon the identity of interest, the exclusion from the franchise of all who could not pass that test would add to the securities for good government. But when our author contends that such an approximative test may be found in the possession of a certain amount of property, we can only partially agree with him. It is but fair to quote the passage.

'We must admit at once, that it' (the possession of property) 'is a very inexact criterion' of knowledge; 'and in regard to some classes,

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no criterion at all. It is not true that knowledge is in proportion to wealth. A man of 50,000*l.* a year would probably be found less intelligent and capable of discrimination than a man of 1000*l.* Great wealth relaxes the motives to exertion, and efficient knowledge is not to be attained without labour. Place a man in boundless affluence, and (to use a phrase of a masterly writer) you shelter and weather-fend him from the elements of experience.

'When, however, we descend lower in the scale, we find a different result. People who are raised above the necessity of manual toil can afford to cultivate their minds, and have time and motives for giving some attention to the acquisition of knowledge. One of the first effects of wealth on those who acquire it, is a desire to bestow a liberal education on their children, which of itself tends to maintain a superiority on the side of the rich. Knowledge, like many other things, is an article not readily acquired without pecuniary expense, nor yet without leisure; and, as a general rule, those who can afford to make the necessary outlay of time and money will have the greatest quantity of the commodity. Thus, people of two hundred a year will be found on the average to possess more extensive knowledge than people of fifty pounds a year, and the possessors of two thousand more than those of two hundred. Numerous exceptions to this rule will present themselves; but it is sufficient that it prevails on the whole, and affords the best criterion which we can obtain. If it holds on the whole, it will be practically useful.'—pp. 231—2.

These propositions must, we think, be greatly qualified. They are true until we rise above the class which cannot read, or which never does read, and consequently takes no interest in political affairs; for though the intelligence of many people does not come to them by reading, the habit of applying that intelligence to public matters commonly does. But when, ascending in the scale, we reach a class which habitually reads, especially which reads newspapers, we suspect that we attain as high an average of intelligence as is to be found in any class not expressly bred and educated for some intellectual profession. We are speaking, of course, of England: in any country possessing a really national education, both for rich and poor, the case, we allow, would be different. But in this country, and at this time, between an average Birmingham gun-maker, an average London shopkeeper, and an average country gentleman, we suspect the differences of intelligence are more apparent than real. The land-holder, we find, has just as little foresight of the consequences of his actions; miscalculates as egregiously in his own conduct, both public and private; hates just as intensely all who, from however patriotic motives, set themselves against any of the things which he likes; despises as sincerely, under the name of theorists and visionaries, all who see farther than himself; is as incapable of feeling the force of

any arguments which conflict with his own opinion of his immediate and direct interest. These are the tests of intelligence, and not the being able to repeat *Propria quæ maribus*. If the bulk of our operative manufacturers are to be excluded from the suffrage, it must be, we suspect, on quite other grounds than inferiority of intelligence to those who are permitted to exercise it.

We have never been able to understand why, if the real object in excluding poverty were to exclude ignorance and vice, the test should not be applied to ignorance and vice directly, and not to something which is a mere presumption of their existence. It would be easy to exclude all who cannot read, write, and cipher. If a higher test be desirable, there would be no great difficulty in contriving it. If there were here (as there are in Prussia, and as there would be in every country where the good of the people was cared for) schools for all, under the superintendence of the state, the test might be a certificate from the teacher at the public or some other school, of having passed creditably through it. A test of morality would, in the present state of society, be not so easy to devise; something, however, might be done towards it. To have been seen drunk, during the year previous, might be a disqualification at the annual registry. To have received parish relief during the same time, might be equally so. Conviction for any criminal offence might disqualify for a longer period, or for ever.

The most rational argument which we can conceive, for the exclusion of those who are called persons of no property, would be founded, not on inferiority of intellect, but on difference in apparent interest. All classes (it might be said) are in a most imperfect state of intelligence and knowledge; so much so, that they cannot be expected to be, and, as experience shows, hardly ever are, accessible to any views of their own ultimate interest which rest upon a train of reasoning. Since, then, it is certain that those who enjoy the franchise will exercise it in the manner dictated, not by their real and distant, but by their apparent and immediate interest, let us at least select, as the depositaries of power, those whose apparent and immediate interest is allied with the great principles on which society rests, the security of property, and the maintenance of the authority of law. These, we are sure, are safe in the hands of the possessors of property: an equal regard for them on the part of those without property would suppose a much higher degree of intelligence, since the latter benefit by them so much less obviously and directly, though not less really, than the former.

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This places the question on a distinct and tangible issue; namely, whether the body of the operatives, or that portion of the body whom the rest follow, do in fact entertain opinions or feelings at variance with any of the primary principles of good government. This is a question not of argument, but of fact; and as such we think the question of universal suffrage ought always to be considered. That the prevalence of such mischievous opinions and feelings, and the difficulty of eradicating them where they exist, are vastly exaggerated, we have good reason to be assured: to what extent they really are entertained, we have no means of accurately knowing; and our belief is, that almost all persons of what are called the educated classes, if they have any opinion on the point, have it without evidence.

Happily there is no necessity for a speedy decision of the question. Many important things are yet to be done, before universal suffrage can even be brought seriously into discussion; and it will probably never be introduced, unless preceded by such improvements in popular education as will greatly weaken the apprehensions at present entertained of it. The middle classes, too, if freed from the coercive power of the rich, have an interest absolutely identical with that of the community on all the questions likely to engage much of the attention of parliament for many years to come; and no one is disposed to deny that we ought cautiously to feel our way, and watch well the consequences of each extension of the suffrage before venturing upon another. With a people like the English, whose feelings are not apt to be kindled by an abstract principle, but only by a practical grievance, very ordinary prudence would enable us to stop short at the point where good government is practically attained.

We return to the volume before us, from which we shall not again permit ourselves to stray so far.

Our author brings forward, with the prominence which justly belongs to them, several of the requisites of a well-constituted representative government, the importance of which is still far from being adequately felt. One is, that the supreme legislature should be relieved from the weight of purely local business which now oppresses it, by the establishment of subordinate representative assemblies.

'Every district,' says he, 'would not only send representatives to the supreme assembly, but have its own domestic legislature for provincial purposes; in which all matters relating to its roads, bridges, prisons, court-houses, and assessments, and other points concerning itself alone, might be determined. In England, at present, large sums are collected

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under the name of county rates, and expended (frequently with lavish profusion) under the control of the magistrates at quarter-sessions, who virtually do part of what is here assigned to a district assembly; while of the rest, some is neglected, and some is done in a hasty and slovenly manner by Parliament.

'Such a district assembly would be the proper body to take cognizance of all projects for canals, rail-roads, gas-works, water-works, and other undertakings, which, on account of trespassing on private property, could not be executed without the authority of the law. Every one must see at a glance how great would be the relief to the national legislature, if all these minor matters were resigned to other bodies more competent to deal with them. *Nec deus intersit nisi dignus vindice nodus*, should be the principle of the supreme assembly. It should rigorously abstain from doing what can be done as well or better without its interference, and direct its undivided energies to those points, which involve the welfare of the whole empire, or which subordinate powers are incompetent to effect.

'On all the subjects mentioned as the proper business of subordinate authorities, the supreme legislature might pass general regulations in strict accordance with the principle here maintained. It might enact, for instance, certain general provisions in regard to the making of canals; but whether a particular canal should be made between two towns in Yorkshire, might be left for Yorkshire itself to decide. The supreme legislature would also determine the objects and define the powers of the subordinate legislatures, and be the ultimate court of appeal in all cases of difference and difficulty amongst them.

'It is evidently one of the worst possible arrangements, that the time of the supreme legislative assembly, which would find ample occupation in the preparation and perfecting of general enactments, should be taken up with matters of only local interest, and sometimes of merely individual concern; that it should be occupied with bills for changing names, alienating estates, supplying towns with water and lighting them by gas. While this continues to be the case, it is both morally and physically impossible there can be that degree of excellence in legislation, which the present state of knowledge admits. It is a system which acts injuriously in both directions; a system on which neither enactments of a local nor those of a national kind can possibly be of the same beneficial character as if the preparation of them were devolved on separate assemblies.'—p. 93—95.

On this question, which has already occupied ourselves, and to which we shall return again and again, this is not the place to enlarge.

Another change for which our author earnestly contends, is a large reduction in the numbers of the House of Commons. This had already been advocated by Mr. Bulwer, in his 'England and the English,' and was one of the many points in which that valuable work was in advance of the public mind. 'Large assemblies,' our author justly observes, 'are unfit for deliberation;'

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and the immense consumption of the time of parliament; and neglect of the real business of the nation, which arises from the struggles of several hundred men, of few ideas and many words, to give their vocabulary an airing, is gradually forcing upon thinking persons the conviction, that, as our author proposes, the House should be reduced to one-half or one-third of its present numbers. A step, though but a small one, was made towards this important improvement by the first Reform Bill, which broke in upon the magical number, 658; and it is to be regretted that the principle was given up, in deference to the most hypocritical clamour ever raised by Tories under the false pretence of zeal for popular rights. To diminish the number of the members of the House of Commons was treated as diminishing the amount of popular representation! As well might it be said, that the Spartans had twice as much government as we have, because they had two kings, while we have but one. Popular government does not consist in having the work done by more hands than are necessary to do it, but in having those hands, whether few or many, subject to popular control.

To the other strong reasons for reducing the numbers of the House, will sooner or later be added one of economy. We mean, of course, when the members are paid—a change to which we shall certainly come, and of which our author is a warm advocate:

'This expedient,' says he, 'seems to be required at all events, in order to secure the services of the ablest men, and to give the greatest intensity to the motives which impel the mind of the legislator to apply itself to the difficulties of the task, as well as to enhance the vigilance of the constituent body, by teaching them the value of his services, and of their own suffrages, in a way which the dullest amongst them can understand. Under such an arrangement, men of energetic and comprehensive minds, trained to vigorous personal and intellectual exertion, but who are obliged to devote themselves to pursuits yielding a profitable return, and are consequently at present either excluded from the legislature, or are mere cyphers in it, would be, with all their faculties, at the command of the public. Men of this description, so gifted, and so placed above private cares, would be invaluable; for instead of giving that lazy gentlemanly attention to public questions, which, in their own apprehension at least, is all that can be reasonably expected from unpaid representatives living in luxurious opulence; or that casual and intermitting, and brief attendance on their duties, which is all that professional practitioners can bestow, they would make their legislative functions the business of their lives. Strenuous intellectual exertion, except in the case of a few extraordinary minds to which it is a pleasure, as severe corporeal exercise is to a man of great muscular strength, is irksome, and seldom habitually undertaken without a powerful ex-

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ternal motive. It is surely policy in a nation to furnish this motive for due application to national affairs.'—pp. 193, 194.

In nearly all ages and countries, popular governments have found it for their interest that all the functionaries whom they employ should be paid. The unpaid is apt to become the self-paid, and to cost dearest of all: his work, at the best, is *dilettante* work, and is put aside from the smallest call of business or pleasure. Moreover, an unpaid legislature and an unpaid magistracy are institutions essentially aristocratic: contrivances for keeping legislation and judicature in the hands exclusively of those who can afford to serve without pay. This in itself may seem but a small consideration: the important matter is not *by whom* we are governed, but *how*:—with due securities for their being properly qualified, we should not complain, although the whole legislature were composed of *millionnaires*. But those securities are themselves weakened, by narrowing the range of the people's choice. It is matter of general remark, how few able men have appeared of late years in parliament. What wonder? when, of the able men whom the country produces, nine-tenths at least are of the class who cannot serve without pay; and, for the first time since the constitution assumed its modern form, the members of the House of Commons are now practically unpaid. The rich have advantages in their leisure, and command of the means of instruction, which will render it easy for them, whenever they exert themselves, to be the ablest men in the community. That they do not take this trouble, is precisely because they are not exposed to the competition of the non-rich. Let in that competition upon them, if you would have them improve. In political, as in all other occupations, if you would stimulate exertion, you must throw open all monopolies.

If the members of the legislature were paid, legislation would become—what, to be well discharged, it must become—a profession: the study and the occupation of a laborious life. On this point our author's remarks are well worthy of an attentive perusal:—

'While the current of life flows on smoothly, the interest which each individual has in good government evidently makes little impression on his imagination: it consists, for the most part, of small fractions of benefit scarcely appreciable; of protection from evils, to which, as they are prevented from occurring, he is insensible; of advantages, which, to a superficial view, accrue to him only under particular circumstances, such as redress of wrong when he has occasion to appeal to the law. Most people are therefore supine and indifferent as to the general course of domestic policy, and especially indifferent as to the intellectual

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qualifications and conduct of their representatives. Their minds want awakening to the difficulty and importance of sound and accurate and systematic legislation. They may rest assured, that, in our complicated state of society, it is a business which requires as long and assiduous preparation as any profession which can be named; and as entire devotion to it, when its duties are once undertaken, as the calling of a lawyer or a physician, a merchant or an engineer. One chief reason why there are so many needless, blundering, crude, mischievous, and unintelligible enactments, is, that men have not dedicated themselves to legislation as a separate study or profession, but have considered it to be a business which might be played with in their hours of leisure from pursuits requiring intense exertion.'—pp. 186, 187.

'Political science is perhaps that department of intellectual exertion which requires the greatest powers of mind, and the intensest application. Its facts are multifarious and complicated, often anomalous and contradictory, and demanding the guidance of clear principles: its principles are many of them abstruse, and to be developed only by long and close processes of reasoning; and the application of these principles requires the sagacity of quick observation and long experience. The whole business calls for that familiarity of mind with the subject, which can be the result of nothing but habitual daily devotion to it.

'In making laws, too, not only is there a demand for powers of mind to cope with the disorder and complication of facts, and the abstruseness of reasoning, but there ought to be also a complete mastery of language, that nice and delicate instrument of thought and communication, by the clumsy handling of which so much confusion and uncertainty is yearly produced in legislative enactments. Every word in a law is of importance; every sentence ought to exhibit that perfectness of expression which is to be looked for only from the skill and caution of undistracted minds. Well might Bentham observe, that the words of a law ought to be weighed like diamonds.

'Is this, then, a matter to be dealt with by an exhausted professional man in what should be his hours of recreation? Can such a one be competent to a task hard enough for the mind which comes to it every day with all its vigour fresh, all its perspicacity undimmed, its spirit of activity unworn, and its feelings of interest unabsorbed? Is the refuse of an individual's time and abilities what a people are to be content with, from a representative to whom they confide the determination of measures in which their prosperity is deeply implicated? Is this sufficient for governing the destinies of a great nation?'—p. 184-186.

Our author carries the practical application of this doctrine so far, as to propose (though, as he says, with some diffidence) that freedom from other business or professional avocation should be an indispensable qualification for being chosen a member of parliament. There is no doubt that it ought to be a strong recommendation, but we would not exact it by express law. It will occasionally happen, though, under a better system, much less often than at present, that half the time of one com-

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petitor is of more value than the whole time of another; and, when the electoral body is rightly constituted, we know not why its choice should be fettered. We would not give power by handfuls with one hand, and take it back in spoonfuls with the other. If the people can be trusted at all, it is not in the estimation of these obvious grounds of disqualification that they are likely to be found deficient.* In the present state of society, the effect of the provision which our author desires to introduce would, we fear, be seriously mischievous: it would throw the whole business of legislation, and of control over the executive, into the hands of the idlers; excluding from parliament almost the only persons who bring habits of application and capacity for business into it. This objection, no doubt, would not exist, or at least not in the same degree, under the increased responsibility to the people which our author's argument contemplates.

Neither would we, with our author, require as a legal qualification 'maturity of years,' beyond that which is now required. It will not, we suppose, be denied that a young man *may* render good service in Parliament; and if so, it may be that you have no other person who will render it as well. It might be proper enough to treat youth as a disqualification, if we were sure of finding old men suitable to our purpose: but considering the scarcity of fit men at any age, and the abundance of unfit men at all ages, we would not risk depriving ourselves of even one of the former for the sake of shutting out myriads of the latter. If your electors are likely persons to choose an unfit man, no sweeping rule of exclusion will prevent them from finding one. Nor do we see in so strong a light as our author the danger to be guarded against. It is not probable that, under any system but one of private nomination, very young men would ever compose any considerable proportion of the legislature: already the Reform Bill is understood to have excluded from the House most of the idle young men of family who formerly composed so large a portion of it: when, too, provincial assemblies, properly representative of the people, shall have been established, young men will serve their apprenticeship to public business there rather than in parlia-

* In the impressive words of our author's argument on the ballot, 'If the electoral body is not to be trusted, there must be something wrong in its composition; for if it is rightly constituted, the more faithfully the votes represent its sentiments the better: but on the supposition that it is wrongly constituted, the course of true policy is clear. The right way of correcting an evil is, if practicable, to remove its cause, and not to resort to some expedient for counteracting the mischief as it is continually evolved from its unmolested source. If the electoral body is composed of such unsuitable elements, that, if left to itself, the perpetual result would be the election of improper representatives, and consequent bad legislation, there cannot be a simpler or more effectual plan than altering the constitution of that body.'—pp. 281, 282.

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ment. Those who are chosen in spite of so strong a ground of just prejudice, are likely to be among the ablest of their years; and, at least in an age of movement, it is not among young men that the greatest measure of political incapacity is usually found. It is true, as our author says, that 'in legislation, as in other arts, there is a tact, a nicety of judgment, an intuitive apprehension of the relations of things, a wisdom which age, indeed, does not always bring, but which age alone can bestow.' But the young members will not be called upon to be the actual framers of laws: they will only assist in judging of them. The general spirit and direction of the proceedings of the House will be determined by that immense majority of its members who will always be persons of mature years; and it would not be altogether useless to counteract the apathy and prejudice of age by a small infusion even of the conceit and dogmatism of youth. Age is naturally conservative, and unless some weight be placed in the other scale, there will be danger lest the timid and sluggish should give too much of their character to the entire mass.

Our author strongly condemns the degrading practice of canvassing. In a healthy state of moral feeling, to solicit an elector would be deemed an exactly similar insult to that of soliciting a juror.

'If the moral sentiments of the community had not been debased on this point by the long prevalence of a corrupt practice, they would feel that there was something not only degrading but ludicrous in the procedure of a candidate, who circulates himself from house to house for the purpose of soliciting votes from electors as so many gracious boons. On the supposition that the candidate happens to be really the best man for the office, it is asking them to have the condescension and kindness to consult their own interest out of pure favour to him. On the supposition that he is otherwise, it is craving them to be so exceedingly liberal and obliging as to disregard their own interest, and give a preference to his. In the one case, the request bears no mark of wisdom; in the other, none of modesty: in both cases, it is utterly inconsistent with manly independence.

'It is true, that what is called canvassing does not necessarily assume this form. A candidate, when personally visiting the electors at their own homes, may limit himself to an explanation of his opinions, and to a proper and dignified exposition of his qualifications for the office, without stooping to the ludicrousness or servility of craving as a boon what ought to be either withheld, or given because it is the interest at once and the duty of the elector to give it. But even in this case, mark the inefficiency, the uselessness, of a personal visit; consider in what degree the candidate can set forth his pretensions in the few minutes which he can dedicate to the task of enlightening the minds of the individual electors on the subject of his merits and opinions. How de-

grading soever the procedure may be, there is some purpose answered by visiting a man, even for a few minutes, with the view of prevailing on him to give a promise; a few minutes may suffice for obtaining from him a yes or a no: but to devote to him only so brief a period, with the view of enabling him to form a judgment of the qualifications of the candidate, is a fruitless sacrifice of time and labour, for a purpose which can be effectually accomplished by public addresses. Of this folly few, it may be presumed, are guilty. The usual object of a personal canvass is to sway the will, not to guide or enlighten the judgment; and it must be admitted to produce in general a considerable effect. The more servile the candidate shows himself to be, the freer from scruples, from dignity, and self-respect, the fuller of artifices in adapting himself to the feelings and prejudices of the electors, so much the greater is his success likely to prove.

'In every way in which the system of canvassing can be regarded, it is evil: there is nothing to recommend it; and if it prevails in any country where public sentiment does not promise to put it down, it perhaps might be put down with advantage by a legal prohibition. The experiment of prohibiting candidates and their friends from canvassing has been tried by some public charitable institutions in the election of their officers, and has proved decidedly beneficial in the few instances which have occurred since the adoption of the rule.'—p. 305-308.

We can add nothing to this masterly exposure.

Our author is no less decided in his condemnation of the practice of giving instructions to representatives, and of requiring pledges from candidates. We fully concur in his sentiments. The business of the constituency is to select as their representative the person best qualified, morally and intellectually, to form a sound judgment of his own on political questions; and having done this, they are not to require him to act according to *their* judgment, any more than they require a physician to prescribe for them according to their own notions of medicine.

'Whenever we employ a man to do what his superior knowledge enables him to do better than ourselves, it is because the superiority of his knowledge, combined with his weaker disposition to promote our interest, will, on the whole, produce a better result than our inferior knowledge, coupled with our stronger disposition. So it is when we appoint a political deputy: we can obtain the benefit of his services only by encountering the risk of trusting him. The advantage we look for at his hands is incompatible with retaining the direction of his conduct.' —p. 127.

'It is not, then, to the power of instructing their representative, that constituents are to look for an assurance that his efforts will be faithfully applied to the public service, for that would be inconsistent with the most enlightened legislation; but it is to the power of reducing him from the elevation to which their suffrages have raised him. What properly belongs to them is not a power of directing, but of checking; not a

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power of previous dictation, but a power of reward and punishment on a review of what he has done. The object to be obtained is not to compel the representative to decide agreeably to the opinions of his constituents, for that would be compelling him often to decide against his better judgment; but it is to force him to decide with a single view to the public good, and, at the same time, to obtain the full benefit of his intelligence. It is by leaving him unshackled with positive instructions, while he is subject to the ultimate tribunal of the opinion of his constituents, that the end in view is to be accomplished, of bringing into action, in the proceedings of the legislature, the greatest practicable quantity of intelligence, under the guidance of the purest disposition to promote the welfare of the community.

'The relation between a representative and his constituents may be illustrated by a reference to the analogical relation which exists, and to which we have already slightly adverted, in the mutual circumstances of the physician and his patients. The security which patients have for the best application of the physician's skill does not arise from any ability of theirs to direct his practice, but from the circumstance of having in their own hands the power of choice. In the nature of the case they must place great confidence in his conduct, if they would obtain the benefit of his knowledge. When they select him, they are guided by such evidence as is within their reach respecting his qualifications. They may not always make the wisest choice; because, not being competent judges of the science, they must depend, in a great measure, on collateral facts, or evidence of an indirect character, and are sometimes swayed by irrelevant motives; but the power of selection and dismissal is the most effectual means of securing the best services of those whom they choose; and there can be little doubt that, on the system of each individual selecting his own medical attendant, and trusting to his discretion, patients fare better than on any other plan. And although they cannot antecedently judge of the medical treatment necessary in their case, nor direct the curative process, yet after recovery they can frequently form a tolerable estimate of the skill which has been evinced, and can always appreciate the care and attention of the practitioner; whence there are evidently strong inducements acting on his mind to please and benefit his patients.'—p. 129-131.

We consider this point, as we have intimated in a former passage, to be fundamental; and to constitute, in reality, the test whether a people be ripe for the sound exercise of the power of complete control over their governors, or not. The parallel holds exactly between the legislator and the physician. The people themselves, whether of the high or the low classes, are, or might be, sufficiently qualified to judge, by the evidence which might be brought before them, of the merits of different physicians, whether for the body politic or natural; but it is utterly impossible that they should be competent judges of different modes of treatment. They can tell that they are ill;

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and that is as much as can rationally be expected from them. Intellects specially educated for the task are necessary to discover and apply the remedy.

But though the principle that electors are to judge of men, and representatives of measures (as a king or a minister appoints a general, but does not instruct him when and how to fight) is of the very essence of a representative government, we cannot dissemble the fact, that it is a principle almost entirely inapplicable to the peculiar situation of this kingdom at the present moment. How can electors be required to repose in their representatives any trust which they can possibly withhold, when, for the purpose of purifying a political system which swarms with abuses, the circumstances of society oblige them to employ as their agents men of the very classes for whose benefit all abuses exist, and of whose disposition to reform any one particle of those abuses which it is possible to preserve they feel the most well-grounded doubts? Who can blame the exaction of pledges from such a man as the honorable member for St. Andrew's, under the circumstances in which those pledges were exacted?* We assume, of course, that the constituency had not the option of electing a better man. If they had, they have themselves to blame for not making use of it. For, in the words of a passage quoted by our author from Roscommon's 'Letters for the Press'—'When we have to employ our fellow-creatures in any office, we should in general act more wisely were we to choose those who possess qualities adapted to it, than were we to attempt to bend unsuitable qualities to our purposes, by the force of motives applied for the occasion.'—'There is one general consideration,' says our author, 'which deserves to be urged on electors, in their choice of a representative: they must take the trouble to choose a fit man, and not expect a man to become fit for the situation by being placed in it.'—p. 427.

In the chapter 'On the Introduction of Changes in Political

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* The long duration of parliaments, which renders it impossible to discard an unfaithful representative when found out, is also an important consideration.

'A liberal confidence should be, and naturally will be, given to a faithful trustee, to execute the trust according to his own judgment; but if he has time to ruin you long before it is in your power to get rid of him, you will trust him with nothing that you can by possibility keep in your own hands. A man who is his own physician generally has a fool for his patient; but it is better that he prescribe for himself than obey a physician whom he believes to have been bribed by his heir.'

We quote this passage from the Examiner (1st July, 1832), which, with the fearlessness with which it has always thrown itself into the breach when what it deemed to be essentials of good government were assailed even by its own friends, has taken a most decided part in opposition to the exaction of pledges. See also a succeeding article, 15th of the same month.

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Institutions,' our author takes the opportunity of combating the celebrated doctrine of Lord Holland and Sir James Mackintosh, that 'governments are not made, but grow.' This maxim was probably suggested by the numerous examples of political reformers whose institutions have been ephemeral, for want of having a sufficient hold upon the respect of the people to command steady obedience, or upon their affections, to be defended with any zeal against assault. But because governments, like other works of human contrivance, may be constructed with insufficient foresight and skill, does it follow that foresight and skill are utterly unavailing, and that no governments can hope for the support of the people's affections in times of civilization, but those produced by the fortuitous concourse of atoms in ages of barbarism? The doctrine is not only philosophically, but even historically false. The laws of Moses, those of Mahomet, were made, and did not grow: they had, it is true, the direct sanction of religious faith; but the laws of Lycurgus, the laws of Solon, were *made*, and were as durable as any laws which *grew* have hitherto been found. Those of Lycurgus, indeed, stand in history a *monumentum ære perennius* of the practicability of Utopianism. Each of the North American colonies made a government: the whole of them confederated have also made a government—no bad example hitherto of adaptation to the wants of the people who live under it. Frederic of Prussia *made* a whole system of institutions, which still exists, and an excellent one. Bonaparte made another, which also in substance still exists, though an abominable one. All these governments, in so far as they have have had any stability, had it because they were adapted to the circumstances and wants of their age. That such adaptation can be made by preconceived and systematic design, every one of them is an example.

All that there is of truth in the favourite doctrine of Sir James Mackintosh amounts to a truism, which in theory has never been overlooked, howsoever in practice it may have been disregarded: That legislators and political reformers must understand their own age: That they must consider, not only what is best in itself, but what the people will bear; not only what laws to make, but how to make the people obey them: That they must forbear to establish any thing which, to make it work, requires the continued and strenuous support of the people themselves, unless, either in the ancient habits of the people, or at least in their durable and strenuous convictions, a principle exists which can be enlisted in favour of the new institution, and induce them to give it that hearty assistance

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without which it must speedily become inoperative. What has usually been wanting to the due observance of this maxim has been, not the recognition of it, but a sufficient practical sense, how great an element of stability that government wants which has not the authority of time:

'How very much of the really wonderful acquiescence of mankind in any government which they find established is the effect of mere habit and imagination, and therefore depends upon the preservation of something like continuity of existence in the institutions, and identity in their outward forms; cannot transfer itself easily to new institutions, even though in themselves preferable; and is greatly shaken when there occurs anything like a break in the line of historical duration—anything which can be termed the end of the old constitution and the beginning of a new one. The very fact that a certain set of political institutions already exist, have long existed, and have become associated with all the historical recollections of a people, is in itself, as far as it goes, a property which adapts them to that people, and gives them a great advantage over any new institutions in obtaining that ready and willing resignation to what has once been decided by lawful authority, which alone renders possible those innumerable compromises between adverse interests and expectations, without which no government could be carried on a year, and with difficulty even for a week*.'

It is scarcely necessary to say that, in this country, and at this time, the danger is not lest such considerations as the above should have too little, but lest they should have too much, weight.

In the supplementary discourses of our author, on Political Equality, and on Rights, there are many just observations on the confusion which has been introduced into political reasoning by the use of vague and declamatory expressions as substitutes for a distinct appeal to the good of the community. Our author, however, while proposing to banish the words 'natural rights' from philosophical discussion, makes an attempt, in which we do not think him quite successful, to discover a rational meaning for the phrase. Without doubt, as in the case of all other phrases which mankind use, there is something in their minds which they are endeavouring to express by it; but we hardly think that our author is looking for this in the right place. The subject, however, would lead us too far for the present occasion.

Having said so much of what the work before us does contain, we cannot conclude without drawing the author's attention to one thing which it should have contained and does not. He has met and overthrown many of the fallacies by which the delivering over of the powers of government to partial interests

* Bulwer's 'England and the English,' App. to vol. ii.

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is wont to be defended; but he has nowhere directly faced the master fallacy of all, the theory of *class-representation,* though it is one which attacks the very foundation of his doctrines. The theory in question maintains, that a good popular representation should represent, not the people, but all the various *classes* or *interests* among the people. The landed interest, it is said, should be represented; the mercantile interest should be represented; the monied, manufacturing, shipping interests, the lawyers, the clergy—each of these bodies should command the election of a certain number of members of the legislature; and the bulk of the people, it is commonly added, should also have the nomination of a certain small number of representatives. The essence of this system is, that it proposes to place a small fraction only of the ruling body under any inducements from their position to consult the general interest of the community; while it renders all the remainder the mere attorneys of certain small knots and confederacies of men, each of which, the theory itself admits, has a private interest of its own, which sinister interest, if it possessed the undivided control of the legislature, it would ruthlessly pursue, to the complete sacrifice of the general interest. The expectation then is, that because the ruling power is divided among several of these knots, instead of being wholly bestowed upon one of them, they, instead of combining, as they have the strongest motives to do, and sharing the benefits of misrule among them, will, with an incapacity of pursuing their obvious interest, unknown to any tribe of savages, employ their whole exertions in protecting the community against one another. Whether this be likely to be the fact let English history speak; for England has been ruled by a class-representation ever since the revolution. We subjoin an apologue, from a speech delivered in 1826, which shadows forth very faithfully what has been the course of history in this particular.*

* 'Once upon a time there happened an insurrection among the beasts. The little beasts grew tired of being eaten by the great ones. The goatish, sheepish, and swinish multitude grew weary of the sway of the "intellectual and virtuous." They demanded to be governed by equal laws, and, as a security for those laws, to have the protection of a representative government. The Lion, finding himself hard pressed, called together the aristocracy of the forest, and they jointly offered a rich reward to whoever could devise a scheme for extricating them from their embarrassment. The Fox offered himself, and his offer being accepted, went forth to the assembled multitude, and addressed them thus: "You demand a representative government: nothing can be more reasonable—absolute monarchy is my abhorrence. But you must be just in your turn. It is not numbers that ought to be represented, but *interests.* The tigerish interest should be represented, the wolfish interest should be represented, all the other great interests of the country should be represented, and the great body of the beasts should be represented. Would you, because you are the majority, allow no class to be represented except yourselves? My royal master has an objection to

The ready answer to the doctrine of representation of interests is, that representation of separate and sinister interests we do not want. The only interest which we wish to be consulted is the general interest, and that, therefore, is the only one which we desire to see represented. How this, in the actual circumstances of a country, can best be accomplished, is the only question; and it must be decided by the considerations already adduced.

What, in contradistinction to a representation of classes, every rational person does wish to see exemplified in Parliament, is not the interests, but the peculiar position, and opportunities of knowledge, of all the classes whom the theory enumerates, and many more; not in order that partial interests may, but in order that they may not, be consulted. The first desideratum is, to place every member of the legislature under the most complete responsibility to the community at large, which the state of civilization of the community renders consistent with other necessary ends. The second is, to compose the legislature, in as large a proportion as possible, of persons so highly cultivated, intellectually and morally, as to be free from narrow or partial views, and from any peculiar bias. But as such persons are rarely to be found in sufficient numbers, it is doubtless desirable that the remainder of the body should be of

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anarchy, but he is no enemy to a rational and well-regulated freedom; if you forthwith submit, he grants you his gracious pardon and a class representation." The people, delighted to have got the name of a representation, quietly dispersed, and writs were issued to the different interests to elect their representatives. The tigers chose six tigers, the panthers six panthers, the crocodiles six crocodiles, and the wolves six wolves. The remaining beasts, who were only allowed to choose six, chose by common consent six dogs. The Parliament was opened by a speech from the Lion, recommending unanimity. When this was concluded, the Jackal, who was Chancellor of the Exchequer, introduced the subject of the Civil List; and, after a panegyric on the royal virtues, proposed a grant, for the support of those virtues, of a million of sheep a-year. The proposition was received with acclamations from the ministerial benches. The Tiger, who was at that time in opposition, made an eloquent speech, in which he enlarged upon the necessity of economy, inveighed against the profusion of ministers, and moved that his Majesty be humbly requested to content himself with half a million. The Dogs declared, that as kings must eat, they had no objection to his Majesty's devouring as many dead sheep as he pleased; but vehemently protested against his consuming any of their constituents alive. This remonstrance was received with a general howl. The first impulse of the representatives of the aristocracy was to fall tooth and nail upon the representatives of the people. The Lion, however, representing that such conduct would be dishonourable, and the Fox that it might provoke a renewal of the insurrection, they abandoned the intention of worrying these demagogues, and contented themselves with always outvoting them. The sequel may be guessed. The Lion got his million of sheep; the Fox his pension of a thousand geese a-year: the Panthers, Wolves, and the other members of the aristocracy, got as many kids and lambs, in a quiet way, as they could devour. Even the Dogs, finding resistance useless, solicited a share of the spoil; and when they were last heard of, they were gnawing the bones which the Lion had thrown to them from the relics of his royal table.'

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as miscellaneous a composition as possible (consistently with accountability to the people), in order that the twist of one person may be neutralized by the contrary twist of another; and if the individuals must be biassed, the evil be at least avoided of having them all biassed one way. An indistinct perception of this truth, is what gives all its plausibility to the doctrine of class-representation. But the principle thus stated, needs no especial provision to be made for it in a scheme of representation. The diversity of local circumstances, and the varying spirit of local constituencies, provide for it sufficiently.

Recommending this important subject to the consideration of our author in his next edition, we take leave of him; cordially wishing that his country may be enriched with many similar productions from his pen, and regretting that he has not yet obtained the opportunity he sought, of proclaiming in the House of Commons the great principles which this work will contribute so largely to diffuse. That he failed to obtain that opportunity is anything but creditable, all circumstances considered, to the electors of the great and important town for which he offered himself as a candidate. We trust that, ere long, some liberal constituency will claim for itself the honour which his own townsmen knew not how to appreciate. A.

Art. V.

POLITICS AND POLITICAL ECONOMY OF PORTUGAL.

PORTUGAL is still, as Adam Smith called it fifty years ago, a beggarly country. If proof of the fact were required, it would be found in the cold, almost contemptuous indifference of Englishmen towards the state and prospects of a nation once considered our most valuable ally. A book concerning that country would have few readers in England; and the fewer, perhaps, if it were copious in detail and methodical in generalization. All that the subject will bear is desultory sketches and remarks. Even these, however, if made with a view to comparison between nations so widely different as the Portuguese and the English, may, since all things are relative, add to the stock of useful knowledge in the more civilized country. It is with a view to such comparison chiefly, that the present Article has been written.

The Portuguese are, truly, a most beggarly people, with few wants, poor means of supplying those which exist, no more industry than suffices to keep production such as it has been for ages without improvement, little division of employments,

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scarce any exchange between different parts of the country, a paltry foreign trade, carried on principally with foreign capital, and, what is worse than all, no longing for better things, no wish even for any amelioration, but, on the contrary, careless content, not owing to recent events, but fixed as a habit, become the second nature of all but a very small part of the nation. Nowhere in civilized Europe is locomotion so difficult as in Portugal. There are but few roads on which a carriage can be used; and these are so bad, that thirty miles in twenty-four hours is the common rate of travelling. In all Portugal there is no such thing as a stage-coach or a post-horse. As respects time, fatigue, and expense, it is easier to go from Lisbon to London, than from Lisbon by land to Oporto. Cross-roads universally are but tracks over waste land, or the courses of torrents not passable when it rains. Only a few of the largest towns contain an inn; and this inn, if it were in England, would be called a stable or dog-kennel. Robbers abound wherever there is a chance of meeting travellers. Poor travellers, when such there are, go afoot, slowly and painfully; while the only method of carrying goods is slowly on the backs of mules. The carriage of letters is so slow, uncertain, and costly, that the bulk of the people, including some men and more women of the highest class, may well be content, as they are, with not being able to write. A little cork, some fruit, and not much wine, all produced not far from some sea-port, compose almost the only articles that are exported; and these would not be exported, or rather produced, if articles wherewith to purchase them, such as English cottons and hardware, were not brought to Portugal, kept there till wanted, and finally distributed, by means of foreign capital in the various forms of ships, advances to the producer of exports, and even hard money for a medium of exchange. Nay, when one reflects that law, for the purpose of awarding justice, is unknown to the Portuguese, it seems probable that they would by this time have been quite without foreign trade, if the foreign merchants of Oporto and Lisbon had not obtained separate laws for themselves. The famous Methuen treaty gave to Englishmen in Portugal, under the name of privileges, such a degree of protection for person and property, that, to some extent, and for the mere purpose of promoting and managing foreign exchange, that treaty made Portugal a province of England. Her foreign trade then, such as it is, has been preserved by the intelligence and capital of two merchant colonies of Englishmen. Even with this help, the deserted state of what Americans would call her waters, excites

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the wonder of English sailors. The entrance to the magnificent Tagus is often as void of ships, as the mouth of a river in some unsettled part of New Holland. Yet the foreign trade of Portugal is, upon the whole, perhaps, the least ugly feature in her condition; that is, if we put aside some recent political changes, which were mainly brought about by foreigners, and are hateful to the bulk of the nation. If we look for something good, which will bear comparison with advanced countries like France or England, and which is, besides, agreeable to the Portuguese—some circumstance or quality in which the Portuguese take pride or pleasure, like the French or English—one universal blank presents itself. In science, the arts, and literature; in the amount of wants and enjoyments; in the results of knowledge and enterprise; in nearly all that relates to the worth and happiness of a people, the Portuguese have made little or no advance for some hundred years; while there are not a few points on which they may refer with truth to the superiority of their ancestors. They have deteriorated especially with respect to qualities in which Englishmen excel, such as industry, skill, courage, and the spirit of adventure. Without seeing them, it is hard to believe in their extreme ignorance, slowness, and repugnance to whatever calls for exertion, bodily or mental; not to mention their habitual, or, one may say, natural cowardice. There is not, even in Italy or Spain, such an example of national deterioration.

For let us recollect that the nations of Europe which, during two centuries, have advanced continually in wealth and knowledge, are chiefly indebted for their improvement to the not far-distant forefathers of this emasculated people. If it had not been for expeditions from the Tagus, what would have been the present state of Europe? It was not by one expedition, but by many—not by an accident, but by a long series of gallant efforts—that the Portuguese discovered the East Indies, and caused the discovery of America. A nobleman of our Elizabeth's time had few wants beyond beef, bread, ale, and cloth: who now shall count the variety of objects which enter into the enjoyments of millions of Englishmen? The desire to obtain tea, sugar, coffee, and tobacco, has been the cause of incalculable exertion amongst modern Europeans, and has thus led to such an increase of mere food in Europe, that the number of people has increased at the same rate as the number of enjoyments. This incalculable stimulus to human exertion was provided by the sagacity, daring, and perseverance of a nation whose posterity are stagnant as mud. What can have been the cause of so remarkable a deterioration? One circumstance alone seems to afford a sufficient explanation of it.

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Concerning the state of the people in any part of Europe during the dark ages which succeeded the fall of the Roman empire, we know very little indeed; but we do know that the clergy of the Church of Rome were the instruments by means of which some degree of knowledge was revived in Europe. Previous to the Reformation, wherever the Roman Catholic faith had taken root, the clergy were the only teachers of the people; and as their own power seemed to be firmly established, they had no motive for preventing the spread of information, or checking the love of inquiry, which had grown out of their own studies and lessons. But at length, though unconscious of what they were about, they taught enough to place their own power in danger; and from that moment they became everywhere the bitterest enemies of knowledge. The history of the Reformation is the history of a mortal combat between the spirits of light and darkness. 'Since your knowledge,' said the priests to the people, 'has set you upon questioning our authority, you shall learn no more; you shall forget what you know: henceforth we will hold you fast in the chains of ignorance, which we, fools that we were, have had the blindness to loosen.' The people answered—'We will inquire not only concerning religion, but on all subjects.' In one place the people conquered; in another, the priests; and wherever the people did not conquer, even where they never struggled for the right to learn, there the clergy came to dread knowledge more than they had ever loved it. Nay, it was the very triumph of the Reformation in some countries, which, in others, whetted the already sharp desire of the clergy to put a stop to all improvement. In Portugal, from the time of the Reformation in England, the clergy, always powerful from their great possessions, have had the strongest motives for keeping the people in a state of ignorance and debasement. What the Portuguese of this day are, they have been made by their priests. In a college at Lisbon, for the education of clergymen, which happens to contain some books relating to the affairs of this world, the part of the library which those books occupy, goes by the name of 'Hell.' Pascal, the scientific Frenchman of his age, was called by the Jesuits 'a fire-brand of hell;' not, indeed, because he was a man of science, but because he dared to expose the tricks of the great corporation. But in Portugal the clergy have not been satisfied with applying bad names to what they dreaded: witness their Inquisition, with its dungeons, tortures, and burnings. Not only have they prevented the acquisition of knowledge, but, by using terror as the means of prevention, they have made the people slavish and torpid, as well as ignorant. Even the cowardice and cruelty of the Por-

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tuguese may be traced to the same origin as the dullness of their intellectual faculties—to the proceedings of their priests, who, besides ruling through fear, have patronized bloody sports, and delighted in public executions. Such is the apparent cause of the present degraded state of this once distinguished nation. The moral of the tale is, that a successful resistance to reform almost necessitates a worse condition of things than that which preceded the abortive attempt. If the course of civilization be artificially turned back, it will recede farther than from whence it came.

We here, in England, imagine that the late revolution in Portugal—the substitution of a representative government for a pure despotism, and, moreover, the nearly total destruction of the power of the clergy—we have no doubt that all this constitutes a very useful reform. But the Portuguese people are by no means of our opinion. They were delighted with the rule of Don Miguel, and cannot bear that of the Chambers. Nine-tenths of the common people, a large proportion of the middle class, and some of the nobility, would gladly restore 'the Monster' to absolute power. The only earnest friends of what we call reform and improvement are a majority of the noble class; of that class which, in this part of the world, is supposed to have a special dislike to popular modes of government. If you hear of any great exertion made to unseat Don Miguel, of any sacrifice for that object, of any brave resistance to his oppressions, of any noble action performed by man or woman on the Constitutional side, you may be almost sure that the actor belonged to the noble class. If you would hear in Portuguese society an expression of liberal sentiments, listen to any statement of public wrongs, or take part in any discussion concerning the means of political or moral improvement, it must be at the house of a nobleman. As it was the grandees chiefly who took a very active part in setting up the present rather democratic constitution, so it is they who maintain it, by the mere force of the English stock-exchange, against the will of the bulk of the people. If the constitution were much more democratic than it is, more surely if it had such ingredients as universal suffrage and vote by ballot, it would not last long enough for trying the virtue of annual parliaments; for it would be overturned by the first election. To our English eyes, it seems strange indeed, that the Few should exert themselves to force knowledge and power on the Many. But this is a fact; and this fact may teach us, what some of us are apt to forget, that all men are not a mere repetition and multiplication of one man; that, in matters of government

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what is meat to one nation may be poison to another; and that, consequently, a scheme of government which professes to be equally fit for all nations and states of society is not likely to be fit for any.

Was it then from pure philanthropy that the nobles of Portugal risked property and life in the democratic cause? No; they quarrelled with the priests, and, from fear and hatred towards them, became the friends of the people. A violent quarrel between two sections of the ruling class seems to be the most common process by which nations, when they are fit to enjoy it, obtain some share in the powers of government.

The handful of men who are endeavouring to establish in Portugal a constitution something like that of England since *our* late revolution, could not, by any means of their own, have got an opportunity to try their hands at this sort of work. Beggared and banished by a government which was agreeable to the nation, they could not have taken one step for the overthrow of that government unless they had obtained foreign assistance. In their distress, they sought the aid of Englishmen. 'Give us,' said they, 'money and men for the conquest of Portugal.' Though the undertaking appeared desperate, the money and men came forth at their call. Never were life and property embarked with a better prospect of being lost. Yet this apparent 'sacrifice of blood and treasure,' which a century back would have been deeply lamented in England, passed unnoticed by the British public. The men and the money for conquering Portugal were never missed. And why should they have been missed, when such is the state of England, that she loses every year, without being aware of that great deduction from her population and wealth,—every year, observe, without at all feeling it,—about 100,000 emigrants, carrying with them a capital which, allowing 20*l.* for each emigrant, amounts to 2,000,000*l.*, not to mention 1,000,000*l.* more for the cost of passage. The mere excess of people in England beyond the means of comfortable subsistence, and the mere excess of capital beyond the means of investment, at such profit as will keep the capital at home, would suffice, it appears, to conquer twelve Portugals every year, or one per month. This is a clear proof, that if population be often redundant in proportion to capital, both population *and* capital may be simultaneously redundant in proportion to land.

Don Pedro was a moral wonder. There are stories of his doings and habits in Brazil, which cannot be wholly false, and which, if but a tithe of them were true, would prove him to have been, at one time, a true brother of Don Miguel. Not

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very long ago, indeed, people well acquainted with both these princes used to say, that there was little to choose between them. Almost every vice seems to have helped to make up the character of Miguel, both as a king and a man; yet there is scarce a virtue, public or private, that Pedro did not display in the last years of his life. Adversity seems to have changed his very nature. Without saying what he had been before, it is certain that, from the time of his landing at Oporto, he was a loving husband, a most affectionate and careful father, a gentle master, a steady friend, a brave, skilful, and indefatigable captain, a sagacious politician, and, what is still more remarkable, a generous enemy. He himself used to acknowledge that he had been a barbarian: a more civilized, a milder conqueror, never obtained power to indulge those feelings of revenge which belong to savages. It was he truly, and none but he, who caused the lands of the clergy to be seized by the government; but that deed of moral boldness, without which Portugal would have had no chance of regeneration, redounds to his honour, as much as his anxiety to protect the persons of the priests. This man appears to have gained a conscience when he lost an empire. From the beginning to the end of a desperate civil war, he was never betrayed into an act of cruelty. As soon as the war was fairly over, he devoted himself to business which had for object the improvement of his country: one cannot detect anything like selfishness in his use of power: his exertions for the good of others hastened, if they did not cause his death: and in dying he was truly great—composed, cheerful, indifferent about himself, but anxious for the public cause, and full of love (if the word may pass) for all who had shared his toils and dangers. So sudden and complete a revolution of character is not easily credited, but happened nevertheless. It tells in favour of the constitutional party, that they revere the memory of Pedro, which will be respected by the nation at large, if ever his ardent wish for a revolution in their character should be accomplished.

A blow has been struck at the influence of the priests, which must prove mortal if it be consistently followed up. Monasteries, without one exception, have been abolished, and all the property of those abominable corporations has been confiscated to the use of the state. But in this matter, let the Government beware of imitating the Spanish Cortes of 1820! In Spain, the seizure of the monastic lands raised up a host of enemies to the new order of things: nothing but the immediate sale of those lands in small portions at any price could have created a similar force on the other side. The Spanish

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Cortes, continuing to hold the property which they had taken from the clergy, invited an Army of the Faith to assemble, to seek foreign aid, and to overturn the Government. It was as if they had said to the great body of priests—'See, we have got your estates; come and take them back; we are keeping them for you.' Whereas, if they had sold or given the church lands to a great number of people, they would have interested so great a part of the nation in the new order of things, that the clergy could not have retained even a hope for the recovery of their property. The Cortes excused themselves for not getting rid of the confiscated lands, by saying that nobody would buy them for what they were worth. They could not see that every thing is worth precisely what it will sell for;—they forgot the nature of their own title, and that all they had to sell was a chance of holding. Besides, in such extraordinary cases, it is good policy to sell for less even than might be obtained; since, by this course, the buyers, fearing that any but the sellers may question their title on the score of insufficient consideration, become deeply interested in maintaining the title of the sellers, —that is, the revolutionary government. The main cause, there appears reason to think, of the successful resistance of revolutionary France to the attacks of Europe in coalition, was the alarm of a large majority of the French people lest a counter-revolution should deprive them of property which they had obtained for next to nothing. Here is a valuable lesson for the present rulers of Portugal. They hold in their hands the means of enlisting a majority of the nation on their side: hitherto they have erected nothing substantial in the room of all that they have pulled down. It behoves a revolutionary government to create, as well as to destroy; aye, to create, because they have destroyed. The surest road to the ruin of any government is by making enemies without making friends. At present, the constitutional party have no support, except in an opinion which the mode of their recent victory has established, and which is probably correct—viz., that they have only to ask for, in order to obtain, the aid of English men and money.*

The chief occupation of Miguel's government was to hunt, torture, and slay the constitutionalists. The latter have put none to death for political causes; nor have they, as a government, injured any, in any way, for the sake of vengeance. It

* Since this notice was written, a law has been passed for the sale of the confiscated estates. Why not sooner? Because the corrupt *administration* of those estates was highly profitable to an influential class of official people. The same influence which postponed the law may prevent its execution. In Portugal there is generally a wide difference between what the law commands, and what is actually done.

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is true, that some of the most savage persecutors under Miguel have been assassinated since the overthrow of their master; but the new government had no part in those acts of private revenge; on the contrary, they have done what they could to snatch Miguel's favourite instruments from the vengeance of enraged fathers, brothers, and sons. It is with the full connivance, the secret participation of the government, that every week sees the escape of some of those wretches to foreign countries. Avowed Miguelites, who have not been marked for private vengeance, remain in Portugal, and even intrigue against the Queen, without let or hindrance from the government. But do the government punish a father or son who kills the murderer of his son or father?—No; they cannot—they dare not. One must be well acquainted with the dreadful cruelties of which the Miguelite authorities were guilty, to give the present rulers due credit for generosity or gentleness. It was Don Pedro who first said—Let us forgive our enemies; and the proposal has been strictly carried into effect. The heads of the constitutional party do not indeed, like our Whigs, disgust their friends by consulting the pleasure of their enemies; but whatever they have done to hurt the absolute party has been done simply with a view to the present and the future: they appear to have forgotten the past. Here then is a revolutionary government, of which every member has been grievously persecuted, and which, notwithstanding, abstains from persecution. This is something rare in the doings of men. Have the manners of Europe grown milder since the last general war? At all events, the noble clemency of the present rulers of Portugal must be attributed to the political notions which they acquired during their exile amongst the French and English, and to their desire to stand well in the opinion of those nations.

That good may come out of evil has been curiously exemplified by one result of Miguel's persecutions. At first sight, almost, you can tell a Portuguese who has emigrated, from one who has not. The returned emigrants form a class apart from the nation, and very superior to the best of those who have never quitted Portugal: they may be recognised by their persons, which are acquainted with soap and water; by their clothes, which are of a foreign cut; by their step, which is quicker than that of the untravelled; by their ordinary talk, which treats of foreign wonders, and deals largely in comparison; by their eagerness to get on in the world, as we say here—that is, to increase the quantity and variety of their enjoyments; by their readiness to admit that every thing in

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Portugal is not, as most of the natives suppose it to be, absolutely perfect; by their admiration of things English—such as fire-places, clean streets, good roads, and representative government; nay, by their professions, at least, of a desire to see all kinds of improvement effected in their beggarly country.

They were driven from home, because they were the best men there: these best men in the country, the fittest for the purpose, were sent to see foreign parts, and bring back to Portugal new wants, habits, and ideas. The introduction of so much novelty has already excited this monotonous and stagnant people: to dress, move, talk, think, and aspire, like one who has seen France and England, is becoming an object of ambition with young people of all but the poorest class. These political emigrants forgot much, and learned more: the monks being out of the way, they make excellent teachers; they are, though often unconsciously, the best of reformers, the most efficient of innovators. Good comes out of evil; and in the long run, as Dr. Whately says, improving on Dr. Pangloss, all seems to be for the best.

Apropos of Dr. Whately, who has shown the extreme absurdity of sending criminals to the other side of the world, there is a Secondary Punishment in Portugal, yet more absurd; and absurd, as it happens, for reasons precisely opposite to those which condemn our system of transportation. In Lisbon, and some other towns visited by the present writer, the prisons are so placed and constructed, that the utmost facility is given to intercourse between the prisoners and the public. The prison being at the side of a great thoroughfare, or a market-place, has, even on the ground-floor, as many windows in the outer wall as a common house; and as these windows have no glass, as there is nothing but a grating of bars, wide apart, to hinder the prisoners from stepping out at them, those within, and those without the prison, can see each other and talk together, with as much ease as if they were all confined, or all at large: they do talk, and laugh, and sing together all day long, continually exchanging encouragement from without for corruption from within. We, for no end that can be discovered, except an increase of patronage at the Colonial Office, send our criminals so far from the place where their punishment is intended to make an impression, that it makes no impression at all;—the Portuguese, without any conceivable motive, keep their criminals where punishment may have the least good effect on the guilty, and the worst effect on the innocent.

The state of political economy in Portugal is much at variance with that which English writers on the subject have

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had principally in view. In their books, the division of the producers of wealth into mere capitalists and hired labourers, and of consumers into mere landowners, mere capitalists, and hired labourers, is taken for granted; and upon this assumption have been built many intricate and important deductions on the influence of different proportions between land and population, and between labourers and capital—showing how each proportion affects rent, profit, and wages. Now, except to a small extent, no such division has taken place in Portugal. Speaking generally, the owner of a large estate—whether an individual or a body corporate—provides much of the capital required for cultivation, while the rest is provided by others, who also work with their hands; and the owners of small estates (a very numerous class) work entirely on their own account. Thus the greater part of the people are neither mere landowners, mere capitalists, nor mere labourers; but each of them is either capitalist as well as landlord, or labourer as well as capitalist, or landowner, capitalist, and workman, all in one. Though, of course, the whole produce of agriculture is divided amongst those who own the land, those who find capital, and those who work, still no one (allowing for exceptions, where the landowner, the capitalist, and the labourer are different persons) receives his portion either as rent, or as profit, or as wages. But Portugal is not singular in this respect. In North America, in the greater part of Europe, in Spain, for example, Italy, Switzerland, a large portion of the Austrian dominions, Turkey, Poland, and Russia—not to mention France and Ireland—the cases in which land is owned, capital found, and work performed, by three distinct classes of persons—the cases in which it is seen what proportions of the produce go for rent, profit, and wages—these cases are exceptions from a general rule. In great, perhaps the greater part of France, close to us, one and the same person is landowner, capitalist, and workman; what he obtains as rent, what as profit, nobody can tell; but it is plain that he neither pays nor receives a farthing as wages. To this stage of political economy the very terms of the science, as it is understood in England, seem to be inapplicable.

Without attempting to discover what, in different countries, has hitherto prevented the separation of agriculturists into three distinct classes, living upon rent, profit, and wages, let us mark one circumstance which always accompanies the barbarous but common state of things in which such separation has not yet taken place: it is this, that a large proportion of the people are engaged in agriculture, leaving but a small proportion to engage in other pursuits. In England, the food

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required for all is raised by less than one-third of the people, so that more than two-thirds are left to engage in other occupations. In Ireland and France, two-thirds at least—some say three-quarters—are engaged in raising food. In Portugal, not less than four-fifths of the people are so engaged; and only one-fifth remains to engage in the production of objects not absolutely necessary. Here we find an all-sufficient reason for the poverty of the Portuguese as a nation. And by imagining what would be the effect in Portugal of rendering agricultural industry as productive as it is in England, so that, instead of only one-fifth, two-thirds of the people should be free to engage in the production of comforts and luxuries, we get sight at least of the proximate cause of the superior wealth of our own country: it is the superior productiveness of our agriculture.

What gives occasion to the greatest productiveness of the capital and labour which are employed in raising food, and leads directly to a corresponding degree of variety in production, of division of employments, of exchange both domestic and foreign, and, therefore, to the highest civilization; this is a question unsuited to such a notice as the present: but it is one which the Government of Portugal must understand before they can effect any great improvement in the state of that country. They talk of doing wonders, some day or other, by means of education—that is, teaching the people to read, write, and count. One might as well expect that a knowledge of some alphabet would induce the miserable savages of New Holland to live at ease by cultivating the earth. For improving a country like Portugal, the first step is to stimulate the wants, and therefore the industry of the people. Education, which should teach every Portuguese to want some score of things that he could not himself produce, and to long continually, not only for more of each object desired, but for a greater variety of objects—such teaching as this would soon lead to energetic and skilful labour—to division of employments—to trade, both domestic and foreign—to intercourse between different parts of the country, and with many foreign nations; in one word, to civilization. This is the sort of teaching required by the poor and contented Portuguese. If the Government, who are far in advance of the nation, cannot give such teaching as this, they may at least promote it. By giving security to property, by enabling every one to enjoy what he has obtained, they may teach others to desire what some have enjoyed. By rendering property secure, they may also encourage the introduction of foreign capital and skill, to be employed in works unknown to the Portuguese; and finally, by removing all legal obstacles to

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trade, as well internal as external, and improving, or rather creating, means of internal communication, they may promote the introduction, even into the most savage parts of the country, of new objects of desire. Something like police, decent courts of law, many good roads, and freedom of trade—these, and, for the present at least, not education such as we give to infants, seem to be the best means of improving the condition of Portugal. At present, that country has no police except in name—no courts of law which administer justice—no roads which are fit for a carriage; but is near upon a par with Egypt, as regards monopolies and other legal obstructions to trade. These are matters as to which the Government is not much, if at all, in advance of the nation. Let them teach themselves the elements of political economy, so as to understand the process by which the recent emigration of some Portuguese has rendered others aspiring and industrious—so as to know in what way the discoveries of the Portuguese in Africa and Asia, and the consequent discovery of America, have conduced to the wealth and civilization of some countries in Europe. This is, for the present, the only sort of education that can be of much use in beggarly and semi-barbarous Portugal. A. E. I.

Art. VI.

RETRENCHMENT—MILITARY ABUSES.

1. *Report from the Select Committee on the Army and Navy Appointments, with Minutes of Evidence and Appendix. Ordered by the House of Commons to be printed, 12th Aug.* 1833.
2. *Four Years of a Liberal Government.* London: Henry Hooper, 13, Pall Mall East. 1834.

THE pamphlet entitled 'Four Years of a Liberal Government' was published immediately after the dismissal of the Melbourne administration, in November last, and bears internal evidence of having been compiled under the auspices of the members of that government, as an exposé of the benefits they had conferred, and were willing further to grant to the country, by the reduction of the expenditure. In this pamphlet, after enumerating the various items of reduction which had been effected in the different departments, to the amount of above four millions sterling, it is remarked—'If a much less reduction has taken place in the army estimates, it should be remembered that the army was far less under the control of the government than the navy: an arrangement which ought not to exist, and which no liberal government ought to tolerate for an instant.'—(p. 13.)

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The delays which took place in the re-acceptance of office by Lord Melbourne were generally stated to have been chiefly caused by the difficulties made to the grant of this control. It is presumed that that control has been obtained, and that the ministry have now a complete power over every branch of the public expenditure, even to the appointment of the household.

Assuming, therefore, that reductions in our military establishments are intended, we shall proceed to point out those branches of it, the reduction of which would confer the greatest relief, not only in point of immediate expenditure, but also prospectively, by keeping within due bounds the number of officers on the retired list, or, as it is generally termed, 'the dead weight.' This list is the great burthen on the country resulting from a regular army: the number of persons on it is quite disproportionate to the size of our army; and this disproportion is greatest in the higher ranks—namely, of generals, colonels, and lieutenant-colonels.

Although the list has been diminished since the termination of the war, the number of general officers upon it is still 419; and of colonels and lieutenant-colonels, 752.*

After attaining the rank of lieutenant-colonel, further promotion is regulated according to seniority: hence, to arrive at this rank is the great desideratum; for, after so doing, whether the individual remains on half-pay, following his own pursuits and amusements, or accompanies his regiment to the West or East Indies, his progress up the list towards becoming a general-officer is equally the same.

It should be stated, that to this rule there are some exceptions, the nature of which will be afterwards mentioned: our object, in the first instance, is to exhibit the general system.

Of the 419 general-officers, about 40 are employed in military commands, chiefly in the colonies and Ireland—the rest are mere pensioners: 139, indeed, are colonels of regiments, but with these regiments they have no concern, excepting in the purchase and forwarding of their clothing, which is entirely managed through the agent by a contractor. The price paid to the latter, although only about half that which is charged to the public, being sufficient to induce him to take the whole responsibility of any portion being rejected—first, at the inspection of a Board in London, and afterwards on being received at the regiment.

This system of clothing the army—the subject of above 200 out of 350 pages, composing the Report and Evidence—may hereafter be discussed in detail; for the present, we shall only

* Report on Army and Navy Appointments, § 1608 and § 2553.

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remark, that half the salary of the colonel is derived from this source, as is explained in the following extract:—

'The amount of the allowances issued by the government for the clothing, accoutrements, and appointments of the infantry of the line, and which allowances are usually designated as *Off-reckonings*, is, for the year 1831, as follows:—

Serjeant	£7	9	2
Drummer	4	19	6
Private	2	6	0

'It appears that the cost of a suit of clothing for each of the above ranks for the year 1831, is as follows:—

	Serjeant.			Drummer.			Private.		
Coat	£1	3	0	£1	17	0	£0	12	6
Chevron	0	1	0	0	0	0	0	0	0
Trowsers	0	10	6	0	7	3	0	7	3
Boots	0	15	0	0	7	6	0	7	6
Fringe and Buttons	0	1	4	0	0	6	0	0	6
One year's Cap	0	5	9	0	3	9	0	3	9
	£2	16	7	2	16	0	1	11	6

'Such being the amount of the sums actually paid by the colonel to the clothier under those several heads, it follows that the difference between those payments and the sums issued by the government under those heads, remains to be duly accounted for by the colonel, and which sums will be found to be as follows:—

Profit on each Serjeant	£4	12	7	per annum.
„ Drummer	2	3	6	„
„ Private	0	14	6	„

And which, at the present establishment of each corps of 43 serjeants, 14 drummers, 36 corporals, 703 privates, will be found, on computation, to amount annually to the sum of 862*l*. 9*s*. 7*d*.

'It may be useful to observe, in this place, that in those instances in which compensation in money is to be paid to the men with the approbation of the Commander-in-Chief, instead of the annual clothing, the sums ordered by his Majesty's warrant to be paid by the colonel to the soldier will be found to exceed in amount, for the year 1831, the sums paid by the colonel to the clothier, and to be as follows:—

Serjeant	£3	0	0
Other ranks	1	13	0

The amount of this award of compensation to the soldier should seem to denote in a special manner the intention, on the part of his Majesty and the government, as to the actual value of the materials of which the soldiers' annual clothing ought to be composed, when unaccompanied with the contingent expenses of packing, &c. unavoidable upon its final delivery.'—*Report*, p. 285.

The expenses to be borne by the colonel, over and above the sums actually paid for the clothing, are next specified—namely, for freight, insurance, &c.—in all 255*l*. 6*s*. 8*d*.: leaving,

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therefore, clear to the colonel from these off-reckonings, the sum of 607*l.* 2*s.* 11*d.*, to which is to be added his pay as regimental colonel, 613*l.* 2*s.* 6*d.*, making the actual emolument he derives annually from his regiment 1220*l.* 5*s.* 5*d.*

It may be proper here to observe, that those general officers who are not colonels of regiments have only the pay of a regimental lieutenant-colonel, or 300*l.* per annum, with the exception of those promoted from the Guards, and some others, as will be afterwards noticed.

The above statement will show how handsome an appointment is the colonelcy of a regiment. There are 139 such appointments in the gift of the government, which are bestowed on general officers *selected* from the list formerly mentioned; and the income arising from many of them, indeed, greatly exceeds the sum mentioned. The emoluments, for instance, of the colonel of the 1st regiment of Foot Guards are above 4000*l.* per annum, viz.:—

	£	s.	d.
'Pay of Colonel	£667	12	11
Pay of *Warrant Men*	271	2	10 ¾
Clothing Allowance—Effectives	8,949	13	6 ⅜ ¾
Ditto . *Non-effectives*	1,182	8	6 ⅛ ¾
Ditto . Drummers and *Hautboys*	172	4	6
	11,243	2	4 ⅛ ¼
Assumed Cost of Clothing	7,109	11	0
	£4,133	11	4 ⅛ ¼'*

The other regiments of Guards, all the cavalry, and indeed the regiments of infantry in India, yield to the colonel a higher allowance than 1220*l.* a year. It is not necessary to enter into more of the details, but merely to state that the total amount under this head of expenditure is nearly 200,000*l.* per annum paid to general officers having the colonelcies of regiments.

To become eligible for these appointments—the great prizes in the army—greatly enhances the advantage of obtaining rank early in life.

Besides the above, 49 general officers† have governments of castles, forts, &c.—also sinecures, since even residence is not required.

So much for the 419 generals. As for the 752 colonels and lieutenant-colonels, only a very small number are really employed. This must be evident, as appointments are necessarily limited by the number of regiments. The proportion of the latter to the former is so small, that none are ever called upon

* Report, &c. p. vi.

† Ibid. p. 135.

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to serve unless they desire it; and few who have interest or fortune will accept of regiments stationed in distant or unhealthy colonies. The greater number on this list may therefore also be termed sinecurists. Many indeed have passed the greater portion of their lives abroad, giving service which is ill remunerated by the half-pay, and only attain that rank late in life; it is not to these we apply the term.

The number of regiments of the line, including the West India and Ceylon regiments, is 106; the number of regiments of cavalry 23. But the regiments in India have each two lieutenant-colonels. This gives no more than 150 lieutenant-colonels attached to regiments.

The Guards—(namely, seven battalions, or regiments)—have been omitted in this statement, for they now do duty only at the Court, and are always in London, except two battalions at Windsor, and one at Dublin;—they are well entitled, therefore, to be included in the list of sinecurists; and they have other privileges of so grievous and costly a nature, that we intend to make them the principal subject of the remainder of this article. Compare their stations to those of the line, of whom 75 regiments are at present in the colonies. Of these, 50 are within the tropics, or beyond the Cape, and only 25 in what may be termed good climates—namely, the Mediterranean and North America. Of the 28 at home, 19 are in Ireland, where they are chiefly quartered in the country towns and villages, employed in collecting tithes, and other kindred duties, so disagreeable, that the officers generally prefer being sent even to the West Indies to remaining there.

The Guards are exempt from all exposures and privations. Many of the officers have permanent establishments in London; and they know to a day when and where they will be moved, whilst regiments of the line are liable to constant change of quarters, and are left in complete uncertainty both as to time and place.

Besides these preferences in stations, the Guards possess privileges, as to rank, unjust to the rest of the army and to the public. Ensigns in the Guards have the rank of lieutenant; lieutenants that of captain; and *captains* that of *lieutenant-colonel* in the army. Thus in obtaining promotion, a lieutenant of Guards passes over all the majors in the army, and is placed on the list from whence future promotion takes place by seniority. If he remains in the Guards, he has the further privilege, that on being promoted from *captain* to *major,* he obtains the rank of *colonel:* thus passing over all the lieutenant-colonels in the army senior to him, on his route towards be-

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coming a general officer. From this privilege of rank, namely, of captains in the Guards being lieutenant-colonels in the army, each battalion of Guards (including its field-officers) supplies *ten* towards the list of generals; whilst a battalion of infantry, although two companies more in strength, only gives *one*, or if in India, *two*.

The seven battalions of Foot Guards give, therefore, to that list *seventy*, whilst the 106 battalions of the line give ONE HUNDRED AND TWENTY-SIX. (In this comparison we have confined ourselves to the infantry, the cavalry will be afterwards considered.) From this statement, it appears then that the Guards give more than half the general officers, and this is evidently the proportion that would take place, if we suppose the officers to enter both services as a profession in which to pass their lives, and the chances of life in each to be equal.

This latter supposition is, no doubt, too favourable for the Guards, since they are exempt from all the dangers and vicissitudes of climate to which three-fourths of the line are constantly exposed, from the Burmese marshes and heats of the tropics, to the winters of Canada. Indeed, it appears, from an account of the casualties in both services, made from the Gazettes of 1828 to 1835, that in these nine years, of 206 officers attached to the regiments of Guards, *eleven* only died; while out of 3752 officers of the line, the number of deaths was 658. The per centage of casualties in the line, as compared with the Guards, is, therefore, as four to one—taking the whole of the former services; but, if we take the regiments in India only, it is as eight to one.*

The interchanges which take place between the officers of the line and those of the Guards may make the number of general officers who have actually come from each difficult to trace, since many have thus served in both; and also if a captain in the Guards exchanges with a lieutenant-colonel on the half-pay of a regiment of the line,† he appears in the army list on the half-pay of that regiment, although perhaps he

* United Service Journal, No. LXXIX.

† An arrangement to the following effect sometimes takes place when a lieutenant in the Guards, having wealth and interest, is anxious to obtain the rank of lieutenant-colonel in the army. He induces a captain in his regiment to retire in his favour. The captain, however, as he may not wish entirely to quit the army, exchanges with a lieutenant-colonel on the half-pay of the line, who has no objection to realize his money. In this case he does not join the Guards, but is immediately gazetted as having sold his company to the said lieutenant. In this way, the proportion of the colonels and general officers made through the medium of the Guards must be greater than we have stated. In as far as the public are concerned, the chief effect of this jobbing transaction is the transfer of the annuity from an old worn-out life to a young life.

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never even saw it. The proportion above stated is, however, sufficient to show what the country is most concerned in;—namely, the portion of the dead weight produced by each.

In these interchanges, although the officers from the line return to do duty in a lower rank, namely, a lieutenant-colonel as captain, and a captain as a lieutenant, they have to pay a large difference to the officers of Guards to induce them to exchange, besides which, great interest is required to obtain permission;—the patronage to all appointments in the regiments of Guards being in the gift of the colonel.

Another advantage conferred on these troops, so highly privileged as to rank, stations, and allowance, is, that when they mount guard at the Palace, the officers have a superb dinner provided, not only for themselves, but to enable them to invite a certain number of friends. A sum of 10,000*l.* used to be allowed yearly for this table. It was afterwards reduced to 6000*l.*, and lately to 4000*l.*

The Guards have also particular facilities with regard to leave of absence from their regiments, which is granted to them without requiring that the application should pass through the Adjutant-general's department. Another of their privileges being to report to the Gold Stick, and thus to be, in a great measure, independent of the Commander-in-chief. Two-thirds of the officers are generally on leave; indeed all the detail of regimental duty is performed by the sergeants under the adjutant and commanding officer. The officers, in respect to these duties, are mere cyphers, and are only required to fall into the ranks when the parade is formed.

From what has been said, it will be evident what an excellent resource the household troops afford to a large number of the rich and powerful, who are thus enabled to obtain the rank, the honour, and rewards of the military profession without depriving themselves of any of the enjoyments of civil life, either in the town or country. Their attendance at court also frequently gives another road to favour, and promotion to civil appointments. The system of the Guards may, in fact, be termed a specious device to grant honours and pensions; the services required being only an agreeable pastime, which gives the entrée into the first circles in society.

In the French army, commissions in the Guards were reserved for the reward of bravery and merit, but France was then ruled by a soldier, and the permanency of his government depended on the army, of whose deeds he was generally an eye-witness.

The general officers who have come from the Guards are equally eligible with those from the line for the coloneleies of

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regiments of the line; and where interest has always been a principal means of obtaining these prizes, they, as may be supposed, have come in for a large share of these appointments.

The latter remark may be also made respecting appointments on the staff, and whatever are considered advantageous or agreeable situations or employments connected with the military profession.

Until provided with regiments, the officers removed by promotion from the Guards have special allowances. Several different warrants have been issued on this subject since the year 1814.

'The king, by warrant of the 8th of August, 1814, made special provision for the general officers of the army; he fixed the rate for the generals at 1*l.* 18*s.*, for the lieutenant-generals at 1*l.* 12*s.* 6*d.*, and the major-generals at 1*l.* 5*s.* a-day; at the same time special allowances were made for the general officers who were removed from their commissions in the Foot Guards: these were, lieutenant-colonel, 800*l.* a-year; first major of the First regiment 900*l.*; first major of the Coldstream and Third, 800*l.* each; second major, 700*l.*; the senior captain of each battalion 550*l.*, and the remaining captains 500*l.*

'In consequence of those increased rates, several general officers who had done no service to the public during the previous ten or almost twenty years, received a very large addition to their existing allowances? —They did; and it was a curious fact that at the same time that this increase was given to the general officers, an increase was made to the rates of half-pay of the army. As the condition upon which the increase of half pay should be given, it was stipulated that the officers claiming it must have been reduced at the termination of the war in 1814, or have been placed on half-pay in the course of that war, which was considered to have begun in 1793, in consequence of wounds and infirmities acquired in service. If the officer did not come within those conditions he could not receive the increased rate of half-pay. No such condition accompanied the grant of the unattached pay to general officers; the mere fact of the officer being a general seems to have secured to him the rate of unattached pay assigned to his rank.' *

This grant was so extravagant, that it was soon cancelled, and others less favourable substituted, respecting which we shall not at present enter into any detail. The following extract will show the number so removed from the Guards:—

'How many general officers promoted from the Guards, and not provided for by regiments, now receive those special allowances?—Twenty-three, viz. one major-general, with 900*l.*; two generals and three major-generals, at 800*l.* each; one lieutenant-general and four major-generals, at 700*l.* each; two major-generals, at 600*l.* each; one lieutenant-general and one major-general, at 550*l.* each; six lieutenant-generals and two major-generals, at 500*l.* each.

* Report, §§ 2482, 2483.

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'Then the expense of officers retiring from the Guards, for the future, will be limited to those rates of pay that were laid down by the warrant of 1830?—They will; and that warrant of 1830 was acted upon in the last brevet of the 22nd of July, 1830.

'Before those warrants were issued, the officers of the Guards promoted to the rank of general officers continued to do their duty until they were appointed to a regiment, and no charge, previous to the warrant of 1814, was placed upon the public on this account?—None; they did discharge their regimental duties.'*

It thus appears, that, so late as the year 1814, major-generals continued to perform the regimental duties of a captain—this is indeed an anomaly, which must surprise foreigners. We have explained by whom the regimental duties are really performed. It exhibits, however, the lavish manner in which rank was given by indiscriminate brevet, and its effects. In the French army, colonels of regiments are made generals by selection when they are required for command, and those only can thus be selected whose abilities and services render them fit for a situation of such great trust and responsibility.

It may be observed, that in fixing the extent of the brevets great interest was sometimes made for their coming sufficiently low to include some favoured individual; all above him becoming thereby partakers in his promotion. In other cases the reverse was the case, if such persons by promotion would be removed from a good command. Of this we had an instance in the last brevet, in which the promotion to major-generals stopped at the two colonels commanding the Life Guards.

It has been mentioned, that a lieutenant-colonel of a regiment of infantry, if removed from the command of his regiment by the brevet, which makes him a major-general, received 300*l*. a-year, or 17*s*. per diem. A captain of the Guards, if similarly removed from the command of his company, receives 400*l*. a-year; if a regimental major, 550*l*.; and if a regimental lieutenant-colonel, 600*l*. This is fixed by a warrant of so late a date as 1830, which is still in force. The evidence on this subject is curious:

'You have stated that special rates of unattached pay were granted to officers promoted from regiments of the Guards; state to the Committee the grounds upon which that special unattached pay was granted, and any variation which has taken place in the rate of that pay from 1814 to the time of the last alteration?—The rate of unattached pay given to general officers of the army was an increase upon their regimental pay in every case; in common fairness, therefore, when rates were proposed for the Guards' officers, it seemed but right that they should have some increase upon their regimental pay. A lieutenant-colonelcy of the Guards may be reckoned as worth about 850*l*. a-year,

* Report, §§ 2506, 7, 8.

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or very nearly so; the first major of the 1st regiment of the Guards very nearly 900*l.*; the other majors very nearly 700*l.*; the captain of the Guards has above 470*l.* or 480*l.* a-year. The warrant of 1814 granted them therefore 800*l.*, 900*l.*, 700*l.*, and 500*l.* respectively. The additional 50*l.* to the senior captains was given because they were deprived of the expectation of succeeding to the field-officers' commission. At the time that these rates were given, it was expressly stated that, on any future brevet, the general officers of the Guards were only to receive the ordinary unattached pay of their rank, that is to say, that the general officer made from the Guards should, on being made a major-general, get only 1*l.* 5*s.* a-day. In 1818, the unattached pay was taken away from the army entirely, except to the limited establishment of 120. In 1819 a brevet came out, and some general officers were made in the Guards; they continued to discharge their regimental duty. In 1821 another brevet came out, and the number of general officers in the Guards that was made became so embarrassing, that it was necessary to provide in some way for them. A very strange arrangement was adopted on this occasion; the same allowances were given to those officers that had been given in 1814; but the brigade of Guards, the serving officers, who obtained promotion by the removal of the general officers, were made to contribute a portion of the expense. From July, 1821, they did so; the Guards' officers were removed on the rates granted in 1814. In 1825 another brevet took place, on the 27th of May, and it became necessary to remove some more general officers from the Guards, and those, with a few exceptions, got nearly the same rates as those granted in 1814.

'Did the regimental officers contribute part of that expense in 1825, the same as in 1821?—In 1825 the regimental officers did not.

'In what proportion did they contribute in 1821?—2,200*l.* The total charge was 6700*l.* a-year, the public paid 4500*l.*'—pp. 212, 213.

'You mentioned that on one occasion the pay of the general officers of the Guards was made up by a contribution from the officers of the brigade; how long did that go on?—For seven years; from July, 1821, to July, 1828.

'Was that money ever repaid to the officers of the brigade?—Yes.

'Under what circumstances?—They threatened, and I believe they had even commenced the action at law; they contended that the deduction from their pay which had been made by the agents had not been borne out by any authority from his majesty; an action at law was however commenced, and the Treasury directed the Secretary at War for the time not to defend the action. In July, 1828, the sum claimed by the officers of brigade was paid to them.

'Then, in fact, the pecuniary advantage which the public was to have derived from that arrangement was entirely set aside by the subsequent repayment of the 13,000*l.* to the officers of regiments?—It was.

'And beyond that the general officers have continued to receive from that time the additional sum which was to have been paid by the officers of the regiments?—Exactly so.

'Do you know how that money was voted in the House of Com-

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mons; did the arrears appear as a specific amount?—No, they did not.'—pp. 214, 215.

The threatened action at law, had it gone on, would have exposed the whole system; but it was probably a mere arrangement between the parties, to furnish an excuse for transferring the burthen on the public.

To return, however, to our subject.—By the warrant of 1830, which is still in force, officers whose duties enable them to pass their lives in all the amusements of the metropolis and the court, and who, even in war time are never called upon, excepting to be employed in favoured services, have a higher retired allowance awarded to them than those who pass the greater portion of their lives in unhealthy colonies, and in war are called upon for every service—the one, too, after having held the important and responsible command of a battalion, the other only the nominal command of a company.

The only principle on which the country can be fairly called upon to give these pensions to general officers, evidently is as a remuneration for services performed.

The scale to the Guards is stated to be fixed on the value of the commissions; that is, the sum they may have paid for them, or for what they could sell them.

'Those curtailed allowances in 1830 were diminished on a principle proportioned to the price of their commissions, as compared with the Line?—They were.

'Do you conceive now that 400*l.* a-year paid to the captain of the Guards retiring is equivalent to the 300*l.* a-year paid to the general officers of the Line?—I should conceive that the captain of the Guards would lose by promotion to be a general officer.

'In fact, you conceive that by the rates of 1830 directing the curtailed pay of the Guards, they are rather greater losers than the general officers of the Line?—They are certainly, in proportion.'—p. 214.

Thus the establishment of one abuse leads to the defence of another, for it is evident the public can have no concern with the prices paid for commissions. An individual, in order to obtain a certain station in society, and rank in the army—in the case of the Guards, with the advantages of being connected with the court—may pay what he pleases; the public are only interested in his being fit for the duties of his profession, and when he retires from them, the only question which should be asked is, what service he has performed.

The purchase of commissions is peculiar to the British army—plausible reasons will always be found in its defence. The simple truth is, that it enables a few persons who have money and interest to obtain a rapid promotion over the heads of those who are less fortunate. The purchase of unattached commissions, or, in other words, the transferring the half-pay annuity of

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some worn-out veteran to a young life was another device to facilitate the more rapid promotion of these gentlemen; and from this system many who were boys at school when the war closed in 1815, have become majors, and a few even lieutenant-colonels in command of regiments, to the exclusion of officers who served the greater part of the war. Many officers, indeed, who served both in the Peninsular war and at Waterloo are still serving as captains—a few still as subalterns; and many more were reduced after the peace, who, although desirous, were unable to get recalled to activity, the vacancies which occurred being always filled up by boys. In this way, the half-pay of all ranks has been kept so large, and is so great a burthen on the country.*

The system of purchase is generally defended on account of the advantage it gives, by enabling some individuals to arrive at a rank which entitles them to command whilst they are still at a period of life when they possess all their energies of body and mind. A few who are thus favoured by fortune no doubt possess also the abilities and acquirements fitting them for command. It is only a small proportion, however, of those who so rapidly attain the rank of lieutenant-colonel that do so with the view of continuing to serve with a regiment; many are satisfied with having attained the rank which secures their further promotion, and the half-pay gives them a fair return for the purchase-money. Indeed, only a few of those who have attained the rank of lieutenant-colonel, by the purchase of unattached commissions, could, even if desirous, obtain the command of a regiment. It is evident, therefore, that the chief effect of this arrangement, of giving unattached commissions, as far as concerns the public, has been to prevent the half-pay list from being diminished, and thereby to continue that burthen on the country. Formerly, half-pay could only be created by the reduction of corps, and no officer could sell his commission without previously returning to full-pay. Of late years, indeed, since this subject has been brought before Parliament by Mr. Hume, the practice of granting to old officers the power to sell their commissions has been greatly reduced; and when the permission is granted, a comparison of the relative value of the lives is instituted, and the young life

* By a return of the services of lieutenant-colonels commanding regiments of cavalry, printed by order of the House of Commons, Feb. 26, 1833, it appears that one noble lord, who entered the army in 1824, obtained a lieutenant-colonelcy unattached in 1830, and in 1832 the command of a regiment, the period of his service on full pay having only been 6$\frac{4}{12}$ years. Several captains in the line, still serving with their regiments, have been twenty-two years captains, and ten years in the service previous to attaining that rank. The above return includes the cavalry only: had it been extended to the infantry several similar cases of rapid advancement would have been shown.

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called upon to pay accordingly, which is credited to the public. This seems to be, however, a Stock Exchange proceeding, which should not be tolerated in a public department. The half-pay should be a pension for life to the individual for his services, or at once cancelled by the public paying the purchase-money, and getting rid of the annuity.

As the system of purchase is defended, because it enables some young men to arrive at the command of regiments at an early period of life, it may be well to make some remarks on this subject, namely, why the regular promotion is so much slower in the British army than in those of the continental powers. The number of officers in a British regiment of infantry gives 1 to 16½ non-commissioned officers and privates. In our cavalry, it is 1 to 9½. In a regiment of French infantry it is 1 to 32. In a battalion of French infantry, which is equivalent to an English regiment, there is a 'chef de bataillon' to 25 regimental officers, namely, major, captains, and subalterns. In a British regiment the number is 1 lieutenant-colonel to 32 such officers. Hence the number of years required to pass through the lower ranks in our service, so as to rise by seniority to the command of a regiment, will be greater in proportion to the excess of the inferior officers in one service over the other. The great mass of the officers in both services must rise chiefly by seniority; but the system of purchase in our service is one cause why regular promotion is rendered more tedious than the above proportion, as compared to the French, shows it to be.

To return to the Foot-Guards—Seeing the great advantages and privileges, which, as we have shown, the Foot-Guards possess, as compared to the infantry of the Line, it may be supposed that they also possess some exclusive merit or superiority, or that they have performed great and important services to the country, to entitle them to such preferences.

The very high state of discipline, and the great bravery of the Guards, when they have been in action, are arguments generally brought forward in their favour. It is also asserted, that they are the only force fit for the metropolitan duties; that for these duties such a force is indispensable, independent of their being required for the Court duties, or, as it is sometimes expressed, to maintain the dignity of the Crown.

The high state of discipline of the Guards is undoubted; but we have seen the advantage which they have as to stations, and at all of these they have barracks. Their battalions are always entire, while the regiments of the line are scattered over the country in detachments; for instance, look to the state of a regiment in Ireland, as described in the evidence of Lieutenant-General Sir R. H. Vivian:

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'Is not the army in Ireland kept in such a state of dispersion that the fatigue and the attention required on the part of general officers are as great as on the war-establishment?—During the disturbances, in consequence of tithes, in the last winter, I should say that the army in Ireland required even a greater degree of attention, and were placed in a situation more difficult almost to command them, than ever I knew an army in the field.

'How many regiments at the present time have you in Ireland, subdivided in the manner you have stated?—Eight of cavalry, and seventeen of infantry.

'Do you not know instances in which a regiment is broken up into 10, 12, and sometimes a larger number of detachments?—There have been many instances in which regiments are broken up into 12 detachments or more; I know that three regiments, in the course of the last year, were subdivided much more than that.

'Does it require very considerable attention to the discipline of those corps, and also a larger staff than usual, when the circumstances of the country oblige the commander-in-chief so to disperse the troops?—Undoubtedly.'—*Report*, p. 237.

In the execution of the duties of distraining for tithe, in which the object is commonly to prevent the cattle from being driven away by their owners (and until lately they used also to be employed in still-hunting), the men are generally marched during the night, in order to effect their object by surprise at day-light. These are evidently, therefore, services particularly injurious to the maintenance of strict discipline. In the West Indies, also, the troops there have been lately somewhat similarly employed against contumacious slaves.

On nearly all foreign stations, the regiments are much broken into detachments, and spirits are always cheap. On returning from the tropics, a regiment is invariably broken up from disease, and those from North America from desertion.

After all this, their tour of home duty is only for five years, and of that period three in Ireland. The evidence on this subject given by Sir Willoughby Gordon, the quarter-master-general, is remarkable.

'When will it (the 67th regiment), in the regular tour of duty, be likely to return to this country from the West Indies?—Certainly not, taking the number of regiments now in the West Indies, which is the best guide, under eight, nine, or ten years.

'Did it go to the West Indies in its regular tour?—It went to the West Indies in its regular tour of duty, under the circumstances I have before explained, of the Government having ordered that the regiment should be taken from Gibraltar, but not otherwise.

'When that regiment returns to England, it will have been 38 years abroad, and five years at home?—Yes, and of those 38 years, 33 will have been passed under a tropical sun.

'Is that the common average of regiments serving abroad?—Yes,

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taking the East Indies as a part of the service; but the average period of staying at home is about five years.

'What is the average period abroad?—Ten; except in the East Indies, as before stated, and they are there twenty. The cause is this: you have 100 battalions, of which 76 are always abroad; there is nothing like it in the history of any army that I have ever heard of.'—*Report*, p. 175.—No. 2131-2-3-4-5.

Compare this with the service allotted to the Guards; and consider, further, that the prospect which they can offer to the recruit enables them to enlist a superior class of men, and this again enables them to form a higher class of non-commissioned officers. To their serjeants they are also enabled to hold out the prospect of further reward; for many are promoted to be adjutants and quarter-masters in the line, wardens in the Tower, and to other situations connected with the Court—rewards which are very rarely conferred on serjeants of the line.

We do not object to such rewards being conferred on the deserving soldier; quite the contrary; but mention them merely to show the preference, in this respect, which is given to the Guards. We would desire, indeed, that more rewards were held out to the private soldier, to induce him to conduct himself well—particularly as the practice of enlistment for life renders his prospects so hopeless as often to lead to the display of those vices to which our army is, unfortunately, so much addicted, and for which it is so justly reproached by foreigners. The author of the History of the Peninsular War has well expressed his different prospect as compared to the French soldier: 'Napoleon's troops fought in bright fields, where every helmet caught some beams of glory: but the British soldier conquered under the cold shade of aristocracy; no honours awaited his daring, no despatch gave his name to the applauses of his countrymen; his life of danger and hardship was uncheered by hope, his death unnoticed.'

With all the advantages which have been stated, it would not be surprising if the discipline of the Guards were superior to the line; but we deny that it is so in anything essential to the ends for which troops are wanted.

With respect to the bravery of the Guards. In the Peninsular war, Talavera was the first action in which they were engaged. On that occasion they no doubt behaved with the greatest bravery; but the great loss they sustained was caused by their following the enemy too far; and from that period (with the exception of the siege of Burgos, which, when undertaken, was supposed to be an easy task) until the termination of the war, they were always kept in reserve, and hence comparatively seldom brought into action—never into the brunt of it.

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This, it may be said, was not their fault, and that whenever called upon they behaved well. They are rather, perhaps, chargeable with over-bravery, or unnecessary exposure, in consequence of their comparative want of practice, and of that knowledge of warfare which enables an officer to carry into execution what he was ordered to perform at the least cost. As compared to the line, the Guards had not therefore half the opportunities of showing their bravery, and they will be found also not to have suffered half the number of casualties. The reason why the commander-in-chief of the army should thus spare them was supposed to be the fear of the outcry that would be made at Court against the war were a few more Gazettes to be sent home, such as that of Talavera, of losses in noble or influential families.

In the field, therefore, they shared the honours without taking a fair share of the dangers. Their position also being generally with the head-quarters, they were better off than the rest of the army as to quarters and commissariat supplies. In respect, then, to claims upon the country, for important, arduous, and brilliant services rendered in the field, fifty regiments of the line could be brought forward as having pretensions superior to the Guards. Had the former, indeed, not done more than the latter, the French might still be in possession of the whole Peninsula.

So much for the two first arguments. With regard to the next, namely, the necessity of maintaining so many battalions for the duties of the metropolis, it is entirely worthless. With the exception of that trifling business at Cato Street, the Guards have not for years been called upon to do more, in the support of the civil power, than to stand to their arms and give their countenance to the magistrate. For that purpose the line are evidently equally qualified, and the probability of troops being ever called upon to do more is almost entirely removed by the establishment of the police.

The pay of the privates of the Guards is a trifle above that of the line; their clothing is also superior, 3*l.* 17*s.* being allowed for the one, and 2*l.* 6*s.* for the other. With regard to the officers, their regimental pay, as it appears on the estimates, is little different from that of the line, and much mystery has always been maintained as to the sources from which the extra allowances are drawn, and also as to their amount. The following extract gives some explanation; but the income which it gives to a captain of a company is greatly under what it is commonly supposed to be.

'From what source do those emoluments to the Guards arise?—From a *stock-purse* fund made up in the following manner: first, from the

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pay of an admitted number of *non-effective* men, maintained to cover the expense of recruiting; Mr. Burke's Act of 1783 not extending to the Guards: secondly, from an allowance in lieu of out-liers; these were men who were permitted to be absent, and work at their trades, and whose pay formed a fund from which the captain of the company defrayed certain regimental expenses, the balance being his admitted profit. In 1793, by brigade order, those out-liers were abolished, and an allowance of 16*l.* for every ten men borne on the establishment of the company was given in lieu of them, which still continued. The money derived from men who purchased discharges forms the third item in the account, and the whole of these allowances were and are carried to what is called the stock-purse fund. From this fund the Guards defray their hospital expenses, and some other small charges which it may be unnecessary to detail, and the recruiting entirely, with all the expenses attending that service. The surplus of the fund is divided among the field-officers and captains of the Guards. The exact division of the stock-purse has never formed a matter of public inquiry, and we therefore cannot be expected accurately to apportion it; but, however, we know, that before that division takes place, the field-officers and captains are authorised to draw fixed sums from it; the field-officer 75*l.* a year, which assimilates to the non-effective allowance of 20*l.* in the line, and also a personal allowance in compensation for the profit from out-liers. Each captain also draws a personal allowance on the same principle, and the surplus is divided amongst the field-officers and captains, according to a scale which has not been detailed to the War Office.

'Do those who were promoted to be captains after the practice was abolished in 1793, continue to derive a share of what was allowed for out-liers?—Yes; no change has been made in the regiment, it is subject to the same expenses as it was in 1793.

'In granting that allowance of 16*l.*, was it not directed that it should be to those only who then received the allowances?—No, it was not; besides the profit from the stock-purse, the first majors of each regiment receive a commuted allowance for apartments formerly occupied at the Horse Guards. The sum is 100*l.* a year divided among the majors; and they have also an allowance in lieu of coals and candles formerly supplied to the Guard at St. James's, and the apartments at the Horse Guards. The two allowances make together 266*l.* 18*s.* 4*d.* divided among the three first majors of the brigade, but in unequal portions. Those are personal allowances to the first majors.'—*Report*, p. 213.

In another part of the evidence these *non-effective men* are stated to be *fictitious* men, as also the *hautbois* and *warrant men*, which appear in a former extract of allowance to the colonel of the regiment.

'The non-effective men?—There are no non-effective men, except in the Foot Guards.

'The sum of 20*l.*, and the allowance for warrant-men and hautbois? —Yes; the hautbois only exist in the cavalry and Foot Guards.'*

* Report, § 319.

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The two aristocratic branches of the army are, it thus appears, still allowed to charge the public with *pay for men who never existed.* The amount may be trifling, but the principle is bad. In the line, all such modes of allowing officers to add to their pay, and thus affording an opening which it is said led to peculation, have been long since abolished.

It must be evident from all that has been said, that a battalion of Guards entails on the public, in every point, a much greater expense than a battalion of the line; but without taking the relative expense of each into consideration, the unjust and offensive nature of the privileges ought to be sufficient to condemn them. The Guards have no more claim to have their prescriptive or vested rights continued, than had Old Sarum and Gatton: the reform which annulled the one should compel the government to abolish the other.

The French Guards had nearly the same privileges as to rank; but in France this was less felt by the country, as the proportion of officers to men is not half what it is with us;—it was also less injurious and offensive to the army, from their having no colonies to garrison, that in the French service being done by colonial troops—excepting of late at Algiers, which is near home, and has a good climate. The French Guards were, however, entirely suppressed on the expulsion of Charles X. The Austrian—the most aristocratic court in Europe—never had guards: the line there take the duty of the palace.

We shall now make some observations on certain modes of reduction which have been spoken of. We have stated that the British army is much over-officered, as compared with the continental armies: or indeed for any purpose of benefit, excepting that in which, no doubt, the practice originated—viz., to increase patronage. Notwithstanding this, one mode talked of to effect a reduction is to reduce still further the number of rank and file, leaving the whole of the officers.

The full establishment of each battalion is—

For the 6 Service Companies . . .	516 R. and F.
4 Depot „	224 „
	740

Present reduced establishment—

For the 6 Service Companies . . .	479 R. and F.
4 Depot „	180 „
	659

Each company a Captain, Lieutenant, and Ensign . .	30 Officers.
And a Staff, including Surgeons, Quartermaster, &c. .	10 „
	40

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To effect a further reduction on the above principle would be to imitate the retrenchment effected after the peace, by reducing the clerks in the public offices, leaving the almost sinecure heads untouched.

Another rumour has been, that the depots of the regiments in the colonies are to be done away with: a system which has all the advantages of second battalions, and has worked admirably; and which, in the event of war—(a chance, however, scarcely to be dreamt of, with a liberal government in France and England)—would at once give the means of doubling the effective force by the skeletons it affords to work with.

Reductions, however, must be made, and could be effected at present without detriment, to the amount of 4000 or 5000 men; and when the promised policy is introduced into Ireland, we shall no longer require 25,000 men there, to keep the clergy in their benefices.

Let the reduction then begin with the proper quarter—the Foot Guards.

Such a proposal will no doubt be stigmatized as sweeping and revolutionary. Would we, it will be asked, deprive his Majesty of the Guards—the household troops—the necessary appendages of royalty? It will perhaps be stated, that such troops are necessary, to induce men of high birth to enter the service, and thereby do it honour: the principle on which a *naval* Lord of the Admiralty defended in parliament the rapid promotion of some young shoots of nobility to the command of ships in the navy, over the heads and to the disgust of veteran lieutenants, old enough to be their fathers.

Such reasons as the above are mere trash, brought forward by interested flatterers of the court. Such persons dare not come forward and state that our regiments of the line are not fit to mount guard at the Palace—officered as they are by high-minded gentlemen—men, too, who generally look to the army as a profession, which not one in twenty do of those who enter the Guards.

The line too are not only equal in appearance and in all essentials as a military body to our Guards, but to the troops of any power in Europe. The events of the late war, indeed, showed they were always equal, and often superior, to the French, both Guards and line, who had previously beaten all the other troops of Europe.

If we cannot, however, at once get quit of the evil, let it be lessened, let the regiments of Guards be reduced each to one battalion, (regiments of the line, with the exception of the Rifles and the Royals, have no more,) and further take away all

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future privileges of rank,—let a captain be a captain, and a lieutenant a lieutenant. Three battalions, exempt from the tour of colonial service, and from any service out of the metropolis, would still be a considerable resource for those who prefer such a life, which, as compared to that of the line, even since the close of the war, may be fairly termed playing at soldiering. So large a force also left for mere court attendance ought to satisfy the most ultra-royalist. Many, however, it will not satisfy, and if such would dare to insinuate that the fidelity and loyalty of the line is not to be depended upon, will they also make the court believe that if, on some occasion, the line should side with popular feeling, the seven battalions of Guards would have the power of crushing it, or afford any effective means to resist such a combination?

We shall refrain from making a comparison, as enough has already been said to enable any reflecting person to do so; but the very supposition goes upon the presumption that the officers of the Guards have instilled into their men either their own opinions and attachment to them, or a devoted obedience. The former, from the want of community between the officers and men, is not likely; and during Queen Caroline's trial, the latter was found doubtful, or public rumour was false. At any rate a battalion was hastily marched out of London to Plymouth, and remained several years banished from the metropolis. This is one example; but without it, common sense and reflection must make it evident that the Guards, as at present constituted, would be more dangerous to the Government in such a contingency than the line. The Tories, however, in the court, the church, and the army, will only look to the good things they have enjoyed, which they persuade themselves are their established rights, and fancy that, by opposing all change, they may still bequeath them to their heirs for ever. A. V.

(Art. VII.)

TENNYSON'S POEMS.

1. *Poems, chiefly Lyrical, by Alfred Tennyson. Effingham Wilson.* 1830.
2. *Poems. By Alfred Tennyson. Moxon.* 1833.

TOWARDS the close of the year 1830 appeared a small volume of poems, the work of a young and unknown author, and which, with considerable faults (some of them of a bad kind), gave evidence of powers such as had not for many years been displayed by any new aspirant to the character of a

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poet. This first publication was followed in due time by a second, in which the faults of its predecessor were still visible, but were evidently on the point of disappearing; while the positive excellence was not only greater and more uniformly sustained, but of a higher order. The imagination of the poet, and his reason, had alike advanced: the one had become more teeming and vigorous, while its resources had been brought more habitually and completely under the command of the other.

The notice which these poems have hitherto received from the more widely-circulated and influential organs of criticism consists, so far as we are aware, of two articles—a review of the first publication, in Blackwood's Magazine, and of the second, in the Quarterly Review. The article in Blackwood, along with the usual flippancy and levity of that journal, evinced one of its better characteristics—a genuine appreciation and willing recognition of genius. It was not to be expected that a writer in 'Blackwood' could accomplish a criticism on a volume of poetry, without cutting capers and exhibiting himself in postures, as Drawcansir says, 'because he dare.' The article on Mr. Tennyson is throughout in a strain of mocking exaggeration. Some reviewers write to extol their author, others to laugh at him; this writer was desirous to do both—first to make the book appear beyond all measure contemptible, next in the highest degree admirable—putting the whole force of his mind alternately into these two purposes. If we can forgive this audacious sporting with his reader and his subjects, the critique is otherwise not without merit. The praise and blame, though shovelled out rather than measured, are thrown into the right places; the real merits and defects of the poems are pointed out with discrimination, and a fair enough impression left of the proportion between the two; and it is evident that if the same writer were to review Mr. Tennyson's second publication, his praise, instead of being about equally balanced by his censure, would be but slightly qualified by it.

Of Mr. Tennyson's two volumes, the second was the only one which fell into the hands of the Quarterly Reviewer; and his treatment of it, compared with the notice taken by Blackwood of its more juvenile predecessor, forms a contrast, characteristic of the two journals. Whatever may be in other respects our opinion of Blackwood's Magazine, it is impossible to deny to its principal writers (or writer) a certain susceptibility of sense, a geniality of temperament. Their mode of writing about works of genius is that of a person who derives much enjoyment from them, and is grateful for it. Genuine powers of mind, with whatever opinions connected, seldom fail to meet with

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response and recognition from these writers. The Quarterly Review, on the other hand, both under its original and under its present management, has been no less characterised by qualities directly the reverse of these. Every new claim upon its admiration, unless forced upon it by the public voice, or recommended by some party interest, it welcomes, not with a friendly extension of the hand, but with a curl of the lip: the critic (as we figure him to ourselves) taking up the book, in trusting anticipation of pleasure, not from the book, but from the contemplation of his own cleverness in making it contemptible. He has not missed the opportunity of admiring himself at the expense of Mr. Tennyson: although, as we have not heard that these poems have yet, like those of Mr. Robert Montgomery, reached the eleventh edition, nor that any apprehension is entertained of danger to the public taste from their extravagant popularity, we may well be astonished that performances so utterly worthless as this critic considers them, should have appeared to him deserving of so much attention from so superior a mind. The plan he adopts is no new one, but abundantly hacknied: he selects the few bad passages (not amounting to three pages in the whole), and such others as, by being separated from the context, may be made to look ridiculous; and, in a strain of dull irony, of which all the point consists in the ill-nature, he holds forth these as a specimen of the work. A piece of criticism, resembling, in all but their wit, the disgraceful articles in the early Numbers of the Edinburgh Review, on Wordsworth and Coleridge.

Meanwhile, these poems have been winning their way, by slow approaches, to a reputation, the exact limits and measure of which it would be hazardous at present to predict, but which, we believe, will not ultimately be inconsiderable. Desiring, so far as may depend upon us, to accelerate this progress, and also not without a desire to exhibit, to any who still have faith in the Quarterly Review, the value of its critical judgments, we propose to lay before those of our readers who are still unacquainted with the poems, such specimens as may justify the terms in which we have spoken of them—interspersing or subjoining a few remarks on the character and the present state of developement of Mr. Tennyson's poetic endowment.

Of all the capacities of a poet, that which seems to have arisen earliest in Mr. Tennyson, and in which he most excels, is that of scene-painting, in the higher sense of the term: not the mere power of producing that rather vapid species of composition usually termed descriptive poetry—for there is not in these volumes one passage of pure description: but the power of *creating* scenery, in keeping with some state of human feeling;

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so fitted to it as to be the embodied symbol of it, and to summon up the state of feeling itself, with a force not to be surpassed by anything but reality. Our first specimen, selected from the earlier of the two volumes, will illustrate chiefly this quality of Mr. Tennyson's productions. We do not anticipate that this little poem will be equally relished at first by all lovers of poetry: and indeed if it were, its merit could be but of the humblest kind; for sentiments and imagery which can be received at once, and with equal ease, into every mind, must necessarily be trite. Nevertheless, we do not hesitate to quote it at full length. The subject is Mariana, the Mariana of 'Measure for Measure,' living deserted and in solitude in the 'moated grange.' The ideas which these two words suggest, impregnated with the feelings of the supposed inhabitant, have given rise to the following picture:—

'With blackest moss the flower-pots
Were thickly crusted, one and all,
The rusted nails fell from the knots
That held the peach to the garden-wall.
The broken sheds looked sad and strange,
Unlifted was the clinking latch,
Weeded and worn the ancient thatch
Upon the lonely moated grange.
She only said, "My life is dreary,
He cometh not," she said;
She said, "I am aweary, aweary;
I would that I were dead!"

'Her tears fell with the dews at even,
Her tears fell ere the dews were dried,
She could not look on the sweet heaven,
Either at morn or eventide.
After the flitting of the bats,
When thickest dark did trance the sky,
She drew her casement-curtain by,
And glanced athwart the glooming flats.
She only said, "The night is dreary,
He cometh not," she said:
She said, "I am aweary, aweary,
I would that I were dead!"

'Upon the middle of the night,
Waking she heard the night-fowl crow:
The cock sung out an hour ere light:
From the dark fen the oxen's low
Came to her: without hope of change,
In sleep she seemed to walk forlorn,
Till cold winds woke the grey-eyed morn
About the lonely moated grange.

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She only said, "The day is dreary,
He cometh not," she said;
She said, "I am aweary, aweary,
I would that I were dead!"

'About a stone-cast from the wall,
A sluice with blackened waters slept,
And o'er it many, round and small,
The clustered marishmosses crept.
Hard by a poplar shook alway,
All silver-green with gnarled bark,
For leagues no other tree did dark
The level waste, the rounding grey.
She only said, "My life is dreary,
He cometh not," she said;
She said, "I am aweary, aweary,
I would that I were dead!"

'And ever when the moon was low,
And the shrill winds were up an' away,
In the white curtain, to and fro,
She saw the gusty shadow sway.
But when the moon was very low,
And wild winds bound within their cell,
The shadow of the poplar fell
Upon her bed, across her brow.
She only said, "The night is dreary
He cometh not," she said;
She said, "I am aweary, aweary,
I would that I were dead!"

'All day within the dreamy house,
The doors upon their hinges creaked,
The blue-fly sung i' the pane; the mouse
Behind the mouldering wainscot shrieked,
Or from the crevice peered about.
Old faces glimmered through the doors,
Old footsteps trod the upper floors,
Old voices called her from without.
She only said, "My life is dreary,
He cometh not," she said;
She said, "I am aweary, aweary,
I would that I were dead!"

'The sparrow's chirrup on the roof,
The slow clock ticking, and the sound
Which to the wooing wind aloof
The poplar made, did all confound
Her sense; but most she loathed the hour
When the thickmoted sunbeam lay
Athwart the chambers, and the day
Downsloped was westering in his bower.

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Then, said she, "I am very dreary,
He will not come," she said;
She wept, "I am aweary, aweary,
Oh God, that I were dead!"'

In the one peculiar and rare quality which we intended to illustrate by it, this poem appears to us to be pre-eminent. We do not, indeed, defend all the expressions in it, some of which seem to have been extorted from the author by the tyranny of rhyme; and we might find much more to say against the poem, if we insisted upon judging of it by a wrong standard. The nominal subject excites anticipations which the poem does not even attempt to fulfil. The humblest poet, who is a poet at all, could make more than is here made of the situation of a maiden abandoned by her lover. But that was not Mr. Tennyson's idea. The love-story is secondary in his mind. The words 'he cometh not' are almost the only words which allude to it at all. To place ourselves at the right point of view, we must drop the conception of Shakspeare's Mariana, and retain only that of a 'moated grange,' and a solitary dweller within it, forgotten by mankind. And now see whether poetic imagery ever conveyed a more intense conception of such a place, or of the feelings of such an inmate. From the very first line, the rust of age and the solitude of desertion are, on the whole, picture. Words surely never excited a more vivid feeling of physical and spiritual dreariness: and not dreariness alone—for that might be felt under many other circumstances of solitude—but the dreariness which speaks not merely of being far from human converse and sympathy, but of being *deserted* by it.

Our next specimen shall be of a character remote from this. It is the second of two poems, 'The May Queen' and 'New Year's Eve'—the one expressing the wild, overflowing spirits of a light-hearted girl, just chosen Queen of the May; the latter, the feelings of the same girl some months afterwards, when dying by a gradual decay. We regret that the opening of the latter poem must lose in our pages the effect of contrast produced by its immediately succeeding the former:—

'If you're waking, call me early, call me early, mother dear,
For I would see the sun rise upon the glad Newyear.
It is the last Newyear that I shall ever see,
Then ye may lay me low i' the mould, and think no more o' me.

'To-night I saw the sun set: he set and left behind
The good old year, the dear old time, and all my peace of mind;
And the Newyear's coming up, mother, but I shall never see
The may upon the blackthorn, the leaf upon the tree.

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'Last May we made a crown of flowers: we had a merry day;
Beneath the hawthorn on the green they made me Queen of May;
And we danced about the maypole and in the hazel-copse,
Till Charles's wain came out above the tall white chimney-tops.

'There's not a flower on all the hills: the frost is on the pane:
I only wish to live till the snow-drops come again:
I wish the snow would melt and the sun come out on high—
I long to see a flower so before the day I die.

'The building rook will caw from the windy tall elmtree
And the tufted plover pipe along the fallow lea,
And the swallow will come back again with summer o'er the wave,
But I shall lie alone, mother, within the mouldering grave.

'Upon the chancel-casement, and upon that grave o' mine,
In the early early morning the summer sun will shine,
Before the red cock crows from the farm upon the hill,
When you are warm-asleep, mother, and all the world is still.

'When the flowers come again, mother, beneath the waning light,
Ye'll never see me more in the long gray fields at night;
When from the dry dark wold the summer airs blow cool,
On the oat-grass and the sword-grass, and the bulrush in the pool.

'Ye'll bury me, my mother, just beneath the hawthorn shade,
And ye'll come sometimes and see me where I am lowly laid.
I shall not forget ye, mother, I shall hear ye when ye pass,
With your feet above my head in the long and pleasant grass.

'I have been wild and wayward, but ye'll forgive me now;
Ye'll kiss me, my own mother, upon my cheek and brow;
Nay—nay, ye must not weep, nor let your grief be wild,
Ye should not fret for me, mother, ye have another child.

'If I can I'll come again, mother, from out my resting place;
Though ye'll not see me, mother, I shall look upon your face;
Though I cannot speak a word, I shall hearken what ye say,
And be often—often with ye when ye think I'm far away.

'Goodnight, goodnight, when I have said goodnight for evermore,
And ye see me carried out from the threshold of the door;
Don't let Effie come to see me till my grave be growing green:
She'll be a better child to you than ever I have been.

'She'll find my garden tools upon the granary floor:
Let her take 'em: they are hers: I shall never garden more:
But tell her, when I'm gone, to train the rosebush that I set,
About the parlour-window and the box of mignonette.

'Good-night, sweet mother: call me when it begins to dawn.
All night I lie awake, but I fall asleep at morn;
But I would see the sun rise upon the glad Newyear,
So, if you're waking, call me, call me early, mother dear.'

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This poem is fitted for a more extensive popularity than any other in the two volumes. Simple, genuine pathos, arising out of the situations and feelings common to mankind generally, is of all kinds of poetic beauty that which can be most universally appreciated; and the genius implied in it is, in consequence, apt to be overrated, for it is also of all kinds that which can be most easily produced. In this poem there is not only the truest pathos, but (except in one passage*) perfect harmony and keeping.

The next poem which we shall quote is one of higher pretensions. Its length exceeds the usual dimensions of an extract. But the idea which would be given of the more perfect of Mr. Tennyson's poems, by detached passages, would be not merely an incomplete but a false idea. There is not a stanza in the following poem which can be felt or even understood as the poet intended, unless the reader's imagination and feelings are already in the state which results from the passage next preceding, or rather from all which precedes. The very breaks, which divide the story into parts, all tell.

If every one approached poetry in the spirit in which it ought to be approached, willing to feel it first and examine it afterwards, we should not premise another word. But there is a class of readers, (a class, too, on whose verdict the early success of a young poet mainly depends,) who dare not enjoy until they have first satisfied themselves that they have a warrant for enjoying; who read a poem with the critical understanding first, and only when they are convinced that it is right to be delighted, are willing to give their spontaneous feelings fair play. The consequence is, that they lose the general effect, while they higgle about the details, and never place themselves in the position in which, even with their mere understandings, they can estimate the poem as a whole. For the benefit of such readers, we tell them beforehand, that this is a tale of enchantment; and that they will never enter into the spirit of it unless they surrender their imagination to the guidance of the poet, with the same easy credulity with which they would read the 'Arabian Nights,' or, what this story more resembles, the tales of magic of the middle ages.

Though the agency is supernatural, the scenery, as will be perceived, belongs to the actual world. No reader of any imagination will complain, that the precise nature of the enchantment is left in mystery.

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* We allude to the second line of the second stanza. The concluding words of the line appear to us altogether out of keeping with the rest of the poem.

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THE LEGEND OF THE LADY OF SHALOTT.

' Part the First.

' On either side the river lie
Long fields of barley and of rye,
That clothe the wold, and meet the sky;
And thro' the field the road runs by
To manytower'd Camelot.
The yellowleavèd waterlily,
The green-sheathèd daffodilly,
Tremble in the water chilly,
Round about Shalott.

' Willows whiten, aspens shiver,
The sunbeam-showers break and quiver
In the stream that runneth ever
By the island in the river,
Flowing down to Camelot.
Four grey walls and four grey towers
Overlook a space of flowers,
And the silent isle imbowers
The Lady of Shalott.

' Underneath the bearded barley,
The reaper, reaping late and early,
Hears her ever chanting cheerly,
Like an angel, singing clearly,
O'er the stream of Camelot.
Piling the sheaves in furrows airy,
Beneath the moon, the reaper weary
Listening whispers, " 'Tis the fairy
Lady of Shalott."

' The little isle is all inrailed
With a rose-fence, and overtrailed
With roses: by the marge unhailed
The shallop flitteth silken-sailed,
Skimming down to Camelot.
A pearl garland winds her head:
She leaneth on a velvet bed,
Full royally apparellèd,
The Lady of Shalott.

' Part the Second.

' No time has she to sport and play:
A charmed web she weaves alway,
A curse is on her, if she stay
Her weaving, either night or day,
To look down to Camelot.
She knows not what the curse may be;
Therefore she weaveth steadily,
Therefore no other care hath she,
The Lady of Shalott.

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'She lives with little joy or fear.
Over the water, running near,
The sheepbell tinkles in her ear.
Before her hangs a mirror clear,
Reflecting towered Camelot.
And, as the mazy web she whirls,
She sees the surly village-churls,
And the red-cloaks of market-girls,
Pass onward from Shalott.

'Sometimes a troop of damsels glad,
An abbot or an ambling pad,
Sometimes a curly shepherd lad,
Or longhaired page, in crimson clad,
Goes by to towered Camelot.
And sometimes thro' the mirror blue,
The knights come riding, two and two.
She hath no loyal knight and true,
The Lady of Shalott.

'But in her web she still delights
To weave the mirror's magic sights:
For often thro' the silent nights,
A funeral, with plumes and lights
And music, came from Camelot.
Or, when the moon was overhead,
Came two young lovers, lately wed:
"I am half-sick of shadows," said
The Lady of Shalott.

'*Part the Third.*

'A bow-shot from her bower-eaves
He rode between the barley-sheaves:
The sun came dazzling thro' the leaves,
And flamed upon the brazen greaves
Of bold Sir Launcelot.
A redcross knight for ever kneeled
To a lady in his shield,
That sparkled on the yellow field,
Beside remote Shalott.

'The gemmy bridle glittered free,
Like to some branch of stars we see
Hung in the golden galaxy.
The bridle-bells rang merrily
As he rode down from Camelot.
And, from his blazoned baldric slung,
A mighty silver bugle hung,
And, as he rode, his armour rung,
Beside remote Shalott.

'All in the blue unclouded weather,
Thickjewelled shone the saddle-leather.

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The helmet, and the helmet-feather,
Burned like one burning flame together,
As he rode down from Camelot.
As often thro' the purple night,
Below the starry clusters bright,
Some bearded meteor, trailing light,
Moves over green Shalott.

' His broad clear brow in sunlight glowed.
On burnished hooves his war-horse trode.
From underneath his helmet flowed
His coalblack curls, as on he rode,
As he rode down from Camelot.
From the bank, and from the river,
He flashed into the crystal mirror,
" Tirra lirra, tirra lirra,"
Sang Sir Launcelot.*

' She left the web: she left the loom:
She made three paces thro' the room:
She saw the waterflower bloom:
She saw the helmet and the plume:
She looked down to Camelot.
Out flew the web, and floated wide,
The mirror cracked from side to side,
" The curse is come upon me," cried
The Lady of Shalott.

' *Part the Fourth.*

' In the stormy eastwind straining,
The pale-yellow woods were waning,
The broad stream in his banks complaining,
Heavily the low sky raining
Over towered Camelot:
Outside the isle a shallow boat
Beneath a willow lay afloat,
Below the carven stern she wrote,
THE LADY OF SHALOTT.

' A cloudwhite crown of pearl she dight.
All raimented in snowy white
That loosely flew, (her zone in sight,
Clasped with one blinding diamond bright,)
Her wide eyes fixed on Camelot,
Though the squally eastwind keenly
Blew, with folded arms serenely
By the water stood the queenly
Lady of Shalott.

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* In this most striking passage, which we should have thought would have commanded admiration from every one who can read, all that the Quarterly Reviewer could see is, that the rhymes are incorrect!

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'With a steady, stony glance—
Like some bold seer in a trance,
Beholding all his own mischance,
Mute, with a glassy countenance—
She looked down to Camelot.
It was the closing of the day,
She loosed the chain, and down she lay,
The broad stream bore her far away,
The Lady of Shalott.

'As when to sailors while they roam,
By creeks and outfalls far from home,
Rising and dropping with the foam,
From dying swans wild warblings come,
Blown shoreward; so to Camelot
Still as the boathead wound along,
The willowy hills and fields among,
They heard her chanting her deathsong,
The Lady of Shalott.

A longdrawn carol, mournful, holy,
She chanted loudly, chanted lowly,
Till her eyes were darkened wholly,
And her smooth face sharpened slowly*
Turned to towered Camelot:
For ere she reached upon the tide
The first house by the waterside,
Singing in her song she died,
The Lady of Shalott.

'Under tower and balcony,
By gardenwall and gallery,
A pale, pale corpse she floated by,
Deadcold, between the houses high,
Dead into towered Camelot.
Knight and burgher, lord and dame,
To the plankèd wharfage came,
Below the stern they read her name,
"The Lady of Shalott." '†

In powers of narrative and scene-painting combined, this poem must be ranked among the very first of its class. The delineation of outward objects, as in the greater number of Mr. Tennyson's poems, is, not picturesque, but (if we may use the term) statuesque; with brilliancy of colour superadded. The forms are not, as in painting, of unequal degrees of definiteness;

* This exquisite line, the egregious critic of the Quarterly distinguishes by italics as specially absurd! proving thereby what is his test of the truth of a description, even of a physical fact. He does not ask himself, Is the fact so? but, Have I ever seen the expression in the verses of any former poet of celebrity?

† We omit the remaining stanza, which seems to us a 'lame and impotent conclusion,' where no conclusion was required.

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the tints do not melt gradually into each other, but each individual object stands out in bold relief, with a clear decided outline. This statue-like precision and distinctness, few artists have been able to give to so essentially vague a language as that of words: but if once this difficulty be got over, scene-painting by words has a wider range than either painting or sculpture; for it can represent (as the reader must have seen in the foregoing poem), not only with the vividness and strength of the one, but with the clearness and definiteness of the other, objects in motion. Along with all this, there is in the poem all that power of making a few touches do the whole work, which excites our admiration in Coleridge. Every line suggests so much more than it says, that much may be left unsaid: the concentration, which is the soul of narrative, is obtained, without the sacrifice of reality and life. Where the march of the story requires that the mind should pause, details are specified; where rapidity is necessary, they are all brought before us at a flash. Except that the versification is less exquisite, the 'Lady of Shalott' is entitled to a place by the side of the 'Ancient Mariner,' and 'Christabel.'

Mr. Tennyson's two volumes contain a whole picture-gallery of lovely women: but we are drawing near to the limits of allowable quotation. The imagery of the following passage from the poem of 'Isabel,' in the first volume, is beautifully typical of the nobler and gentler of two beings, upholding, purifying, and, as far as possible, assimilating to itself the grosser and ruder:—

> 'A clear stream flowing with a muddy one,
> Till in its onward current it absorbs
> With swifter movement and in purer light
> The vexed eddies of its wayward brother—
> A leaning and upbearing parasite,
> Clothing the stem, which else had fallen quite,
> With clustered flowerbells and ambrosial orbs
> Of rich fruitbunches leaning on each other.'

We venture upon a long extract from what we consider the finest of these ideal portraits, the 'Eleänore.' The reader must not, in this case, look for the definiteness of the 'Lady of Shalott;' there is nothing statuesque here. The object to be represented being more vague, there is greater vagueness and dimness in the expression. The loveliness of a graceful woman, words cannot make us see, but only feel. The individual expressions in the poem, from which the following is an extract, may not always bear a minute analysis; but ought they to be subjected to it? They are mere colours in a picture;

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nothing in themselves, but everything as they conduce to the general result..

'How may fullsailed verse express,
How may measured words adore
The fullflowing harmony
Of thy swanlike stateliness,
Eleänore?
The luxuriant symmetry
Of thy floating gracefulness,
Eleänore?
Every turn and glance of thine,
Every lineament divine,
Eleänore,
And the steady sunset glow
That stays upon thee? For in thee
Is nothing sudden, nothing single;
Like two streams of incense free
From one censer, in one shrine,
Thought and motion mingle,
Mingle ever. Motions flow
To one another, even as tho'
They were modulated so
To an unheard melody,
Which lives about thee, and a sweep
Of richest pauses, evermore
Drawn from each other mellowdeep—
Who may express thee, Eleänore?

'I stand before thee, Eleänore;
I see thy beauty gradually unfold,
Daily and hourly, more and more.
I muse, as in a trance, the while
Slowly, as from a cloud of gold,
Comes out thy deep ambrosial smile.
I muse, as in a trance, whene'er
The languors of thy lovedeep eyes
Float on to me. I would I were
So tranced, so rapt in ecstacies,
To stand apart, and to adore,
Gazing on thee for evermore,
Serene, imperial Eleänore!

'Sometimes, with most intensity
Gazing, I seem to see
Thought folded over thought, smiling asleep,
Slowly awakened, grow so full and deep
In thy large eyes, that, overpowered quite,
I cannot veil, or droop my sight,
But am as nothing in its light.
As though a star, in inmost heaven set,
Ev'n while we gaze on it,

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Should slowly round its orb, and slowly grow
To a full face, there like a sun remain
Fixed—then as slowly fade again,
And draw itself to what it was before,
So full, so deep, so slow
Thought seems to come and go
In thy large eyes, imperial Eleänore.
'As thunderclouds that, hung on high
Did roof noonday with doubt and fear,
Floating through an evening atmosphere
Grow golden all about the sky;
In thee all passion becomes passionless,
Touched by thy spirit's mellowness,
Losing his fire and active might
In a silent meditation,
Falling into a still delight
And luxury of contemplation:
As waves that from the outer deep
Roll into a quiet cove,
There fall away, and lying still,
Having glorious dreams in sleep,
Shadow forth the banks at will;
Or sometimes they swell and move,
Pressing up against the land,
With motions of the outer sea:
And the selfsame influence
Controlleth all the soul and sense
Of Passion gazing upon thee.
His bowstring slackened, languid Love,
Leaning his cheek upon his hand,
Droops both his wings, regarding thee,
And so would languish evermore,
Serene, imperial Eleänore.'

It has for some time been the fashion, though a fashion now happily on the decline, to consider a poet as a poet, only so far as he is supposed capable of delineating the more violent passions; meaning by violent passions, states of excitement approaching to monomania, and characters predisposed to such states. The poem which follows will show how powerfully, without the slightest straining, by a few touches which do not seem to cost him an effort, Mr. Tennyson can depict such a state and such a character.

THE SISTERS.

'We were two daughters of one race:
She was the fairest in the face:
The wind is blowing in turret an' tree.
They were together, and she fell;
Therefore revenge became me well.
O the Earl was fair to see!

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'She died: she went to burning flame:
She mixed her ancient blood with shame.
The wind is howling in turret an' tree.
Whole weeks and months, and early and late,
To win his love I lay in wait:
O the Earl was fair to see!

'I made a feast; I bad him come:
I won his love, I brought him home.
The wind is roaring in turret an' tree.
And after supper, on a bed,
Upon my lap he laid his head:
O the Earl was fair to see!

'I kissed his eyelids into rest;
His ruddy cheek upon my breast.
The wind is raging in turret an' tree.
I hated him with the hate of hell,
But I loved his beauty passing well.
O the Earl was fair to see!

'I rose up in the silent night:
I made my dagger sharp and bright.
The wind is raving in turret an' tree.
As half-asleep his breath he drew,
Three times I stabbed him through and through.
O the Earl was fair to see!

'I curled and combed his comely head,
He looked so grand when he was dead.
The wind is blowing in turret an' tree.
I wrapped his body in the sheet
And laid him at his mother's feet.
O the Earl was fair to see!'

The second publication contains several classical subjects treated with more or less felicity. The story of the Judgment of Paris, recited by Œnone, his deserted love, is introduced in the following stately manner:—

'There is a dale in Ida, lovelier
Than any in old Ionia, beautiful
With emerald slopes of sunny sward, that lean
Above the loud glenriver, which hath worn
A path through steepdown granite walls below,
Mantled with flowering tendriltwine. In front
The cedarshadowy valleys open wide.
Far-seen, high over all the Godbuilt wall
And many a snowycolumned range divine,
Mounted with awful sculptures—men and Gods,
The work of Gods—bright on the dark blue sky
The windy citadel of Ilion
Shone, like the crown of Troas. Hither came

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Mournful Œnone, wandering forlorn
Of Paris, once her playmate. Round her neck,
Her neck all marblewhite and marblecold,
Floated her hair or seemed to float in rest;
She, leaning on a vine-entwinèd stone,
Sang to the stillness, till the mountain-shadow
Sloped downward to her seat from the upper cliff *.'

The length to which our quotations have extended, and the unsatisfactoriness of short extracts, prevent us from giving any specimen of one of the finest of Mr. Tennyson's poems, the 'Lotos-eaters.' The subject is familiar to every reader of the Odyssey. The poem is not of such sustained merit in the execution as some of the others; but the general impression resembles an effect of climate in a landscape: we see the objects through a drowsy, relaxing, but dreamy atmosphere, and the inhabitants seem to have inhaled the like. Two lines near the commencement touch the key-note of the poem:—

'In the afternoon they came unto a land
Wherein it seemèd always afternoon.'

The above extracts by no means afford an idea of all the variety of beauty to be found in these volumes. But the specimens we have given may, we hope, satisfy the reader, that if he explore further for himself, his search will be rewarded. We shall only subjoin a few remarks, tending to an estimation of Mr. Tennyson's general character as a writer and as a poet.

There are in the character of every true poet, two elements, for one of which he is indebted to nature, for the other to cultivation. What he derives from nature, is fine senses: a nervous organization, not only adapted to make his outward impressions vivid and distinct (in which, however, practice does even more than nature), but so constituted, as to be, more easily than common organizations, thrown, either by physical or moral causes, into *states* of enjoyment or suffering, especially of enjoyment: states of a certain duration; often lasting long after the removal of the cause which produced them; and not local, nor

* The small critic of the Quarterly finds fault with the frequent repetition, in Œnone's recital, of the following two verses:—

'O mother Ida, many-fountained Ida,
Dear mother Ida, hearken ere I die.'

To return continually to the same *refrain* is, as the reader must have observed even in our extracts, a frequent practice of Mr. Tennyson, and one which, though occasionally productive of great beauty, he carries to a faulty excess. But on this occasion, if ever, it was allowable. A subject from Greek poetry surely justifies imitation of the Greek poets. Repetitions similar to this are, as everybody knows, universal among the pastoral and elegiac poets of Greece, and their Roman imitators: and this poem is both pastoral and elegiac.

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consciously physical, but, in so far as organic, pervading the entire nervous system. This peculiar kind of nervous susceptibility seems to be the distinctive character of the poetic temperament. It constitutes the capacity for poetry; and not only produces, as has been shown from the known laws of the human mind, a predisposition to the poetic associations, but supplies the very materials out of which many of them are formed *. What the poet will afterwards construct out of these materials, or whether he will construct anything of value to any one but himself, depends upon the direction given, either by accident or design, to his habitual associations. Here, therefore, begins the province of culture; and, from this point upwards, we may lay it down as a principle, that the achievements of any poet in his art will be in proportion to the growth and perfection of his thinking faculty.

Every great poet, every poet who has extensively or permanently influenced mankind, has been a great thinker;—has had a philosophy, though perhaps he did not call it by that name; —has had his mind full of thoughts, derived not merely from passive sensibility, but from trains of reflection, from observation, analysis, and generalization; however remote the sphere of his observation and meditation may have lain from the studies of the schools. Where the poetic temperament exists in its greatest degree, while the systematic culture of the intellect has been neglected, we may expect to find, what we do find in the best poems of Shelley—vivid representations of states of passive and dreamy emotion, fitted to give extreme pleasure to persons of similar organization to the poet, but not likely to be sympathized in, because not understood, by any other persons; and scarcely conducing at all to the noblest end of poetry as an intellectual pursuit, that of acting upon the desires and characters of mankind through their emotions, to raise them towards the perfection of their nature. This, like every other adaptation of means to ends, is the work of cultivated reason; and the poet's success in it will be in proportion to the intrinsic value of his thoughts, and to the command which he has acquired over the materials of his imagination, for placing those thoughts in a strong light before the intellect, and impressing them on the feelings.

The poems which we have quoted from Mr. Tennyson prove incontestably that he possesses, in an eminent degree, the

* It may be thought, perhaps, that among the gifts of nature to a poet, ought also to be included a vivid and exuberant imagination. We believe, however, that vividness of imagination is no further a gift of nature, than in so far as it is a natural consequence of vivid sensations. All besides this, we incline to think, depends on habit and cultivation.

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natural endowment of a poet—the poetic temperament. And it appears clearly, not only from a comparison of the two volumes, but of different poems in the same volume, that, with him, the other element of poetic excellence—intellectual culture—is advancing both steadily and rapidly; that he is not destined, like so many others, to be remembered for what he might have done, rather than for what he did; that he will not remain a poet of mere temperament, but is ripening into a true artist. Mr. Tennyson may not be conscious of the wide difference in maturity of intellect, which is apparent in his various poems. Though he now writes from greater fulness and clearness of thought, it by no means follows that he has learnt to detect the absence of those qualities in some of his earlier effusions. Indeed, he himself, in one of the most beautiful poems of his first volume (though, as a work of art, very imperfect), the 'Ode to Memory,' confesses a parental predilection for the 'first-born' of his genius. But to us it is evident, not only that his second volume differs from his first as early manhood from youth, but that the various poems in the first volume belong to different, and even distant stages of intellectual development;—distant, not perhaps in years—for a mind like Mr. Tennyson's advances rapidly—but corresponding to very different states of the intellectual powers, both in respect of their strength and of their proportions.

From the very first, like all writers of his natural gifts, he luxuriates in sensuous * imagery; his nominal subject sometimes lies buried in a heap of it. From the first, too, we see his intellect, with every successive degree of strength, struggling upwards to shape this sensuous imagery to a spiritual meaning †; to bring the materials which sense supplies, and fancy summons up, under the command of a central and controlling thought or feeling. We have seen, by the poem of 'Mariana,' with what success he could occasionally do this, even in the period which answers to his first volume; but that volume contains various instances in which he has attempted the same thing, and failed. Such, for example, are, in our opinion, the opening poem, 'Claribel,' and the verses headed 'Elegiacs.' In both,

* *Sensuous*, a word revived by Coleridge, as he himself states, 'from our elder classics.' It is used by Milton, who, in his little tract on Education, says of poetry, as compared with rhetoric, that it is 'less subtile and fine, but more simple, *sensuous*, and passionate.' The word *sensual* is irretrievably diverted to another meaning; and a term seems to be required, which (without exciting any ethical associations) shall denote all things pertaining to the bodily senses, in contradistinction to things pertaining to the intellect and the mental feelings. To this use, the word *sensuous* seems as well adapted as any other which could be chosen.

† We conceive ourselves warranted, both by usage and the necessity of the case, in using the word *spiritual* as the converse of *sensuous*. It is scarcely necessary to say that we do not mean *religious*.

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there is what is commonly called imagination—namely, fancy: the imagery and the melody actually haunt us; but there is no harmonizing principle in either;—no appropriateness to the spiritual elements of the scene. If the one poem had been called 'A solitary Place in a Wood,' and the other, 'An Evening Landscape,' they would not have lost, but gained. In another poem, in the same volume, called 'A Dirge,' and intended for a person who, when alive, had suffered from calumny—a subject which a poet of maturer powers would have made so much of, Mr. Tennyson merely glances at the topics of thought and emotion which his subject suggested, and expatiates in the mere scenery about the grave*.

Some of the smaller poems have a fault which in any but a very juvenile production would be the worst fault of all: they are altogether without meaning: none at least can be discerned in them by persons otherwise competent judges of poetry; if the author had any meaning, he has not been able to express it. Such, for instance, are the two songs on the Owl; such, also, are the verses headed 'The How and the Why,' in the first volume, and the lines on To-day and Yesterday, in the second. If in the former of these productions Mr. Tennyson aimed at shadowing forth the vague aspirations to a knowledge beyond the reach of man—the yearnings for a solution of all questions, soluble or insoluble, which concern our nature and destiny—the impatience under the insufficiency of the human faculties to penetrate the secret of our being here, and being what we are—which are natural in a certain state of the human mind; if this was what he sought to typify, he has only proved that he knows not the feeling—that he has neither

* There are instances in the volume, of far worse failures than these. Such are the two poems 'The Merman' and 'The Mermaid.' When a poet attempts to represent to us any of the beings either of religious or of popular mythology, we expect from him, that, under the conditions prescribed by the received notion of those beings, some mode of spiritual existence will be figured, which we shall recognise as in harmony with the general laws of spirit, but exhibiting those laws in action among a new set of elements. The faculty of thus bringing home to us a coherent conception of beings unknown to our experience, not by logically *characterizing* them, but by a living *representation* of them, such as they would, in fact, *be*, if the hypothesis of their possibility could be realized—is what is meant, when anything is meant, by the words creative imagination. Mr. Tennyson not only fails in this, but makes nothing even of the sensuous elements of the scene: he does not even produce, what he in no other instance misses—a suitable representation of outward scenery. He is actually puerile.

Of the two productions (the most juvenile, we should think, of the set)—'An English War Song,' and 'National Song,' we can only say, that unless they are meant for bitter ridicule of vulgar nationality, and of the poverty of intellect which usually accompanies it, their appearance here is unaccountable. The sonnet, 'Buonaparte,' in the second volume, though not so childish in manner, has still something of the same spirit which was manifested in the two just cited (if they are to be taken as serious.)

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experienced it, nor realized it in imagination. The questions which a Faust calls upon earth and heaven, and all powers supernal and infernal, to resolve for him, are not the ridiculous ones which Mr. Tennyson asks himself in these verses.

But enough of faults which the poet has almost entirely thrown off merely by the natural expansion of his intellect. We have alluded to them chiefly to show how rapidly progressive that intellect has been.* There are traces, we think, of a continuance of the same progression, throughout the second as well as the first volume.

In the art of painting a picture to the inward eye, the improvement is not so conspicuous as in other qualities; so high a degree of excellence having been already attained in the first volume. Besides the poems which we have quoted, we may refer, in that volume, to those entitled, 'Recollections of the Arabian Nights,' 'The Dying Swan,' 'The Kraken,' and 'The Sleeping Beauty.' The beautiful poems (songs they are called, but are not) 'In the glooming light,' and 'A spirit haunts the year's last hours,' are (like the 'Mariana') not mere pictures, but states of emotion, embodied in sensuous imagery. From these, however, to the command over the materials of outward sense for the purpose of bodying forth states of feeling, evinced by some of the poems in the second volume, especially 'The Lady of Shalott' and 'The Lotos-eaters,' there is a considerable distance; and Mr. Tennyson seems, as he proceeded, to have raised his aims still higher—to have aspired to render his poems not only vivid representations of spiritual states, but symbolical of spiritual truths. His longest poem, 'The Palace of Art,' is an attempt of this sort. As such, we do not think it wholly successful, though rich in beauties of detail; but we deem it of the most favourable augury for Mr. Tennyson's future achievements, since it proves a continually increasing endeavour towards the highest excellence, and a constantly rising standard of it.

We predict, that, as Mr. Tennyson advances in general spiritual culture, these higher aims will become more and more

* With the trifling exceptions already mentioned, the only pieces in the second volume which we could have wished omitted are, the little piece of childishness beginning 'O darling room,' and the verses to Christopher North, which express, in rather a common-place way, the author's resentment against a critique, which merited no resentment from him, but rather (all things considered) a directly contrary feeling.

One or two poems, of greater pretension than the above, may be considered not indeed as absolute, but as comparative failures. Among these we must place the second poem in the volume (which affords to the Quarterly critic the opportunities for almost his only just criticisms); and even, notwithstanding its fine sonorous opening, the 'Hesperides.'

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predominant in his writings; that he will strive more and more diligently, and, even without striving, will be more and more impelled by the natural tendencies of an expanding character, towards what has been described as the highest object of poetry, 'to incorporate the everlasting reason of man in forms visible to his sense, and suitable to it.' For the fulfilment of this exalted purpose, what we have already seen of him authorizes us to foretell with confidence, that powers of execution will not fail him; it rests with himself to see that his powers of thought may keep pace with them. To render his poetic endowment the means of giving impressiveness to important truths, he must, by continual study and meditation, strengthen his intellect for the discrimination of such truths; he must see that his theory of life and the world be no chimera of the brain, but the well-grounded result of solid and mature thinking;—he must cultivate, and with no half devotion, philosophy as well as poetry.

It may not be superfluous to add, that he should guard himself against an error, to which the philosophical speculations of poets are peculiarly liable—that of embracing as truth, not the conclusions which are recommended by the strongest evidence, but those which have the most poetical appearance;—not those which arise from the deductions of impartial reason, but those which are most captivating to an imagination, biassed perhaps by education and conventional associations. That whatever philosophy he adopts will leave ample materials for poetry, he may be well assured. Whatever is comprehensive, whatever is commanding, whatever is on a great scale, is poetical. Let our philosophical system be what it may, human feelings exist: human nature, with all its enjoyments and sufferings, its strugglings, its victories and defeats, still remain to us; and these are the materials of all poetry. Whoever, in the greatest concerns of human life, pursues truth with unbiassed feelings, and an intellect adequate to discern it, will not find that the resources of poetry are lost to him because he has learnt to use, and not abuse them. They are as open to him as they are to the sentimental weakling, who has no test of the true but the ornamental. And when he once has them under his command, he can wield them for purposes, and with a power, of which neither the dilettante nor the visionary have the slightest conception.

We will not conclude without reminding Mr. Tennyson, that if he wishes his poems to live, he has still much to do in order to perfect himself in the merely mechanical parts of his craft. In a prose-writer, great beauties bespeak forgiveness for innu-

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merable negligences; but poems, especially short poems, attain permanent fame only by the most finished perfection in the details. In some of the most beautiful of Mr. Tennyson's productions there are awkwardnesses and feeblenesses of expression, occasionally even absurdities, to be corrected; and which generally might be corrected without impairing a single beauty. His powers of versification are not yet of the highest order. In one great secret of his art, the adaptation of the music of his verse to the character of his subject, he is far from being a master: he often seems to take his metres almost at random. But this is little to set in the balance against so much excellence; and needed not have been mentioned, except to indicate to Mr. Tennyson the points on which some of his warmest admirers see most room and most necessity for further effort on his part, if he would secure to himself the high place in our poetic literature for which so many of the qualifications are already his own. A.

Art. VIII.

ON DREAMING.

The Philosophy of Sleep. By Robert Macnish.

THE author of the above work is a phrenologist. He informs us that phrenology affords an easy and satisfactory explanation of *all* the phenomena of the human mind.

'The great objection to the prevailing metaphysical systems is, that *none of their positions* can be proved; and that scarcely two writers agree upon any particular point. The disciples of Gall, on the other hand, *assume* that his system, having ascertainable facts to illustrate it, is, at all times, susceptible of demonstration—that nothing is taken for granted; and that the inquirer has only to make an appeal to nature to ascertain its fallacy or its truth. The science is entirely one of observation: by that it must stand or fall, and by that alone ought it to be tested. The phrenological system appears to me the only one capable of affording a rational and easy explanation of all the phenomena of mind. It is impossible to account for dreaming, idiocy, spectral illusions, monomania, and partial genius in any other way. For these reasons, and for the much stronger one, that of having studied the science for several years with a mind rather hostile than otherwise to its doctrines, and found that nature invariably vindicated their truth, I could come to no other conclusion than that of adopting them as a matter of belief, and employing them for the explanation of phenomena which they alone seem calculated to elucidate satisfactorily.'—p. 8.

The merits of our author as a logician are evident from the above extract. According to him, to *assume* that a system is capable of demonstration is the same thing as to demonstrate

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its truth. Our author's experience as a metaphysician cannot, however, be very great, for *all* metaphysicians *assume* that their systems are susceptible of demonstration, and are founded upon matters observed. So far, therefore, as depends on assumption, their systems are equally worthy of credit with that of the phrenologists. Some, indeed, not unfrequently set down matters supposed as matters observed, and hence construct a system; this error is one, which we trust our author, after his pompous introduction, carefully avoids.

The grand principle of phrenology is, 'that the brain is composed of a plurality of organs.' When we have a sensation of colour, the phrenologists assert that a particular portion of the brain is excited, and this portion they call the organ of colour; when we have not a sensation, but only an idea of colour, the same portion of the brain is excited, but in a less degree. In the same manner, when we have another set of feelings, another portion of the brain is excited, and so on. In the language of the phrenologists, therefore, the excitement of a particular portion of the brain, and the having a sensation, idea, &c., are either names for one and the same thing, or the former is the immediate cause of the latter.

We shall test our author's merits as a philosopher, by the explanation he gives of the phenomena of dreaming.

> 'In perfect sleep, as we have elsewhere stated, there is a quiescence of all the organs which compose the brain; but when, in consequence of some inward excitement, one organ or more continues awake, while the remainder are in repose, a state of incomplete sleep is the result, and we have the phenomena of dreaming. If, for instance, any irritation, such as pain, fever, drunkenness, or a heavy meal, should throw the perceptive organs into a state of action while the reflecting ones continue asleep, we have a consciousness of objects, colours, or sounds being presented to us, just as if the former organs were actually stimulated by having such impressions communicated to them by the external senses; while, in consequence of the repose of the reflecting organs, we are unable to rectify the illusions, and conceive that the scenes passing before us, or the sounds that we hear, have a real existence. This want of mutual co-operation between the different organs of the brain accounts for the disjointed nature, the absurdities, and incoherencies of dreams.'—pp. 41—42.

In plain language, all this means, that, in dreams, we have ideas, which are mistaken for sensations, of which fact every one is aware. But the question, to which we request a reply from the philosopher, who feels himself able to explain by the aid of phrenology *all* the phenomena of the human mind, is this: why, when according to him the organ of colour is excited, is one idea of colour called up in preference to another?

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'Why, for instance, should the disordered brain conjure up *persons* and *faces* rather than *trees* and *houses?* why should a ghost be dressed in *red* rather than *blue*, and why should it *smile* rather than *grin?* These are minutiæ beyond the reach of investigation, at least in the present state of our knowledge.'—p. 261.

Why are our dreams sometimes of so incongruous a nature? Why do we not feel the emotion of wonder? Why do we seem to live for ages in a dream? Why do our desires appear to be immediately gratified? These questions are either left unexplained, or dismissed with the summary assertion, that our reflecting faculties are gone to sleep; which means, if it means anything, that we have not particular states of consciousness, because we have them not. What does our philosopher mean by the term, reflecting faculties?—those by means of which we reason? Every one is aware that in our dreams, sometimes at least, we reason as logically as when we are awake. Our author says, sometimes even more so.

'Such was the case with Cabanis, who often, during dreams, saw clearly into the bearings of political events which had baffled him when awake: and with Condorcet, who, when engaged in some deep and complicated calculations, was frequently obliged to leave them in an unfinished state, and retire to rest, when the results to which they led were at once unfolded in his dreams.'—p. 67.

Therefore our reflecting faculties are not always asleep in our dreams. When, we ask, are they awake? When they are not asleep, is the only answer we can discover in the work before us.

The greatest triumph of the philosopher is so to determine 'the one in the many,' so to detect in a multitude of facts the same *law*, that a few simple propositions may embrace a great number of complex phenomena. But this implies a process of analysis, not a mere operation of *naming*. Our philosopher calls the same thing by different names, calls a sensation or idea an excitement of one portion of the brain; terms the not having a particular state of consciousness, the sleep of a particular organ, and thus makes insignificant speech supply the place of analysis.

We do not mean to express any opinion with regard to the truth, or falsehood, of the principles of phrenology, or to discuss their importance. The position that the brain is an undivided organ, or the position that it is composed of a plurality of organs, equally leaves unexplained the phenomena of the human mind.

In our opinion, the mind is governed by the same universal laws when we dream as when we are awake. These

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are the common laws of association, modified by the physical circumstances peculiar to the sleeping state. 'Thought succeeds thought, idea follows idea incessantly; if our senses are awake, we are constantly receiving sensations of the eye, the ear, the touch, and so forth, but not sensations alone; after sensations, ideas are perpetually excited of sensations formerly received; after those ideas other ideas, and during the whole of our lives a series of those two states of consciousness, called sensations and ideas, is constantly going on.'* The order in which our sensations occur is the order established among what we call the objects of nature. The order in which our ideas occur is the order according to the law of association. Hobbes remarked, 'not every Thought to every Thought succeeds indifferently. But as we have no Imagination, whereof we have not had Sense in whole or in parts, so we have no Transition from one Imagination to another, whereof we never had the like before in our senses.' Hartley expressed the opinion, that this principle would account for all the complex phenomena of the human mind, and analyzed some important cases. Mr. Mill undertook the task, and prosecuted the inquiry to its end. He resolved the complex phenomena of the human mind into simple ideas combined by association. The general law of association (which, however, is occasionally modified by some particular laws) is, that 'our ideas spring up and exist in the order in which the sensations existed, of which they are the copy.'† The ideas of

* Mill's Analysis of the Human Mind, p. 52.

† We were surprised at finding the following comments on the law of association in the April number (No. CXXIII.) of the Edinburgh Review:

'It is to be remarked, that what is called the "Law of Association" is only a term invented to express a matter of fact; or, as Mr. Mill has stated it, to convey the fact, that our ideas spring up, or exist, in the order in which the sensations existed, of which they are the copies; and hence he cautions us against understanding by it anything more than the order "of occurrence." To ascertain, then, the amount of light which that law throws upon any particular phenomena of the mind, we have only to substitute for it the equivalent phrase "the order of occurrence," and then to examine the addition which has been made to our previous information' (p. 55) . . . . 'For, taking the definition of association already quoted, viz., that it means no more than the "order of occurrence," then, when we are told that our belief in our own mental identity, or in the existence of an external world, nay, that all belief whatsoever is only a case of modified association, the meaning must be, that all these various beliefs are only so many "orders of occurrence"—in other words, so many phenomena, or matters of fact, in reference to our own minds—a piece of information which adds absolutely nothing to our knowledge of the *nature* of these phenomena or matters of fact. The philosophy of Reid and Stewart also, no doubt, regards the principles of belief referred to as *facts* belonging to an intellectual nature, but it pretends to *account* for them no otherwise than by assuming their existence as primary truths; whereas the opposite system, after a specious parade of philosophical analysis, either terminates in scepticism by throwing doubt on the validity of the intellectual laws in question; or if this consequence be denied, then it demonstrably leaves the matter precisely as it found it,—by proving to us that our belief in our own unchanged existence, our belief in the reality of external

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sensations which occurred together rise together, the ideas of sensations which occurred successively rise successively; ideas

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objects, and our conviction that similar circumstances will uniformly be followed by similar results, are just so many series of *matters of fact* in regard to our own minds; for this is the meaning of the phrase "order of occurrence," when substituted for the more ostentatious word "association." What real knowledge this sort of metaphysics reveals to the world beyond that which is more simply stated in the systems of the illustrious men alluded to, we protest our inability to discover.' (p. 56.)

'It is to be remarked,' says the Edinburgh Reviewer, 'that what is called the "law of association" is only a term invented to express a matter of fact.' And what else, may we ask, ought terms to be invented for? To express a matter not of fact? or no matter at all?

The 'law of gravitation' is only a term invented to express a matter of fact; to convey the fact, that the same bodies, placed at different distances, approach one another with a force inversely proportional to the square of the distance. By gravitation we understand nothing more than the 'approach of bodies.' The Edinburgh Reviewer ought, therefore, to say, 'To ascertain then the amount of light which that law throws upon any particular phenomenon of matter, we have only to substitute for it the equivalent phrase, "the approach of bodies," and then examine the addition which has been made to our previous information.' Every one is aware of the addition which has been made by the principle of Newton, though it be but the mere expression of a fact.

The results arrived at by Newton are not, however, deducible from the mere fact that bodies approach one another, but from the fact that bodies approach one another with a force inversely as the square of their distance. The results arrived at by Mr. Mill are not deducible from the mere fact that there is an order of occurrence amongst ideas, but from the fact that the order of occurrence amongst ideas is the order of occurrence amongst their corresponding sensations when formerly experienced. Neither Newton nor any one else has given a satisfactory, or any, reason for his principle,—it is an ultimate fact. Nor does Mr. Mill attempt to give any reason for the law of association, and he cautions us against supposing that he means any explanation, when he uses the term law of association, beyond the fact that the 'order of occurrence' amongst our ideas is the order of occurrence amongst our former sensations, of which those ideas are the copies: and this, too, is an ultimate fact.

The Edinburgh Reviewer, who has either not read, or not understood Mr. Mill's work, seems to think that the law of association expresses nothing more than that the order of occurrence amongst our ideas is the order of occurrence amongst our ideas, an identical and consequently insignificant proposition. Yet as he himself cites Mr. Mill's definition, we are at a loss to trace the origin of this most curious confusion of understanding. In order to convict more clearly the Reviewer of absurdity, we shall pursue the analogy which we have established; and show that, if the Reviewer had been a follower of Kepler, and an opponent of Newton, he might have addressed the latter in language similar to that which he has employed, and have objected to the 'law of gravitation' exactly on the same principle on which he now objects to the 'law of association.'

'For, taking the definition of gravitation already quoted, viz. that it means nothing more than "the approach of bodies," then when we are told that the laws of Kepler, viz. "that planets revolve round the sun in elliptical orbits," "describe equal areas in equal times," &c., are only cases of modified gravitation, the meaning must be, that these laws are only so many cases of the approach of planets to the sun; in other words, so many phenomena, or matters of fact, in reference to the planets—a piece of information which adds absolutely nothing to our knowledge of the *nature* of those phenomena or matters of fact.'

'The astronomy of Kepler also, no doubt, regards these laws referred to as *facts* belonging to the material world, but it pretends to *account* for them no otherwise than by assuming their existence as primary truths; whereas, the opposite system, after a specious parade of mathematical analysis, either terminates in scepticism, by throwing doubts on the validity of the planetary laws in question; or, if this con-

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of sensations are excited by other sensations which have occurred either along with, or in succession to, the sensations, whose copies they call up.

Now dreams are currents of ideas following one another by association, not controlled, as in our waking hours, by external sensations, but sometimes controlled by internal sensations. The more vivid ideas are mistaken for sensations, and the muscles are usually not obedient to the will.

Whilst we are awake, sensations are constantly received from without, the train of our ideas is constantly broken off, and as long as we attend to our sensations, no ideas are excited but such as are closely connected with them; which, therefore, are in general accordance with the order of events in nature. Whilst we are dreaming, the train of our ideas goes on unbroken by external sensations. Ideas of sight, touch, hearing, taste, and smell, are mistaken for their corresponding sensations, but the train of our ideas goes on in the same manner as if we neither had, nor fancied ourselves to have sensations. This easily explains the diversified and incongruous character of some of our dreams.

If, whilst awake, we abstain from attending to our sensations, and attend only to our train of thoughts as they are spontaneously called up, we find the order in which they arise is sometimes as diversified and incongruous as the order of events in our dreams; yet, in the wildest ranging of our thoughts, we can perceive the dependence of one thought upon another, if we attempt to trace their connexion immediately. 'For, (says Hobbes) in a discourse of our present civil war, what could seem more impertinent than to ask (as one did) what was the value of a Roman penny? Yet the coherence to me was manifest enough. For the thought of the war introduced the thought

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sequence be denied, then it demonstrably leaves the matter precisely as it found it, by proving to us that the laws in question are just so many series of *matters of fact* with regard to the material world; for this is the meaning of the phrase "approach of bodies," when substituted for the more ostentatious word "gravitation." What real knowledge this sort of astronomy reveals to the world beyond that, which is more simply stated in the system of the illustrious man alluded to, we protest our inability to discover.'

Why, we ask, have we adopted the Newtonian principle of gravitation? Because, by means of one ultimate fact, five previously supposed to be ultimate facts are explained; or, in other words, because the law of Newton contains under it all the laws of Kepler.

For the same reason, we have adopted the law of association, because, by means of one primary truth, a number of truths, supposed by Reid and others to be primary ones, are explained. We know nothing of the *nature* of gravitation beyond the matter of fact, that bodies approach one another with a force inversely as the square of their distance. We know nothing of the *nature* of association beyond the fact, that the order amongst our ideas is the order amongst our former corresponding sensations.

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of the delivering up the king to his enemies: the thought of that brought in the thought of the delivering up of Christ; and that again the thought of the thirty pence, which was the price of that treason; and thence easily followed that malicious question, and all this in a moment of time, for thought is quick.'

If we do not immediately attempt to trace the connexion of our thoughts, the more vivid ones are alone remembered, the intervening ideas are forgotten, and we are as much astonished at the seeming incoherence of some of our thoughts when awake, as we are when we remember our dreams.

But why do we seldom feel surprise in our dreams, though we feel the emotion when we remember the dream?

'One of the most remarkable phenomena of dreams is the absence of surprise. This, indeed, is not invariable, as every one must occasionally have felt the sensation of surprise, and been not a little puzzled in his visions to account for the phenomena which present themselves; but, as a general rule, its absence is so exceedingly common, that, when surprise does occur, it is looked upon as an event out of the common order, and remarked accordingly. Scarcely any event, however incredible, impossible, or absurd, gives rise to this sensation. We see circumstances at utter variance with the laws of nature, and yet their discordancy, impracticability and oddness seldom strike us as at all out of the usual course of things. This is one of the strongest proofs that can be alleged in support of the dormant condition of the reflecting faculties. Had these powers been awake, and in full activity, they would have pointed out the erroneous nature of the impressions conjured into existence by fancy; and shown us truly that the visions passing before us were merely the chimeras of excited imagination—the airy phantoms of imperfect sleep.'—p. 83.

The general absence of wonder in our dreams is attributed by our author to the absence of reflection; but as we do sometimes wonder in our dreams, its absence cannot be predicated of all dreams: the so called repose of the reflecting faculties is, therefore, an accident, not a property of the dreaming state. Our author merely informs us, that when we do not wonder in our dreams, the causes of wonder are absent, a position to which every person must necessarily assent. Thus the absence of wonder would be an ultimate fact, and the assumption of our author of the casual repose of the reflecting faculties is, with reference to any explanation of the phenomena of dreaming, a completely insignificant proposition. In our opinion, the absence of wonder is not an ultimate fact, but susceptible of analysis. We shall attempt to give an explanation of this phenomenon, by examining what are the causes which create the emotions of surprise when we are awake, and by showing why those causes rarely exist in our dreams.

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We are never surprised at a series of events which occur in strict accordance with our expectations. We are surprised at events contrary to our expectations.

For example, when, by an optical delusion, we see before us a figure, and expect that, on extending our hand to it, we should have a sensation of resistance, we are surprised at finding nothing.

If a person, whom we believe to be in Italy, were to enter the room, we should be surprised; because, with the idea of the person, is associated the idea of his being in Italy: his presence in the room is contrary to our expectations.

We are surprised at a novel sensation, because we do not expect it.

We are surprised at anything which suddenly interferes with the train of our thoughts: for instance, if a person be attentively occupied in reading, and some one suddenly disturbs him, he feels the emotion of surprise.

In the same manner, with regard to events which appear extraordinary: in casting dice, we are surprised at throwing sixes ten times running; because we expected that some other combination would come up, as the probability is enormously against such a series. If we knew that the dice were loaded, we should not be surprised.

We feel the emotion of surprise when we see difficulties overcome by mechanical contrivances, &c. &c.: it is the idea of the difficulty (that is, the idea of something which we believe, in the generality of cases, cannot be done,) which gives rise to the emotion. For instance, to those who were unacquainted with a steam-vessel, its progress in opposition to wind and tide created the greatest surprise; yet tens of thousands now daily behold such an event without the slightest emotion.

In all these cases we feel surprised, because we receive a sensation, the idea of which is in no way connected by association with the sensation or idea which preceded it; or, in other words, we feel surprised because the train of our ideas is suddenly interfered with by an unexpected sensation.

Such cases rarely occur in our dreams—dreams being, as we before said, mere currents of ideas, following one another by association; and apparent sensations following apparent sensations not in accordance with the order of events in nature, but with our trains of thought. In the cases which we have cited, the emotion of surprise was caused by the order of the events in nature (*i. e.* our sensations) being different from the order amongst our ideas. Now, in dreams, the apparent order of events in nature coincides with the order amongst our ideas: thus, everything

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happens as we expect it; and we do not feel surprised, how absurd soever the events may be—as, when awake, we do not feel surprised at a ridiculous prank, of which we were well aware beforehand.

For example, a few nights ago, a friend of ours dreamt that he was in the House of Commons, waiting in anxious expectation for the motion of Lord John Russell on corporation reform, when the noble lord entered, mounted upon Ibrahim, the favourite for the Derby, and informed the House that he must postpone his motion, as he was engaged to ride:—then, within the precincts of the senate-house, the race was run; the Chair was the goal—the Speaker the judge—his hat was the flag wherewith he awarded his decision, amidst tumultuous cheering from the ministerial benches. At this moment the dreamer, in loud laughter, awoke. He felt no emotion of surprise; nor would he have felt surprised if such a train of ideas had been called up by association when awake; or if such a train of events had in reality occurred, and he had been forewarned of them, and had expected them. In either case, he would only have felt the emotion of ridicule, which he likewise experienced in his dream.

This dream may surprise our readers; yet its origin is most easily traced to the fact, that the motion to which we have referred was postponed on account of the Derby.

Indeed, to those who are unacquainted with the aristocratic senators of England—who suppose that, in the illustrious assembly of our commons, the weal of the community is the only abiding thought of its members, the noble end pursued at the sacrifice of all personal concerns, or at the very least of all personal recreations—the fact that a motion, so important to the interests of the empire, was delayed, in order that the representatives of the people might attend the race-course at Epsom, would create an emotion of surprise almost as strong as would be excited in our minds by the appearance of the noble lord in the guise represented by the dreamer.

The cases in which we do feel the emotions of surprise in our dreams will be found to be exceptions which confirm the rule. For, first, though in dreams we are rarely conscious of receiving external sensations, it sometimes happens that we do receive them without awaking, and in such cases we might feel the emotion of surprise; as, for instance, a strong light passed before our eyes, or a sudden noise, would interfere with the trains of our thought, and we might be surprised at finding ourself in the midst of the conflagration of Moscow, or at the battle of the Pyramids. In the same manner, our internal sen-

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sations might likewise interfere with the train of our thoughts, and excite the emotion of surprise.

Secondly, our surprise, when awake, is occasionally excited by the conflict of our present sensations or ideas, not with our previous expectation, but with some idea excited (through the medium of association) by itself; thus we feel surprised at remembering something which seems at variance with our present idea or sensation. When we either experience or remember a train of sensations which appears to have occurred in an unusual order, we are surprised at the *order* in which they have occurred. When we remember our dreams, we are surprised at their incongruity. When an event occurs, which, perhaps, in itself creates no surprise, but which calls up the idea of some antecedent event, and we are puzzled to account for their connexion—we feel surprised. For instance, if we see a man begging, whom we have often seen begging before, we feel no surprise; but when we remember that he was once wealthy, and are unable to account for his change of circumstances, we feel surprised. When an event occurs, and we endeavour to trace its cause, but are unable to do so, we feel surprised. For instance, when we suddenly remember any thing which has happened to us long ago, and endeavour to trace its connexion with our preceding thoughts, and are unable to do so, we feel surprised, but the emotion ceases as soon as we find the cause.

Cases similar to these may, it is evident, occur in our dreams, and it is chiefly in these cases that we feel the emotion of surprise.

We sometimes, in a subsequent period of our dream, remember the events which have occurred, and we feel surprised, and we even dream that we have been dreaming.

We feel surprised or puzzled in our dreams, when we remember something, which is at variance with the sensation which we seem to have. We remember once seeing in a dream one of our friends with the head of a bear: we were not surprised at it; we did not doubt the fact; but we then remembered that the last time we saw him he had a different aspect, and we felt puzzled to account for the change. The origin of the dream was, that whilst speaking of the friend the evening before our dream, we had ridiculed the shagginess of his hair, and compared his head to that of a bear. In our dream, some idea called up the idea of our friend: he appeared before us with a bear's head; we were not surprised at the fact, for the reason which we have already explained—the idea of his head called up the idea of the head he wore the last time we saw him—we were then puzzled to account for the change.

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These cases are rare; but the cause of this probably is, that the apparent sensations which we have in dreams are not sufficiently attended to, and seldom last long enough to leave time to compare them with our former experience. Every one knows that in sleep we often seem to have interesting sensations without attending to them in the same manner as we should attend to similar sensations when awake. This can easily be explained by the fact of their being *ideas*, not *sensations*, and consequently only as interesting as similar ideas would be if we were awake. When awake, we remember them as *sensations*, not as *ideas*, and thence we are surprised that we should have paid so little attention to them. We may dream of a mad dog without any emotion of fear, because we can have such an idea while awake without emotion: but when we remember that it seemed a sensation, we are then surprised at our not feeling alarmed, in the same manner as we should have done if we had in reality seen a mad dog; for with the idea of a mad dog, conceived as having been actually seen, is associated the idea of the emotion generally experienced by us in company with the sensation, but with the mere idea of a mad dog no such emotion is necessarily connected*.

When we are awake, if a train of interesting sensations follow one another rapidly, we are unable to attend to any particular sensation; we say that we have not time to attend to it, and that the mind is hurried away. If this be what usually happens when we have a rapid succession even of sensations, each of which, from their very nature, must have a certain durability, still more must it happen when the succession is of thoughts, which are proverbially fleeting.

Now, in our dreams, our apparent sensations are momentary ones, and consequently we do not attend to them.

We have thus attempted to explain the absence of surprise by showing that dreams are unbroken trains of ideas, exciting one another without the intervention of sensations, and in which the ideas, though mistaken for sensations, affect us only as similar ideas would while awake. The reason why we feel surprise when we remember our dreams is, that we only remember the more vivid ideas; we forget the connecting links; we remember them likewise as sensations, that is, as trains of events in nature, not as trains of ideas, and as such they do not succeed one another in their accustomed order; indeed we cease to

* It is probably from the same cause that we so often *forget* our dreams. We should not, in so short a time, forget so many actual events—that is, so many sensations; but mere thoughts, which pass through our minds, we do perpetually, or rather in ninety-nine cases out of every hundred, forget; and dreams are such.

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feel surprise whenever we can trace the connexion between our ideas in a dream.

'We have seldom any idea of past events in dreams; if such are called forth, they generally seem to be present and in the process of actual occurrence. We may dream of Alexander the Great, but it is as of a person who is co-existent with ourselves.'—p. 59.

In the idea of a past event is included, first, the idea of the event; second, the idea of the time which has elapsed between the event and the present moment—that is, our present sensations. This idea is the idea either of a series of years, months, days, or of any other train of events, beginning with the past event, and ending with our present sensations.

Now, in dreaming, the idea of the past event appears a sensation, that is, appears present; it cannot consequently call up the idea of an *interval* of time between the event and our present sensations, for they are one and the same feeling; but it may call up a train of ideas of the subsequent events, which would appear a train of successive states of existence. Thus, after having seen Alexander in the battles on the Granicus, we may accompany him in his conquests of Asia-Minor, Syria, and Egypt, from the Euphrates to the Iaxartes, from the Caspian gates to the Indus. We may storm Aornos, defeat Porus, sail with Nearchus, be present at the nuptials of Alexander and his generals, and as one of them give the wedding salute to a Persian maid,—and thus exist through a series of historical events down to the present times; yet we may dream all this in a few minutes, 'for thought is quick.'

This quickness of thought perplexes much our philosopher, who is at a loss for a faculty to put to sleep.

'There is one fact connected with dreams which is highly remarkable. When we are suddenly awakened from a profound slumber by a loud knock at, or by the rapid opening of the door, a train of actions, which it would take hours, or days, or even weeks to accomplish, sometimes passes through the mind. Time, in fact, seems to be in a great measure annihilated. An extensive period is reduced, as it were, to a single point, or rather a single point is made to embrace an extensive period. In one instant, we pass through many adventures, see many strange sights, and hear many strange sounds.'—p. 59.

'It is more easy to state the fact of this apparent expansion of time in dreams, than to give any theory which will satisfactorily account for it.'—p. 41.

The question is, why, when we remember a dream, the period of the dream sometimes seems of a longer duration than the period which has really elapsed. Time is the feeling of the succession of our mental states. The idea of a past period of time is the idea of the number of events which have occurred in

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that period. Now we do not remember all the events, but only certain ones; and those which we do remember are those of which the ideas are most vivid. The idea of a past event is more vivid, everything else being the same, in proportion as the event has been interesting. If, therefore, in one period of time, more interesting events have occurred to us than in another period of equal duration, when we *recall* the first period to our memory, we remember *more events;* it consequently appears to us of longer duration than when we recall the second period, which we only know to be of the same duration as the first by ascertaining that the same number of those successions have elapsed, which we have taken as the *standard* of time, viz. hours, minutes, &c.

Though ideas are associated together in the order in which the sensations existed of which they are the copies, the more vivid and interesting ideas are most strongly associated; the less interesting ones are gradually obliterated. Therefore, in some of our dreams, the train of our ideas is entirely composed of interesting ideas; and these appear interesting events, which being remembered as sensations when we awake, a considerable period of time seems to have elapsed, though the period of time which has really elapsed is only the period required, when we are awake, for the succession of those thoughts.

Thus, in a dream of a few minutes, we once saw, vividly depicted, all the successive stages of a conflagration as described in Schiller's 'Lied von der Glocke.'

Not only when we remember a dream does the period of time it occupied seem longer than it really was, but sometimes, during a dream, an enormous period of time seems to elapse—we live for ages.

As we have already stated, time is an idea of successions; we can have no idea of time without a consciousness of successive states of feeling. For instance, a person who has slept soundly frequently conceives that he has not slept at all.

If we have a succession of states of feeling which are so similar as hardly to be distinguished, time appears to pass quickly, as whilst we are dozing. Now, of interesting feelings there are two kinds, pleasurable and painful. When we have a train of pleasurable feelings, our mind is engrossed by them: they call up neither desires, nor aversions, for we feel gratified; our attention is perpetually recalled to them; but unless there is unusual variety in the pleasurable excitement, the pleasant feelings are so nearly similar, that we are hardly conscious of successions. The time, we say, appears to pass quickly. Such

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is generally the case when we are amused. In a train of painful sensations, the sensation calls up the desire of relief, and the idea of the pleasures of relief, which is succeeded by the painful sensations, and so on. Thus sensations of pain and ideas of pleasure follow each other with a rapidity and vividness in proportion to the intensity of the pain. On account of their being dissimilar feelings, they are distinguished from each other even when they succeed each other with extreme rapidity. The time therefore appears to pass slowly.

Any one who has experienced a surgical operation must be aware that a minute then seems an hour.

Thus, likewise, the lover deems a short period of absence from his mistress to be of enormous duration; for the uneasy feeling occasioned by the absence of the beloved object calls up the ideas of the pleasures of her society, the kindly greeting, the soft embrace; these pleasurable ideas are succeeded by the uneasy feeling of the ungratified longing, and so on alternately. Such successive states of consciousness are marked by the term impatience, which is in proportion to the intensity of the desire, that is, to the idea of the future pleasure. If, however, the lover can so occupy himself as to exclude this idea, and its associated trains of dissimilar feelings, time seems to pass in its ordinary manner, till the moment of meeting arrives. Then pleasurable emotions follow pleasurable emotions; the lover's mind is engrossed by the delights of hearing, seeing, and talking to his mistress; she alone occupies his attention, and excludes every other idea. Thus he is conscious of only one set of most similar feelings, and hours seem but moments under the control of the goddess, to whom we can exclaim with the poet—

> 'capta lepore
> Illecebrisque tuis omnis natura animantum
> Te sequitur cupide, quo quamque inducere pergis:
> Denique per maria, ac monteis, fluviosque rapaceis,
> Frondiferasque domos avium, camposque virenteis,
> Omnibus incutiens blandum per pectora amorem,
> Efficis, ut cupide generatim sæcla propagant.
> Quæ quoniam rerum Naturam sola gubernas,
> Nec sine Te quicquam dias in luminis oras
> Exoritur, neque *fit lætum*, neque *amabile* quicquam;
> Te sociam studeo scribundis versibus esse
> Quos ego de Rerum Natura pangere conor.'
>
> LUCRETIUS.

Now, in a dream, some uneasy sensation (an internal one) calls up the idea of some cause of that sensation; as, for instance, an oppression of the breathing would call up the idea

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of a weight upon the chest, which might seem an enormous stone crushing us; from this we desire to be relieved, but in vain; for the internal sensation continuing, the idea of its cause would continue: we should, therefore, seem to strive in vain to remove it; we should impatiently endure agony; we should thus have a train of the most dissimilar feelings, and an enormous period would seem to elapse. We extract the following description of the dreams of the 'English Opium-eater,' which well illustrates this position:—

'Southern Asia is, and has been for thousands of years, the part of the earth most swarming with human life; the great *officina gentium.* Man is a weed in those regions. The vast empires, also, into which the enormous population of Asia has always been cast, give a further sublimity to the feelings associated with all Oriental names, or images. In China, over and above what it has in common with the rest of Southern Asia, I am terrified by the modes of life, by the manners, and the barrier of utter abhorrence and want of sympathy placed between us by feelings deeper than I can analyze. I could sooner live with lunatics or brute animals. All this, and much more than I can say, or have time to say, the reader must enter into before he can comprehend the unimaginable horror which these dreams of Oriental imagery and mythological tortures impressed upon me. Under the connecting feeling of tropical heat and vertical sunlights, I brought together all creatures, birds, beasts, reptiles, all trees and plants, usages and appearances, that are found in all tropical regions, and assembled them together in China or Indostan. From kindred feelings I soon brought Egypt and all her gods under the same law. I was stared at, hooted at, grinned at, chattered at, by monkeys, by paroquets, by cockatoos. I ran into pagodas: and was fixed for centuries at the summit, or in the secret rooms; I was the idol; I was the priest; I was worshipped; I was sacrificed. I fled from the wrath of Brama through all the forests of Asia: Vishnu hated me: Seeva laid in wait for me. I came suddenly upon Isis and Osiris: I had done a deed, they said, which the ibis and the crocodile trembled at. I was buried for a thousand years, in stone coffins, with mummies and sphinxes, in narrow chambers, at the heart of eternal pyramids. I was kissed, with cancerous kisses, by crocodiles, and laid confounded with all unutterable slimy things, amongst reeds and Nilotic mud.'—p. 96.

Our author considers, as an inexplicable phenomenon, that 'if in our dreams we have a longing for anything, we are apt to suppose that we possess it.' Even objects altogether unattainable are placed within our reach: we achieve impossibilities, and triumph with ease over the invincible laws of nature.' —p. 52.

A desire is the idea of something as good to have; but as we have so often observed in sleep, our ideas are mistaken for sensations; any feeling, which in sleep calls up a desire of some

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object, places that object before us as existing. For example, the uneasiness of hunger calls up the idea of food: whilst awake, that idea would call up the thought of some means within our power of obtaining food—that is, of gratifying the desire. But whilst asleep, the idea of food seems to us the sensation of food; or, in other words, the desire and its apparent gratification are one and the same feeling; and thus it calls up, not the idea of the means of obtaining that which appears to us obtained, but of the pleasurable sensations consequent upon the gratification, and thus we may revel in sleep in all the luxuries of an ideal feast: as, however, the uneasiness is not allayed, it perpetually excites fresh ideas of food, dainties succeed to dainties, all the arts of the cuisine are exerted in our favour, each favourite dish is presented to us and partaken of.; we quaff the richest wines, we enjoy the fruits and choicest productions of every climate; and feel a succession of pleasures, such, alas! as no real banquet can realize, in which the appetite is always too quickly appeased by material food.

If the uneasy feeling be strong, though the banquet be spread before us, we may be tantalized with dainties, which either seem to give us no gratification, or to elude our grasp.

> 'Ut bibere in somnis sitiens quom quærit, et humor
> Non datur, ardorem in membris qui stinguere possit:
> Sed laticum simulacra petit, frustraque laborat:
> In medio sitit torrenti flumine potans.'
>
> LUCRETIUS.

The trains of our ideas in sleep, and when awake, are generally similar. To explain this fact, Lucretius says, those apertures of the mind remain open during a dream which were most frequently open whilst we were awake, and thus the dreams get in. Our author says, the strongest faculties remain longest awake, and thus exhibit their 'proper characteristics' (proper properties!) in dreams:—

'Dreams being produced by the active state of such organs as are disassociated from, or have not sympathized in, the general slumber, partake of the character of those whose powers are in greatest vigour, or farthest removed from the somnolent state. A person's natural character, therefore, or his pursuits in life, by strengthening one faculty, make it less susceptible, than such as are weaker, of being overcome by complete sleep; or, if it be overcome, it awakes more rapidly from its dormant state, and exhibits its proper characteristics in dreams. Thus, the miser dreams of wealth, the lover of his mistress,' &c.—p. 63.

The big bumps go last to sleep because they are the strongest faculties, and the strongest faculties go last to sleep because they are less susceptible of being overcome by sleep. Does the

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philosopher of sleep think that such jargon explains the simple fact to which he refers? Dreams are trains of thought following one another by association; that is, ideas call up ideas in the same order as they would if we were awake. Now a person is said to have a particular character or disposition, when his ideas are associated in some species of trains more than in others. His ideas and sensations, when awake, call up, by association, those trains in preference to other trains; for the same reason, those trains are most common in his dreams.

> 'Et quoi quisque fere studio devinctus adhæret,
> Aut quibus in rebus multùm sumus antè morati,
> Atque in qua ratione fuit contenta magis mens,
> In somnis eadem plerumque videmur obire:
> Causidici causas agere, et componere leges:
> Induperatores pugnare, ac prælia obire:
> Nautæ contractum cum ventis cernere bellum:
> Nos agere hoc autem, et naturam quærere rerum
> Semper, et inventum patriis exponere chartis.
> Cætera sic studia, atque artes plerumque videntur
> In somnis animos hominum frustrata tenere.'
>
> LUCRETIUS.

Ideas are associated together whose corresponding sensations have recently interested us; and thus we sometimes dream over the events of the preceding day, and we seem—

> 'Cernere saltantes, et mollia membra moventeis:
> Et citharæ liquidum carmen, chordasque loquenteis
> Auribus accipere, et consessum cernere eundem,
> Scenaïque simul varios splendere decores.'
>
> LUCRETIUS.

Who has not heard Pasta, seen Taglioni, or enjoyed the presence of Vestris in a dream?

It is said that, in dreams, our ideas are not controlled by the will. Mr. Mill* has clearly explained what is the real nature of the control of the will over our ideas. We desire some end to be obtained by means of one or more ideas, and we run over in our mind all the ideas associated with the end, till we find that of which we are in search. For instance, if we desire to solve a mathematical problem, we run over in our mind the ideas connected with that and similar problems; we detain and employ those which appear to suit our purpose, and reject others.

The same process takes place in dreams: we have solved many a problem in a dream, and we can, by attentively studying before we go to sleep, ensure dreams connected with the

* Analysis of the Human Mind.

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subject of our studies; which dreams are agreeable ones, when the difficulties which we desire to solve are solved: but when we are unsuccessful, the unsatisfied desire constitutes a most disagreeable train of feelings.

When we desire, while awake, to recollect something, but unsuccessfully, we sometimes succeed in our dreams: and as the ideas composing the train, which leads to the idea desired, are frequently mistaken for sensations, the dream appears, when we awake, to be of a most extraordinary nature, though it is one in which the ideas are completely controlled by the desire. For instance—

'Mr. R——d, of Bowland, a gentleman of landed property in the Vale of Gala, was prosecuted for a very considerable sum, the accumulated arrears of teind (or tithe), for which he was said to be indebted to a noble family, the titulars (lay impropriators of the tithes). Mr. R——d was strongly impressed with the belief that his father had, by a form of process peculiar to the law of Scotland, purchased these lands from the titular, and, therefore, that the present prosecution was groundless. But after an industrious search among his father's papers, an investigation of the public records, and a careful inquiry among all persons who had transacted law business for his father, no evidence could be recovered to support his defence. The period was now near at hand when he conceived the loss of his law-suit to be inevitable, and he had formed the determination to ride to Edinburgh next day, and make the best bargain he could in the way of compromise. He went to bed with this resolution, and, with all the circumstances of the case floating upon his mind, had a dream to the following purpose. His father, who had been many years dead, appeared to him, he thought, and asked him why he was disturbed in his mind. In dreams, men are not surprised at such apparitions. Mr. R——d thought that he informed his father of the cause of his distress, adding, that the payment of a considerable sum of money was the more unpleasant to him, because he had a strong consciousness that it was not due, though he was unable to recover any evidence in support of his belief. "You are right, my son," replied the paternal shade; "I did acquire right to these teinds, for payment of which you are now prosecuted. The papers relating to the transaction are in the hands of Mr. ——, a writer (or attorney), who is now retired from professional business, and resides at Inveresk, near Edinburgh. He was a person whom I employed on that occasion for a particular reason, but who never on any other occasion transacted business on my account. It is very possible," pursued the vision, "that Mr. —— may have forgotten a matter which is now of a very old date; but you may call it to his recollection by this token, that when I came to pay his account, there was difficulty in getting change for a Portugal piece of gold, and we were forced to drink out the balance at a tavern."

'Mr. R——d awoke in the morning with all the words of the vision imprinted on his mind, and thought it worth while to walk across the country to Inveresk, instead of going straight to Edinburgh. When he came there, he waited on the gentleman mentioned in the dream, a very

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old man. Without saying any thing of the vision, he inquired whether he remembered having conducted such a matter for his deceased father. The old gentleman could not at first bring the circumstance to his recollection, but on mention of the Portuguese piece of gold, the whole returned upon his memory: he made an immediate search for the papers, and recovered them: so that Mr. R———d carried to Edinburgh the documents necessary to gain the cause which he was on the verge of losing.'—p. 129.

In this case Mr. R——d believed that the tithe had been redeemed, and desired to recollect the cause of his belief, which brought up the idea of his father telling him about the writer, the date of the deed, the Portugal piece, &c.—which appeared the sensation of his father telling him.

It is said that we do not attend to our sensations and ideas in the same manner when we dream as when we are awake.

When we dream, we have seldom any sensations but internal ones;—we attend only to sensations and ideas which are interesting. When dreaming, ideas are mistaken for sensations; and the apparent sensations are consequently only as interesting as the corresponding ideas would be when awake. This we have already noticed in the present article.

'Thus, in our dreams, we may walk on the brink of a precipice, or see ourselves doomed to immediate destruction by the weapon of a foe, or the fury of a tempestuous sea, and yet feel not the slightest emotion of fear, though, during the perfect activity of the brain, we may be naturally disposed to the strong manifestation of this feeling;—again, we may see the most extraordinary object or event without surprise, perform the most ruthless crime without compunction, and see what, in our waking hours, would cause us unmitigated grief, without the smallest feeling of sorrow.'—p. 77.

'For when awake we can sometimes think of walking upon the brink of a precipice, without the emotion of fear,' &c. We ourselves have seldom, if ever, had such dreams; on the contrary, we have frequently experienced the emotions of fear, dread, &c.; and we can say with Lucretius—

'Porro hominum mentes magnis quæ motibus edunt?
Magna etiam sæpe in somnis faciuntque geruntque.
Reges expugnant, capiuntur, prælia miscent;
Tollunt clamores, quasi si jugulantur ibidem:
Multi depugnant, gemitusque doloribus edunt;
Et quasi Pantheræ morsu sævique leonis
Mandantur, magnis clamoribus omnia complent.

. . . . .

Multi mortem obeunt, multi de montibus altis
Se quasi præcipitent ad terram corpore toto
Exterrentur, et ex Somno quasi mentibu' capti
Vix ad se redeunt permoti corporis æstu.'

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Such dreams, however, are generally caused by painful internal sensations.

In our dreams, we have seldom other than internal sensations. Now it is well known that every emotion is generally accompanied by a particular internal sensation. If in sleep we have that internal sensation, the emotion is called up by association, and calls up the idea of some cause of it. For instance every one is acquainted with the internal feeling called loathing, which accompanies the emotion called disgust. If that internal sensation were through disease to be excited in our sleep, it would immediately call up the emotion of disgust along with the idea of some disgusting object; the internal feeling continuing the idea of some other disgusting object would be presented to us, and so on; and thus we might have a dream similar to the one which we have extracted from the 'Confessions of the English Opium-eater.'

In the same manner, if the internal sensations be those which accompany the emotions of horror, dread, &c., those horrible and terrific objects are presented to us, of which we previously have read or heard. The dreamer

'is hissed at by serpents, tortured by demons, stunned by the hollow voices and cold touches of apparitions. A mighty stone is laid upon his breast, and crushes him to the ground in helpless agony: mad bulls and tigers pursue his palsied footsteps: the unearthly shrieks and gibberish of hags, witches, and fiends float around him. In whatever situation he may be placed, he feels superlatively wretched: he is Ixion working for ages at his wheel: he is Sisyphus rolling his eternal stone: he is stretched upon the iron bed of Procrustes: he is prostrated by inevitable destiny beneath the approaching wheels of the car of Juggernaut. At one moment, he may have the consciousness of a malignant demon being at his side: then, to shun the sight of so appalling an object, he will close his eyes, but still the fearful being makes its presence known—for its icy breath is felt diffusing itself over his visage and he knows that he is face to face with a fiend. Then, if he look up, he beholds horrid eyes glaring upon him, and an aspect of hell grinning at him with even more than hellish malice. Or he may have the idea of a monstrous hag squatted upon his breast—mute, motionless, and malignant: an incarnation of the Evil Spirit, whose intolerable weight crushes the breath out of his body, and whose fixed, deadly, incessant stare petrifies him with horror, and makes his very existence insufferable.'—p. 134.

The trains of thought which constitute these dreams are controlled by the internal sensations.

We have thus attempted to show that we have the same species of control over our trains of thought in dreams, and when awake; and that the phenomena of dreaming are to be ex-

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plained by the same law as those of our thoughts when awake. Our space does not permit us to enter into any further investigations upon this subject, and we must content ourselves with the expression of the belief that all the phenomena of dreaming may be explained by the fact, that we have no external sensations, but that some of the ideas of external sensations are mistaken for sensations. Those, who are well acquainted with the metaphysics of Hartley and Mill, will, in our opinion, find no difficulty in such an attempt, and will not require the aid of phrenology, or the assumption that the reflecting faculties are dormant, to explain the dreams not only of men, but of all other animals.

> Non homines solùm, sed verò animalia cuncta.
> Quippe videbis equos forteis, cùm membra jacebunt,
> In Somnis sudare tamen, spirareque sæpe,
> Et quasi de palma summas contendere vireis,
> Tunc quasi carceribus patefactis sæpe quiete.
>
> Venantumque canes in molli sæpe quiete
> Jactant crura tamen subitò, vocesque repente
> Mittunt, et crebras reducunt naribus auras,
> Ut vestigia si teneant inventa ferarum.
> Expergifactique sequuntur inania sæpe
> Cervorum simulacra, fugæ quasi dedita cernant;
> Donec discussis redeant erroribus ad se.
>
> At variæ fugiunt volucres, pennisque repente
> Sollicitant Divûm nocturno tempore lucos,
> Accipitres somno in leni si prælia, pugnasque
> Edere sunt persectantes, visæque volantes.—LUCRETIUS.

W. M.

ART. VIII.

THE CANADAS AND THEIR GRIEVANCES.

THE present condition of the Canadas, viewed solely with reference to the interests of the inhabitants of that country, must, in the eyes of all who sympathize with a people struggling for good government, appear an interesting and important subject of consideration. If, however, we inquire into this condition as an illustration of the English system of colonial government, the matter becomes of a yet more extensive interest, and of a more peculiar import to ourselves as a nation. From our endeavours to govern the Canadas after the approved model of colonial administration, we may, if we be prudent, gather a salutary experience; for we may not merely learn the vices of the plans hitherto adopted, but may also

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acquire a knowledge of the system which true wisdom would devise for the government of distant possessions.

At this moment Lower Canada is virtually without a government. The public officers have for three years been unpaid; all communication between the various parts of the legislature has ceased; and the House of Assembly has passed resolutions impeaching the Governor. An immense number of temporary acts, absolutely needed for the very existence of society, have this year expired, and have not been renewed; and the last session of the colonial legislature has been brought to a sudden termination, through disputes between the Governor and the House of Assembly: so that the administration of justice is unprovided for; the maintenance of the gaols is not voted, and all the civil functionaries are still unpaid. Such is the state of Lower Canada—Upper Canada is fast verging to the same condition, and will inevitably arrive at it, unless a wise policy be adopted, and good government introduced into these unfortunate colonies.

We shall, in the present paper, attempt to describe the circumstances which have led to this disturbed and dangerous condition of the Canadas—(confining our illustrations chiefly to the lower province, however, in order to avoid confusion*)—and shall endeavour to make this single, though not singular case, illustrate the principle which ought to guide a mother country while administering the affairs of her colonies, in their various states of advancement.

In the year 1763, the province of Quebec was ceded by France to England. Two matters of great importance to the present subject were agreed upon in this treaty. The King of England bound himself to allow to the people of the ceded country the free exercise of their religion, and the full and undisturbed enjoyment of their private property.

In the liberal spirit of this treaty, the Act of 14 Geo. III. c. 83, was passed, more effectually to regulate the state of the laws in Canada. By this act the criminal law of England was introduced, with the jury system; and the customs of Paris, in civil matters, were declared the law of the land.

The two Canadas were at this time known by the name of the province of Quebec. By 31 Geo. III. c. 31, however, this large province was separated into two parts; that portion lying on the upper part of the river St. Lawrence was called Upper Canada—that on the part nearer the sea was called Lower Canada.

* In the progress of our remarks, the perfect coincidence of evils in both provinces will, we feel assured, be made apparent to every one.

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As the upper province contained, with few exceptions, none but English settlers,—that is, persons speaking the English language,—the laws of England, both in civil and criminal affairs, were introduced into that colony without admixture of any other code. But in the lower province, as the inhabitants were chiefly of French extraction, the law was regulated according to the provisions of the above-mentioned enactment, 14 Geo. III. c. 83.

When the province of Quebec was thus divided, a new system of government was introduced. The arbitrary dominion of the king was given up, and the regulation of their internal affairs was confided to the inhabitants of the colonies. A Legislature was created for each province, composed, in both cases—1st, of a Governor to be chosen by the King; 2nd, of a Legislative Council, the members of which were to be chosen by the king, and for life; and, 3rd, of a House of Assembly, elected by the people.

By the 18 Geo. III. c. 12, all power of taxing the colonies, for the benefit of the mother country, had been solemnly given up. This salutary enactment was wrung from the fears of the British parliament, by the disastrous events of the struggle with our colonies, now composing the United States of America.

For some years after the establishment of these legislatures, the affairs of both provinces proceeded smoothly and without interruption. Upper Canada was struggling into existence. A very few inhabitants composed its whole population, and these few had all those difficulties to encounter which beset new settlers in a new country, and were too much occupied with the pressing exigencies of their condition to have time or attention for aught else. The inhabitants of Upper Canada were at that time chiefly loyalist emigrants from the revolted colonies. The chief men among them composed the local government, which for a time, in this position of affairs, had no directly evil influence on the mass of the inhabitants. In Lower Canada there was the same quiet, but arising from different reasons. The French had been wholly unaccustomed to self-government—had been so long under the dominion of an absolute governor, that the milder sway of England, even when exercised by a single person, was considered as an amelioration of their condition. For the good thus conferred on them the French Canadians were intensely grateful. Their love for England was enthusiastic; and so strong has been that feeling, that years of subsequent oppression have not yet effaced it. The strength of their affection for the mother country was

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strikingly evinced during both the wars waged with the United States. The Canadas remained faithful to England in spite of the pressing solicitations of the Americans during their struggle for freedom, and still continued subject to our dominion when the thirteen provinces vindicated to themselves a glorious independence. Again, during the last war, the Canadians, unassisted by our armies, repulsed an invasion of the Americans, and gallantly turned out their militia to a man, when inaction alone would have been sufficient to set them free from England. When the Peninsular war ceased, troops were poured into Canada, and the country became one large garrison. The colony was found a profitable possession, containing the means of feeding many of our illustrious poor. The soldiery, too, now formed a society apart. They condescended only to mix with the richer merchants and official persons, who could supply them with the expensive pleasures of exalted society. Contempt for the mass of the people became fashionable; and the bitter seeds of animosity were profusely scattered from one end of the country to the other.

We shall now describe the course of events in Lower Canada.

The people at length became accustomed to the government which England had conferred on them; and learned to appreciate the power put into their hands. The House of Assembly requested to be permitted to pay their own functionaries.* To this demand the official people made a furious opposition. In time, however, it was complied with. The result intended followed. The official persons became amenable to the House of Assembly—the House of Assembly was but the expression of the people's wishes—and that people these official persons had hitherto delighted in describing as exceedingly contemptible. They now began to reap their reward. It was a galling and humiliating thing to owe your daily bread to persons whom you despised. You had been accustomed to exclude this *vulgar herd* from your society, and now they suddenly became your

* This request was first made in 1810. The mode in which this request was met vividly illustrates the spirit of the official party. We quote, from a work by Mr. Andrew Stuart, now one of the chiefs of the Anti-Canadian junta,—time was when he figured as a Canadian patriot:—"The official men, who in colonies constitute a peculiar class, having been entirely uncontrolled, had obtained a degree of power which overshadowed all other classes in society; and the main object of the highly patriotic individual who introduced this measure originally in 1810, the late Honourable Mr. Justice Bedard, then advocate at the bar of Quebec, was to obtain a check upon the official class. As a reward for this patriotic effort, this man, distinguished as he was for ability, for singleness of heart, and for a devoted attachment to constitutional principles, was, with some of his supporters, *lodged in the common gaol for the district of Quebec.*"

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masters. The thing being intolerable, means were sought to resist it. Means were at hand; the evil composition of the government allowing functionaries desirous of escaping from responsibility to fight a harassing and mischievous fight with the people whom they served.

Besides the legislative body above described, for the purpose of carrying on the government, a council existed called the executive council. This body is compared with the privy council in England, but in reality bears no analogy to it; being, in fact, the actual administrative government of the province. The governor sent from England is always ignorant of the country, and usually knows little of the business of government, being chosen, not because he is fit for the office, but because he wants a lucrative situation. To enlighten his ignorance, and prevent the evil effects that might result therefrom, he is surrounded with a council to advise him. This council is permanent; he is but a bird of passage. The moment he lands, the first persons he sees are those of the council. They describe to him the state of the country after their own opinions; he naturally listens and believes. Besides, he dines and lives with the council. They flatter him; they relieve him from the difficulties of his position; and if any body says any ill of him while he is their tool, they are vehement in his defence, and describe the offenders as disloyal and impious. Should, however, a governor be strong-minded enough to resist these arts, they of the council quickly relieve themselves of his dominion through the influence of the Colonial-office. Thus, in fact, they rule the country.

At the time of which we are now speaking, the executive council was not only identical in feeling with the legislative council—one branch of the legislature—but identical in persons. Thus the executive council not merely directed the administration of the country, but really interfered with the whole business of the legislature.

Various were the schemes for avoiding responsibility; and it will be found that all the disturbances which have arisen in Canada have had this wish to escape from responsibility for their cause; and that the persons who have entertained and acted on it have, solely through the interference of the Colonial-office, been enabled to stir up a commotion that threatens the loss of these important possessions. The Colonial-office, no matter who has happened to be at its head, has invariably sympathized with the officials hating control, and not with the people seeking to make them useful and responsible servants. This sympathy has guided the Colonial-office in most of their

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proceedings; but where by chance they felt right, and wished to act so, the gross ignorance which prevailed within that Augean precinct has always paralyzed their efforts, and made them go wrong, spite of their passing desire to go right.

Various, we say, were the schemes adopted to free the official gentry from a disagreeable responsibility to the people: a few of these notable plans deserve to be recorded.

The first of these specimens of official ingenuity was the demand, on the part of the colonial government, that all the civil expenses should be voted in one sum—*en bloc*, as it was termed; the next, that the Civil-list should be permanent. The House of Assembly, after the fashion of plain men of business, carefully inquired into each individual office, asked why it was needed, and who filled it—and having learned what was the service, determined what it was worth, by apportioning to it a salary. This evidently was disagreeable—it was, in colonial language, exceedingly pitiful—it was anti-monarchical—it was republican—none but traitors would have conceived so despicable a method; therefore the colonial government desired of the House that they would not trouble themselves about items, but give them a round sum, and promised that they, the government, would see to its proper distribution. This preposterous proposal was very properly refused. The refusal raised an amazing outcry, and England was persuaded that the colony was in an exceedingly bad way, and that a strong-handed governor was needed. The late Duke of Richmond was therefore dispatched to keep in order the unruly province. Hardly a person in the province had ever seen a duke—the first and last that had appeared among them was the Duke of Kent—and this apparition, from having been short and frequently talked of, rather enhanced the worth of a duke in the abstract. It was no unwise policy, on the whole, therefore, to send a person possessing so sounding a title as duke. The Duke of Richmond came—he was supposed to have extraordinary powers—he was to dazzle the Assembly into compliance. With great pomp, and with the firing of many guns, which broke many windows, he opened the session of the provincial parliament. He was surrounded by his sons and daughters, and they were lords and ladies, by courtesy at least. He had a gay and brilliant procession, and the plain and simple burghers of Canada looked on, wondered, and quietly asked who was to pay for the show. The theatrical pageant failed—the House of Assembly refused, even to a duke, the demand of the official servants, who were employing him as their tool. The wonder and the outcry were immense. This surpassed all former atrocity. So great a man to have so

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small an influence! a great man bearing not merely the king's commission but the king's arms, and that, by some manœuvre, without the bend sinister! The whole matter was dreadful, and exceedingly puzzled the persons who had contrived the pageant and the plot. Still they hoped much from the powerful duke. These hopes were disappointed by the unexpected death of the Governor-General.

The Colonial-office sent out in his place Lord Dalhousie. Now Lord Dalhousie was a soldier—he was the friend of the Duke of Wellington, he was poor, and had to be provided for, therefore he was a fit man to be the governor of a province placed in exceedingly difficult and delicate circumstances. He came, made the same demand as his predecessor, and got the same answer.

Then came the other notable scheme: one that is still pressed, and which has been the immediate cause of the distractions now existing. On the accession of George IV., a new demand was made, viz., that the Assembly, after the fashion of the House of Commons, should grant a Civil-list for the life of the king. This, and wisely too, the House refused, there being no analogy between the two cases. In England a *quid pro quo* is given—a revenue is granted to the king, because he gives up certain hereditary revenues. This plan has never been tried with the Canadians. The whole revenue has never yet been given up to the province, nor the House of Assembly made the paramount purse-holder of the country. Again, it should be observed that the Civil-list in England forms but a small item of the whole expenses of government; so that by granting it, no real control is given up by the people. This is not the case in Canada—by giving a permanent Civil-list, the House of Assembly would be rendered nearly powerless. It should be remembered also, that in Canada the soldiery is beyond the control of the House. There is no Mutiny-bill to be passed annually; the House of Assembly therefore has not the peculiar power possessed by the House of Commons, a power which of itself renders that House necessarily predominant in the state, and which makes it incumbent on the ministry to call them together every year, however painful it may be to meet the representatives of the people. This demand of a permanent Civil-list was also refused.*

While these disputes were going on between the official tribe and the House of Assembly, political knowledge and foresight were gradually being acquired by the represen-

* The subsequent proceedings respecting the Civil-list will be described in a later portion of this paper.

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tatives of the people. The persecutions in Ireland have produced O'Connell, the misgovernment of Canada (which, as will quickly appear, bears a strong resemblance to the fate of that unfortunate country) has produced its O'Connell also in the person of M. Papineau. For nearly twenty years he has directed the proceedings of the House of Assembly, and for the greater part of that time has been its speaker. As he has steadily adhered to the cause of his countrymen, and has manifested great talent in the direction of their political efforts, he has been furiously assailed by the loyal persons in Canada, and by the hireling press which is at their command. If any of our readers, therefore, who interest themselves in colonial politics, should find one M. Papineau constantly spoken of, and often vehemently abused, and should desire to know who and what M. Papineau may be, we would say to him, that M. Papineau has steadily, warmly, successfully, and with great ability fought the fight of the people of his native country; that by that people he is beloved as their benefactor; that by their enemies he is hated, feared, and consequently abused. Through his endeavours, the effectual stand has been made against the faction who have endeavoured to farm out the province to their own benefit; by him the efficient opposition to their attempts, which we are now about to describe, has been organised, sustained, and rendered ultimately successful. We need no further explanation of the bitter hatred which is manifested towards him, or of the virulent abuse by which he has been and continues to be assailed.

The House of Assembly was, at the period of Lord Dalhousie's government, a body possessing feelings very different from those entertained by their early predecessors. The leading men in it thoroughly understood the value of the political instrument placed in their hands by the government of England; they perceived moreover the many mischiefs which were produced by the actual government of the province, and they determined to use the constitutional powers of the House of Assembly as instruments to eradicate the evils that still existed in their political system. The use of these powers to this end has raised the furious outcry that is now being made by the official tribe—and we shall now proceed to show the nature of the evils complained of, and the method pursued by the House to root them out.

1. The first class of evils related to finance. The representatives of the people complained, that the resources of their country were employed by persons not responsible to the people; that the money of the people was therefore squandered; that

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they, the representatives, were unable to obtain accurate accounts either of the receipts or the expenditure of the government; and that the people were taxed without the consent of their representatives.

2. The second class of evils related to the administration of justice. The representatives of the people complained of the perfect irresponsibility of the judges to any one except the English Colonial-office. They asserted, moreover, that this responsibility was in fact a farce, as the Colonial-office placed implicit confidence in the Executive Council, and this Executive Council was composed in a large part by the judges, and had interests and sympathies identical with theirs. Many and flagrant instances of injustice were specified and complained of.

Moreover it was stated, that suspicion must ever attach to political judges; that the judges of Lower Canada, by being members of the Legislative and Executive Councils, were of necessity political judges, and were, in fact, supposed by the people to be improperly biassed by their political opinions.

It was also asserted that justice was too dear—that, especially in a poor and new country, struggling with the great difficulties which attend necessarily upon a people in the situation of the Canadians, justice should not only be cheap, but at every body's door. The representatives complained, that many salutary laws passed by them, who knew the wants and wishes of the people, had been rejected by the Legislative Council, which was ignorant of the wants of the people, and careless respecting their wishes.

It was further urged as matter of complaint, that, under the then jury system, the sheriffs were able to compose a panel as they desired; that these sheriffs, being salaried officers, depending for their possession of office on the mere will of the executive, were, in fact, subservient tools to the executive; and being suspected, and that often but too justly, they poisoned justice at the fountain, and spread dismay throughout the country.*

3. The next class of evils related to education. The representatives of the people complained, that among the revenues which the Crown had possessed itself of, were certain large and growing estates belonging to the late order of Jesuits; that

* This jury system has since been changed, but much of the evil complained of remains. The art of *packing* juries is not peculiar to England. We have taught it to our colonial subjects. The sheriffs of Canada are still officers dependent immediately on the executive, and when ordered, have not scrupled to act in direct opposition to the new jury law. Witness the conduct of the sheriff of Montreal, in packing the jury which had to determine on the bills of indictment preferred against the parties concerned in the too notorious massacre of May, 1833.

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these estates had, before they came into the possession of the Crown, been dedicated to the instruction of youth; but that the Crown had taken the whole of the estates, and applied them to other purposes, and, furthermore, had converted the College of the Jesuits at Quebec into a soldiers' barrack.

They also complained that no attempts had been made by government to spread education among the mass of the people; but that, on the contrary, the Legislative Council, which was wholly under the control of the executive, constantly rejected many salutary bills passed by the House of Assembly to further the education of the people in the rural districts.

Connected with this subject was the complaint respecting the provision made for the clergy of the Church of England. Among a population four-fifths of whom were Catholic, one-seventh of the whole lands of the country was set apart for the clergy of the Church of England. This appropriation was bitterly complained of, first, as an attempt to introduce a church establishment in opposition to the opinions and feelings of the people; and, secondly, as a direct robbery of a fund which ought to be applied to the education of the whole people, without reference to sect or origin.

4. The next class of evils complained of related to attempts made by the English Parliament to alter the laws regulating the internal affairs of the colony.

5. The last class of evils to which we shall allude, as complained of by the Canadian representatives, related to the general administration of the government. They complained that the whole administration was a scheme of favouritism; that, in order to secure the lucrative offices in the hands of a small set of families, attempts were constantly made to sow dissensions among the different classes of the people; that merit, if evinced by one not of the family party ruling in Quebec and Montreal, was wholly neglected; that, by this means, constant heartburnings were raised among the educated classes, and great evil done to the community by the employment of comparatively inefficient and useless functionaries.

From this catalogue of grievances, it will at once be evident, that the sum of the complaints was, that the people had not themselves the control of their own government. Whether the representatives then saw that this was the real grievance, we cannot pretend to determine. It is certain, however, that they then proposed no plan of more effectually placing the control over the government in their own hands, but merely confined their demands to matters which could only temporarily alleviate the evil. In other words, they then sought only for the re-

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moval of obnoxious officers, and not for organic changes in their government.

When the House of Assembly, in addition to its sturdy refusal to grant a permanent civil-list, as well as to vote the whole in one sum, continued loudly to complain respecting the list of grievances above mentioned, the case began to appear desperate in the eyes of the official party. A remedy was therefore sought equal to the occasion. Hitherto Upper Canada had showed no symptoms of complaint. A majority of the House of Assembly in that province voted with the executive government, and all was apparently peace and comfort among the official party there. The official party in Lower Canada, seeing two countries, in situations apparently so similar, pursuing courses so opposed, were perplexed, and sought a solution of the difficulty. They fancied they had discovered it in the difference of origin. It was believed that the Lower Canadians were turbulent, because they were French; and that the Upper Canadians were quiet, because descended from Americans, English, Scotch, and Irish. This explanation of the phenomenon suggested a remedy for the evil which afflicted the Lower Canadian executive. They fancied that if these two bodies of people could be united, and placed under one government, in which care was to be taken to secure a majority of votes in the House of Assembly to the quiet, viz. Upper Canadian portion, all their distresses would immediately be relieved. In this notable opinion originated the plan of uniting the two provinces. The Colonial-office, as usual, was ready to act as the Executive Government desired; and a bill was brought into Parliament to effect a junction of the two provinces. This was done without the slightest appeal to the people of either colony; and the proposers of it hoped that it might be smuggled through the House. Unfortunately for them, it was opposed by Mr. Hume and others. Time was given to the colonists to express their feelings respecting it, when so unanimous were both provinces against the union, that the plan was necessarily abandoned.

During the disputes which were carried on respecting the grievances complained of on the part of the House of Assembly, and the demand for a permanent civil-list on the part of the Executive Government, the various officers of the country were in danger of being unpaid. The House of Assembly was induced to refuse the supplies from a variety of causes; the most immediate and pressing, however, was the state of the treasury of the province. As the circumstances connected with this subject illustrate, in a remarkable manner, the general system of our colonial policy, and as the matter is one of the most

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crying cases of abuse complained of by the Canadian people, we shall relate the history of the whole affair somewhat at length.

The receiver-general of the province is an officer appointed by the Crown; he is responsible also to the Crown, giving security in case of default to the executive alone, that is, to the government of England. This receiver-general receives all the revenues of Canada, as well that portion over which the House of Assembly is allowed to have control, as that which the Executive Government claims to have solely within its own power.

The late receiver-general, Sir John Caldwell, succeeded his father in this situation. Both the one and the other were vehemently suspected of having appropriated the monies of the province to their own private use. In order to ascertain whether these suspicions were well founded, and also in the pursuance of their ordinary duty, the House demanded of the receiver-general an account of their money in his hands. Will it be believed that Sir John Caldwell not only refused to render such an account, but that the Executive Government of Canada supported him in his contumacy? Further yet than this, the Colonial-office, the ever-ready and powerful engine of the colonial executive, looked on calmly while such a flagrant act of disobedience and dishonesty was performing. Lord Dalhousie, who was asking in a haughty manner of the House that they would confide in his honesty and prudence, and relieve him and his government from responsibility, was the protector of this public officer while refusing what every honest man would have voluntarily offered. The House, indignant at such conduct, were determined to settle the matter between themselves and this rebellious servant. They appropriated no monies to the public service, leaving the governor to get what he could out of the chest of the receiver-general. Thus driven, the governor, who, while it suited his purpose, shielded the receiver-general, drew bills on him now that he could get nothing from the House. The result justified the suspicions and the conduct of the House. The receiver-general was found to be a defaulter to the amount of 100,000*l.* It appeared that his father before him had employed the money of the people, and had bequeathed the debts and the situation to the son. The son, well knowing his father's insolvency, nevertheless took the office, and, instead of diminishing, greatly increased the debt due to the state. He lived in a sumptuous style, such as was befitting a great person in Quebec; he bought estates, and foreseeing that some day his bankruptcy must be known, he craftily had all his father's estates entailed upon his son. The government, under the pressure of the House of Assembly, sued him for the

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money, and got judgment against him. And now was seen the exquisite machinery by which justice is administered in Canada. The son of the defaulter claimed the estates of his grandfather under the entail. He lost his suit, but he has been able, by appeals from one court to another, and at last to the privy council in England, to stave off the evil hour of restitution. To this moment the debt remains unpaid.*

The governor was now driven into great straits. He had no chest to draw from, and he had a clamorous set of officials. They and he devised a plan (these people are famous for their plans). He divided the various officers into two classes, the necessary, and the urgently necessary, and proposed to pay the latter out of the funds supposed to be under the control of the executive.

The revenues of Lower Canada arise from the following sources—

1. The Jesuits' and other estates.
2. The land and timber fund.
3. Fines and dues resulting from seigneuries.
4. Certain duties imposed by the imperial legislature;
5. And duties imposed by the provincial legislature.

The money accruing from the first four sources was at that time deemed under the control of the executive. But as this sum was not sufficient to pay the whole expenses of the government; and as the Assembly was called upon to furnish the remainder, they thus virtually became supervisors of the whole. This is now always admitted. At that time a different doctrine was promulgated: it was then attempted to confine the power and the inspection of the House to the sum which the House itself specifically afforded.

Having divided the civil-list as above stated, the governor determined, without the permission of the House, to pay the *urgently necessary* officers out of the funds supposed to be under the control of the executive. The Assembly, justly indignant at such a proceeding, determined to complain to the general government: the governor, on his part, commenced a system of pitiful vexations. He put affronts on the Canadians, that is, the French Canadians, as distinguished from persons speaking English. He dismissed certain officers of militia, for having

* We may relate the remainder of this affair in a note. Sir John Caldwell is still a legislative councillor. He pays the government 2000*l.* a year out of an estate worth 5000*l.* a year; thus depriving the people every year of some 3000*l.* His debt and interest now amount to 150,000*l.*, and no means have been taken by the government to pay Canada one farthing. A judgment has lately been obtained in the Privy Council against the son; that is, some fifteen years after the acknowledgment of the default; but the debt is still unpaid.

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voted in a manner contrary to his Lordship's desire. He induced the government of England to interfere with the internal legislation of the country; and by an ordinary, but by no means honest proceeding, he and his party smuggled into a bill for the regulation of the trade with America, a provision for a change of the law relating to the tenure of lands in Canada. His offences towards the people amounted now to a formidable and intolerable sum. He had throughout his government vexed and insulted the people personally: he had endeavoured to unite the two provinces, in the hope of crushing the liberal party in Lower Canada: he had illegally seized upon and appropriated the monies of the people: he had endeavoured to screen a great public defaulter: he had unjustly treated a large body of the militia—had surreptitiously endeavoured to meddle with the laws of the people, thus eventually leading to the introduction and enactment of the Canada Tenures Act, in 1826*—and, finally, had fought a disgraceful fight with the House of Assembly, for a permanent civil-list, in order to ensure the irresponsibility of the official persons by whom he was surrounded, and by whom he was made a subservient tool. By thus linking himself with this official party, he plainly showed the people that his sympathies were with their oppressors, and they therefore determined to be rid of his dominion. The whole people were roused, and petitioned the Parliament of England to remove him. They also set forth a detailed account of their grievances, and prayed that they might be effectually remedied.

The consequence of these petitions was the appointment of a committee by the House of Commons, to inquire into the grievances alleged. This committee allowed that all the more important assertions of the petitions were proved: they allowed also, that the system of government was a bad one; and they thereupon made certain suggestions—all mere palliatives, which served in the end to increase instead of alleviating the mischief. Lord Dalhousie was recalled; and a system of conciliation was attempted. Sir James Kempt, by behaving with common civility, gained the good will of the people. He saw, however, that the causes of evil were beyond his power, and he wisely, after a short experience, retired from the government.

It was at this period that the home government made certain modified proposals to the House of Assembly respecting a permanent civil-list. The original demand was, that the whole of the civil servants should be permanently provided for; now,

* This subject will be more fully treated hereafter. We shall have to speak of the disputes respecting the *tenure of land*, and the reader will then see why the Canadian people were indignant at this proceeding on the part of the government.

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however, the home government having taken up the matter, far less was required. It was proposed that the governor, or person acting in the place of governor, his secretary, and the judges,* should alone be included in the permanent civil-list; and in order to induce the House to grant this, the government promised to fulfil an engagement made on the part of the British government some time previous to the end of the last century, and still left unperformed. They agreed to pass an act of Parliament, placing at the disposal of the House of Assembly certain duties levied under acts of the Imperial Parliament. The House of Assembly agreed to this arrangement.

At this time Lord Aylmer was appointed governor. The promised act of Parliament was passed, and the House of Assembly passed the permanent civil-list. The bill passed the legislative council, was sanctioned by the governor, *and its confirmation was refused by the home government*, upon a point of form which many have attempted to explain, but as yet the world cannot understand it.

Shortly after this Mr. Stanley succeeded to the seals of the Colonial-office, and all hope of amicable arrangement quickly disappeared. The governor got into disputes and quarrels with the House of Assembly; the Legislative Council, taking advantage of the confusion, exercised its privilege of rejecting bills passed in the Assembly far more freely than was consistent with the welfare of the people, and also quarrelled with the House of Assembly.

At this period, also, arose the demand of the people for an elective council, in place of the present legislative council appointed for life by the Crown. The House of Assembly addressed the Crown on the subject. They stated the grievance, and proposed the remedy; but suggested that, with regard to so great an alteration of the constitution, the wishes of the people should first be carefully inquired into. They therefore proposed that a *convention* should be called, to ascertain the feelings of the people; and that, if this convention should decide in favour of an elective council, an act of parliament should be passed to alter the present form of their government. Lord Stanley, in answer to this address, read the Assembly a lecture, and put a false construction on their demands, calling

* There is a curious fatality, it would seem, in these matters. In our disputes with our old American colonies, this precise demand was made and indignantly refused—the colonists assigning, as the reason of their refusal, that they liked to have their own servants under their own control. In one case a judge, who on the stoppage of supplies received his salary from the executive, was impeached by the colonial legislature for so doing. The precedent is not a bad one, and might upon occasion be usefully followed.

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the convention proposed a *national* convention, thus conveying unjust insinuations by means of an unpopular phrase with which were associated ideas of revolution and massacre. This conduct raised a flame that still burns, and which will continue to burn, until every evil be redressed by England, or the Canadas withdrawn from our dominion. The House of Assembly passed, on the receipt of his despatch, their famous ninety-two resolutions; they expunged the despatch from their journals; they formally declared the governor guilty of crimes deserving of impeachment, and they petitioned the Imperial Parliament to grant them redress. Mr. Roebuck presented their petition, and moved for a committee to inquire into the defects existing in the form of the Canadian governments. Lord Stanley opposed this motion, on the ground that Upper Canada had nothing to complain of, and that she did not complain; and moved as an amendment, that a committee should be appointed to inquire whether the recommendations of the committee of 1828 had been carried into execution. This was granted.

In the midst of this committee's labours Lord Stanley left office, and Mr. Spring Rice succeeded him. The new Secretary entered into negotiations with Mr. Roebuck and the Canadian agents, holding out fair promises, in order that he might begin his government undisturbed by the inquiries of the committee. Previous to the appointment of this committee, Lord Stanley had given notice that he would bring in a bill to repeal the late act of the Imperial Legislature, passed according to the arrangement made with the House of Assembly. He did this, in reality, because the House had stopped the supplies, and thus had driven the government to extremities.* He wished to get back into his power some portion of the revenue, so that he might not be dependent on the House of Assembly for the means of carrying on the government. The reason, however, which he assigned for this proceeding was that the House of Assembly had not performed their portion of the engagement. Lord Dalhousie, when in the same position, had actually taken the money out of the provincial treasury and applied it as he liked. Lord Stanley had too often and too publicly inveighed against this proceeding, to be able to follow the example. He endeavoured to gain the same end by different means; viz., by the assistance of Parliament. Mr. Spring Rice made a voluntary offer to desist from this plan of Lord Stanley, and solemnly

* Lord Stanley found fault with the House for following this course, though he himself had recommended such a course to the House of Assembly of Upper Canada. This recommendation certainly was made while the noble lord was out of office.

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condemned the conduct of Lord Dalhousie. This offer to the agents, and to Mr. Roebuck, was the basis of the negotiation which followed. It was acknowledged that the constitutional mode for the Assembly to attain its end was stopping the supplies. In his constitutional ardour, Mr. Spring Rice further said, that he would be no party to any attempt to deprive the House of this proper and constitutional check upon its servants. He therefore declared that he would do nothing to pay the public servants; he would not pursue either of the only two modes open to him; viz., would neither seize the money after the fashion of Lord Dalhousie, nor apply for an Act of Parliament after the mode intended by Lord Stanley. He would, he said, trust to the Assembly. He knew nothing of the question as yet; he was young in office, and sought time to learn his duty, and hoped the House would grant him the opportunity. They could do so only in one way: they could grant supplies, as during Sir James Kempt's administration, under protest. They would thus still retain their constitutional power over their servants, and yet give him a fair opportunity of amicably settling the matters complained of. He asked further, that the agents and Mr. Roebuck would agree to close the committee. This was agreed, upon the understanding that nobody should be inculpated, and a mere *formal* report agreed upon. The committee closed its labours by making such a report, and the agents returned to Canada with the impression that Mr. Rice was about immediately to recall Lord Aylmer; to call together the provincial parliament early in November, in order that the servants of the public might *then* be paid; and that he was about to adopt a liberal and enlightened policy as respected their country. Mr. Roebuck also wrote to the leaders of the popular party to the same effect, and advised, that they should forbear for the present, and give the minister an opportunity of voluntarily doing justice to Canada. The leaders acquiesced, and all was now apparent harmony, and men looked forward to a change of measures and men. What, then, was the surprise and indignation of the Canadians, when they found that the whole proceeding, on the part of Mr. S. Rice, was a manœuvre to gain time, and to get rid of an immediate and pressing difficulty! It was evident that he never had an intention of satisfying the expectations he had designedly raised. Lord Aylmer was not recalled; the servants of the public were paid by the authority of the colonial minister,* and a furious partisan of the official party

* The House of Assembly of Lower Canada, by a petition to the Imperial Parliament, agreed to February 28, 1835, and presented this session, has thus expressed its

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was raised to the bench. Nothing, in short, was changed; Mr. S. Rice, after all his fair promises and fine words, following in the footsteps of his predecessors. Fortunately, Mr. Rice was somewhat too hasty in evincing the spirit which was to govern his councils. His proceedings were discovered before the general election, and mainly served to fill the Assembly with members pledged to the principle of an elective council.

Mr. Spring Rice had, among other things, promised to call the provincial parliament together early in November; but before he could perform this promise, Lord Melbourne's ministry was dismissed. Mr. Rice declares, that on the very day on which this occurred, he was to have submitted his matured plans for the future government of Canada to the cabinet. It was unfortunate for Mr. Rice that his good intentions were so long delayed. Judging from what he had already done, the public were not inclined to augur well of his future acts. Of the benefits that he desired to confer on Canada we have no evidence but his own declarations,—and as these are in direct opposition to his former conduct, they do not carry with them that confidence which should at all times attach to the statements of persons in powerful and exalted stations.

When Lord Aberdeen succeeded Mr. Rice he found every thing in confusion, and the difficulties of the question far greater than when it was first submitted to Mr. Rice. On the 9th of March Mr. Roebuck presented a petition from members of both houses of the provincial legislature, praying for redress of grievances. Sir Robert Peel then declared, that it was the intention of his government to send out a commission to Canada, to see what could be done, and to do it.* Shortly

opinion of this proceeding: 'The continued dilapidations of the revenues of the province, in direct violation of the constitution, are another source of blame to his Majesty's Canadian subjects. After the abandonment of the late colonial secretary's project to seize upon the said revenues, by suspending an act which did no more than confirm to the Commons of Lower Canada a right previously recognised, without conferring any new privileges, his Majesty's Canadian subjects did not expect to be so soon called upon to resist similar unconstitutional encroachments and dilapidations; yet very recently the indisputable privileges of the Assembly have been again violated by the payment of the public servants without the sanction or cognizance of the only body authorized to give such sanction. That the people of the old colonies, now the United States of North America, however much they were aggravated by attempts at unconstitutional taxation, had much less to complain of on the score of executive usurpation than the people of this province—the Assembly having repeatedly declared its fixed determination not to sanction that which it must ever consider a tyrannical violation of its rights, and which the people of this province regard as a virtual dissolution of the constitution, and for the consequences of which your petitioners cannot answer.'

* Sir Robert Peel said, that advices of this intention had been sent out to Canada six weeks before that day. From the despatches, however, it appears that it was three, and not six weeks.

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after, his ministry left office, and the Whigs returned. They took advantage of Sir Robert Peel's plan, and determined also to send a commission. Their commission, it appears, is only instructed to inquire. If this be so, it is only a pretence, as the evidence needed is already before the Government; and all that they have now to do is, to declare explicitly the concessions they have determined to make.

The present demands of the House of Assembly include one item not mentioned in the year 1828. At that time they sought to palliate evils, not to eradicate them. Finding that even these moderate demands were not acceded to, they have wisely proceeded further; and now seek a radical reform in their constitution. They see whence all the mischief arises, and direct their chief attention to that point; they see that the official party have been able to resist the wishes of the people by means of the Legislative Council. This Legislative Council they therefore seek to change, and now demand of the Home Government to constitute it in such a manner as to make it express the feelings of the great body of the population. They very properly declare, that the only mode of making it such an expression of the popular voice is to render it elective. This now forms the first and chief of the demands of the House of Assembly. In other respects the complaints now made are the same as those which the Assembly made in the year 1828. The grievances which then existed are still unredressed; and little, perhaps we might more correctly say, no advance has been made towards relieving the people from the burthen under which they labour.*

It thus becomes necessary that we should briefly refer to the conduct of the Committee of the House of Commons appointed in 1828, and remark upon some of their recommendations. In the true spirit of English legislation, that committee temporized with the evil; they treated the symptoms of the disease as if it were the disease itself, and thus left the cause untouched, while they were trying to administer remedies to some of the more

* It is asserted, indeed, by the opponents of the House of Assembly, that the grievances originally complained of have been redressed; and we are told that French Canadians have been admitted into the Legislative Council, and some further portions of the revenues placed under the control of the House of Assembly. As to the first assertion, it need only be said, that the Canadians who have been admitted are still in a powerless minority; and that many of them, before they were made councillors, had given unequivocal proofs of subserviency to the executive, and were looked upon by the people as renegades. As to the second statement, the answer is, that the principle of the right of the House of Assembly to supervise all the funds is still denied, and to this hour is acted on; while one of the most important funds, viz. the land and timber funds, together with parts of the Jesuits' estates, and the dues of the crown, are still wholly within the power of the executive. While things remain thus it is idle to speak of grievances redressed.

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glaring effects of an evil deeply seated. They saw, for example, that a pernicious distinction had been made by the Executive Government between the Canadians and the English of Quebec and Montreal; and they fancied that they themselves had done their part as legislators, when they recommended that this evil proceeding should be dropped. That assuredly was not the right remedy; neither was the attempt made in the right place. They perceived that the people were discontented; they perceived that this discontent arose in consequence of the conduct of a small party who had got possession of power in the colony; they saw, or ought to have seen, that this party were endeavouring, first, to enjoy exclusively the good things which this power placed within their reach; and, secondly, to make themselves completely irresponsible. In the furtherance of the first object, they necessarily excluded the people at large; viz., the Canadian people, from all places of power and profit: in furtherance of the second, they used the *legislative* as well as *administrative* authority they possessed, to prevent the people's representatives, viz., the Assembly, from prying into their proceedings, or in any way controlling them. The cause, then, of the evil, that is, such cause as a Legislature could deal with, was the power, the irresponsible power they possessed. The exclusion of the Canadians from office, the peculation of the public money, the rejection of useful measures, and the refusal to give accounts of monies received and expended, were all results of the same system, symptoms or effects of the same disease, viz., irresponsible power. The committee appear to have had a glimmering of this fact, and therefore recommended that the Legislative Council, which gave this pernicious power to the Executive Government, should be liberalized; that is, that a certain number of Canadians should be admitted into it. A more futile scheme could not have been devised. How easy to obey the letter of this law, and completely avoid its spirit!—in other words, to change some of the persons of the Council, and yet leave the composition of the Council in reality the same. I go out of the Council myself, but place in my stead a friend, having precisely the same feelings and the same interests as myself. I put in a very small minority of persons opposed to me and my friends; as all our decisions are by majorities, what is this liberal infusion but a mere mockery? The acts of the Council will be the same, spite of the apparent change in its composition. To any one at all conversant with the state of Canada,—to any one instructed in the ways of men who would look at the case with an impartial eye, it must have been evident, that these recom-

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mendations of the Committee would raise expectations only to have them disappointed; and that the discontent which it was intended to allay, would be greatly and justly increased. Such has been the result. Lord Stanley pretended that the Council had been thus changed. What is really the fact? A few Canadians are now in the Legislative Council; but so convinced are they of their utter uselessness, because they are only a small minority, that they have of late abstained even from appearing at Quebec.

But what could have been the cause which induced the Committee to deal thus gently with so glaring an evil? The cause was partly their peculiar leanings and opinions respecting government in general, and partly their ignorance respecting the situation of Canada. The House of Commons is essentially an aristocratic assembly; its committee, in this case, represented fairly its general character. The House of Assembly was believed by them, and correctly, to be a democratic body—a body fairly representing the wishes and feelings of the whole people. Its complaints were therefore looked upon with suspicion, and all its recommendations distrusted, as supposed to tend to the direct increase of popular power. On the other hand, the Legislative Council and the official party were supposed to constitute an aristocracy; and the fight that was going on in Canada was supposed to be the same as that which was at that time, and is now also, so furiously raging between the aristocratic and democratic principles in England. It was thought then, and is thought now, that this supposed aristocracy is the link which binds Canada to the mother country. The official party have been extremely anxious to create and maintain this opinion, well knowing that powerful and steady would then be the support they would receive from England. Nothing, however, could be more incorrect than this conception of the nature and utility of this Legislative Council and Company. They are not an aristocracy like that of England, powerful by its wealth and its large landed possessions. This supposed aristocracy of Canada are a set of hungry officials, poor and rapacious, and possessed of no landed property, but such wild lands as they have granted to themselves, and which generations yet unborn may see as wild as at present.* They therefore cannot pretend to any of that species of influence which an aristocracy like that of England is, by its admirers, supposed to exercise. They are not the lords of the soil—they have no tenantry—

* It is true that Sir John Caldwell, or perhaps we ought to say, his son, has or had a seigneurie, bought with the spoils of the people, and which, it is hoped, will be soon sold for the people's benefit.

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they have no influence over the House of Assembly,—here, in truth, in one view, we have in practice something like the *theory* of the English constitution. The House of Assembly, and Legislative Councils, are two completely separate, equal, and checking bodies: and the result of this exquisite machinery is, what philosophers have predicted would be the fate of the constitution of England, if its practice were made to conform to its theory; viz., both parties have so effectually checked each other, that the government is at a stand-still, and nought remains but to destroy one body or the other. But this independence of the House of Assembly must make it apparent to every one, that a comparison between what is called the Upper House in Canada, and the Upper House in England, is simply ridiculous. The official party in Canada are actually, as far as regards some of their interests, in opposition to the aristocracy of England; but they have, not unskilfully, kept this view of the subject from the governing powers in England. The official party have not more places in Canada than are sufficient for themselves: they not only exclude the Canadians, therefore, but strive their utmost to exclude the retainers of the English aristocracy. Canada, however rich in places, is but a poor field for the place-hunters of England, and must become less and less so daily, if the present order of things be permitted to exist. Every lucrative office is now filled up by some expectant of the official party; whereas, if this party no longer existed, a much larger share of the good things would fall directly to the Governor, who would make them available to the friends of himself and of the Colonial-office.

The idea that the Legislative Council forms the connecting link between England and Canada is equally erroneous. A colony is retained by her interests. The interests of Canada, as connected with her relation to England, relate to the government and the commerce of the province. If the people, through the intervention of England, obtained an equitable, wise, and cheap government, then feelings of gratitude and kindness would be entertained towards the mother country, and a desire to maintain connexion with her kept fresh and strong. This feeling would be common to the mass of the population, would be transmitted from one generation to another, and inculcated much in the same way as the religion of the community. It is evident that, at the present moment, the reverse of this has taken place, precisely by the deeds of the Legislative Council and their party. The people see that the evils of their government spring directly from the Legislative Council, and that this council is maintained solely by the influence of England. The connexion with

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England is therefore looked upon as an evil—and every day is strengthening the desire of the people to be completely relieved from it. If this party be allowed to exist but a few years longer, all attachment to England will be utterly destroyed, and a separation will immediately follow.

It is equally clear, that any commercial advantage derived by the colony from England cannot result from the Legislative Council and party. Mercantile intercourse subsists, because it is for the interest of the individuals between whom it exists. This interest is in no way dependent upon this supposed link between England and her colony. Abolish the council to-morrow, and the Canadian merchant will require the same shipments from England. The people will still demand her cheap fabrics, and if England be wise she may buy the cheap corn of Canada—if she be foolish she may continue to buy her dear and inferior timber—but neither the one demand nor the other depends upon the Legislative Council and the hungry tribe of official hirelings by whom it is surrounded. In what way, then, does this Council maintain the connexion between England and Canada?

It may indeed be said, that the Council serves as a counterpoise to the democratic opinions prevalent in America, and may thus be supposed to favour the dominion of England. On the contrary, however, by confounding the small official body with aristocracy generally, the ill-feelings which arise against the one are extended to the other. At a distance, and exercising but a small and unimportant influence, the English aristocracy might have been held in honour, and viewed with respect and deference—but the petty, paltry, and mischievous aristocracy (so called) which rules Canada is so near to the people, and so evil in its influence, and, at the same time, derives so much of its power from England, that it strengthens, in place of weakening, the democratic feeling, and has created a sharp and virulent hatred of all aristocracy. In this way, therefore, the Council cannot be the connecting link so much talked of.

There was, however, still another argument in favour of this body, which had a powerful influence with the Committee, and induced it to palter with the evil rather than manfully grapple with it. It is generally supposed by those who know little of Canada, that the whole population is separated into the two classes of *English* and *French*. The English party, allowed to be a small minority, are supposed to be represented and protected by the Legislative Council; and the French party, the immense majority of the people, to be represented by the House of Assembly. The persons who have made this divi-

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sion proceed further, and attribute certain designs and wishes to the French party — the most formidable of which is, an intention to obtain supreme power, and then to use it in oppressing and harassing the English minority; the next is, a determination to maintain in predominance French customs and laws, and the Catholic religion, and carefully to prevent any innovation which savours of English habits, manners, or feelings. The immediate carrying into effect of these dreadful designs is supposed to be prevented solely by the conservative protection of the Legislative Council.

The alarmists, who have conjured up this direful chimera, go yet further in their anticipation of coming evils. They say, that if the Canadian majority were permitted to have their way, and were to attempt this oppression of the English, these latter, possessing, as these alarmists assert, the wealth, intelligence, and energy of the country, would fly to America for relief; that thereupon the United States would grant them assistance, and Canada would incontinently become a member of the great federal union. Such is the picture which the terror of these persons has conjured up, and which we know had a powerful influence upon the Committee of 1828.

We are, however, prepared to prove that the whole of this series of assertions results from the grossest ignorance of the present condition of Canada — that, from beginning to the end, it depends upon a most extraordinary delusion—that a more wild and erroneous conception of the present and the future never entered the brain of any one speculating upon the condition and destinies of a nation.

We are prepared, in answer to these assertions, to prove the following propositions:

1. That no such division, as that supposed, exists, of the people into an English and a French party.

2. That the large majority of the people represented by the House have no such designs as those attributed to them; that is, that they do not wish to oppress any party—that they have no blind and prejudiced admiration of their own laws and customs—that they do not desire to retain such parts of them as are opposed to the improvement of the country—nor do they desire so to maintain their religion as to make it galling or oppressive to others.

3. And lastly,—That the Legislative Council is not the representative of any party in the country but the official party—and that its conservative efforts are wholly confined to the maintenance of a corrupt, ignorant, and mischievous government.

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Lower Canada is, at the present time, divided into *seigneuries* and *townships*. The seigneuries are inhabited, almost exclusively, by French Canadians—the townships, almost exclusively, by persons speaking English.* It is asserted that politics completely divide these two sections of the population, and, supposing the House of Assembly were paramount, that they would stand in the relation of oppressor and oppressed—the French being the oppressors, the English the oppressed.

It so happens, however, that the interests of the inhabitants of the townships and of the seigneuries are, in fact, identical; and that any general law which should oppress the one would necessarily oppress the other. Both portions of the population are purely agricultural, and the circumstances affecting their welfare, as members of the said community, are common to both. It might so happen, however, that notwithstanding this identity of interests, they might, in consequence of their ignorance, be ranged in hostility to each other. Attempts have, we know, been made to place them in this position. Appeals have been made to fanaticism, to prejudices of country, in order to rouse a feeling of hatred in the minds of the persons dwelling in the townships against their French brethren. But these attempts have signally failed. A general election took place last year; the liberal party and the anti-liberals were in violent opposition to each other. The principle on which the elections turned was adherence or opposition to certain resolutions of the House of Assembly. It was attempted by the anti-liberals to make the division an English and French one, and it was hoped that the townships would second their attempts. The result we appeal to with perfect confidence, as decisive of the question respecting an English and a French party. It is clear, if there were such a division, that the townships would have returned members inimical to the resolutions of the House of Assembly. The anti-liberals, who called themselves English, were furiously opposed to these resolutions, and called upon the English to join in their opposition. Did they so? Did not a large portion of the townships return firm adherents to the Assembly and its resolutions? Did not Stanstead, the largest of the townships, not merely return two such members, but also

* The seigneurie of Beauharnois, belonging to Mr. Edward Ellice, is, we believe, for the most part inhabited by English. Now one of the charges brought against the Canadians generally is, that they are so enamoured of their mischievous seignorial tenure, that nothing can induce them to change it. We should like to know, as a matter of curiosity, how many of Mr. Ellice's English tenants have changed their tenure for that of free and common soccage under the Canada Tenure Act. We are pretty certain that none has—the reason being, that an immediate outlay would be required exceeding their powers. The same reason acts with the French Canadians.

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invite M. Papineau to a public dinner amongst them, at which they avowedly disclaimed the attempted division of the people into English and French? Moreover, did not the immense majority of the Irish of Montreal vote for M. Papineau? Are not these things sufficient to show that the supposed division is altogether a pure invention? There is another curious circumstance connected with this assertion. It is said that the majority of the inhabitants of Quebec and Montreal are English, and that almost all the wealth and intelligence of those towns belong to them. If these assertions be true—and if it be true that the English are wholly opposed to the House of Assembly—how has it happened, that, in the strong-holds of this pseudo-English party, the members returned have been warmly attached to the cause of the Assembly? The truth is, that the division of the people is not into English and French, but into friends of popular government, and friends of government by a small body of place-holders. This last party is contemptible as to numbers, and power over the people; their sole strength lies in the mischievous support of an ill-informed Colonial-office situated in Downing-street. The former party comprehends almost all the French Canadians, and all such of the English as are unconnected with the official tribe. The richer merchants of Quebec and Montreal have joined the official party. The dinner-giving and dinner-receiving gentry herd together; and as the official party have made an exclusive society, and have graciously admitted the rich merchants within the magic circle, the heads of these foolish traders have thereby been turned. They fancied that they had suddenly become exalted mortals, and, like all such great men, they quickly learned to despise the *vulgar* people. All this is very natural and was to be expected —but the folly of these merchants must not be supposed to be common to the yeomanry of the townships. They (the yeomen) do not dine at the chateau, and walk arm-in-arm with a chief-justice,* but are hard-working farmers, desirous of having a hard-working and useful government. They side naturally with the people, without asking whether they be French or

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* The effect of this sort of proceeding can easily be estimated by any one conversant with England and English society. A merchant's clerk goes out to Canada as a merchant. In England, this merchant's clerk might as soon think of walking with the Grand Turk as with a Chief-justice—or of dining with his Majesty as with a member of the Upper House. With the immense distance between him and the leading men of his own country fresh in his mind, he suddenly is transported to Quebec, and actually finds himself on speaking and dining terms with Chief-justices, Attorney-generals, and perhaps the Governor himself. Who, in his senses, would expect this merchant's clerk not to be overwhelmed by such a contact? How could he resist being the devoted adherent of the ruling powers?

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English. So much, then, as to this division of the people into English and French parties.

We now proceed to disprove the assertions respecting the oppressive designs of the Assembly. These assertions, when explained, mean a very different thing from that which people would commonly suppose them to mean. The petitions of the Canadian people complain of the unjust exclusion of persons of French Canadian extraction from all offices of honour and profit. This complaint was, and is still, well-founded, and it is supposed that if the Canadians were once in power they would practise the same exclusion. We have no positive evidence of what their conduct in this case would be, but we may draw conclusions, perhaps not altogether unfounded, from their conduct at present. The Canadian leaders and people do not at this time herd together in the same exclusive style as the English party. They associate freely with the English, and quickly give them their confidence and respect. One of the great leaders of the Canadian liberal party, up to the present year, was a Scotsman. It is true that, having ratted, he was at the last election, after more than twenty years of confidence, ignominiously expelled from the representation of the county of Quebec. His history proves the willing and steady confidence, as well as the ready justice, of the people. At the present time, many of the members of the Assembly, chosen by the French Canadians, are Englishmen, and these Englishmen enjoy quite as much of the confidence and respect of the people as the French Canadians. These facts, we think, plainly show that this dread of exclusion at the hands of the French Canadians is unfounded. The truth is, that a popular government would quickly make, as in the United States, a complete fusion of the people. There French, English, Dutch, Germans, Spaniards, have all become one people, and Louisiana is as free from divisions arising from origin as Pennsylvania. Such would quickly be the case in Canada, if this division were not sought to be perpetuated by the mischievous intrigues and supercilious bearing of the official faction. They, in their pride and glory, separate themselves from the people, and style themselves English. They are striving at this moment to introduce religious differences in the hope of making a breach between different sections of the people, and are fostering an Established Church, for the purpose of creating a means of livelihood, and also an engine to divide and oppress the population generally. The danger of division and exclusion does not arise from the people, but from their oppressors.

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But it is said the Canadians are blindly attached to their old French customs, and that by this unwise adherence to antiquated usages they will prevent the improvement of the colony—and it is therefore assumed that, notwithstanding they constitute the majority, their wishes ought to be overruled, and made to yield to what others conceive to be more in accordance with their views of this enlightened age. We object entirely to this doctrine; yet shall not at present wait to refute it, but proceed to examine the matter of fact. When we endeavour to learn what these old French customs are, which so much offend these enlightened friends of Canada, they resolve themselves entirely into the tenure of land now existing there—and it is the supposed attachment to this tenure which has given rise to the extraordinary outcry regularly raised when the subject of Canada is mentioned, either within or without the walls of Parliament. The French Canadians wish, it is asserted, to preserve the mischievous tenure of lands, called the tenure *en fief et seigneurie*, and this renders it absolutely necessary to perpetuate bad government in their country, because such a wish is wholly incompatible with the enlightened spirit of the present age.—Such are the supposed facts, such the argument.

It would be well, in the first place, to understand what the tenure complained of really is; and, secondly, to ascertain the truth as to the wishes of the Canadians respecting it. Lord Stanley, with that peculiar precision and accuracy which distinguishes him, asserted, that there existed in Canada a feudal and barbarous system; whereupon, without doubt, his hearers fancied that the system prevalent in Europe in the fifteenth and sixteenth centuries now exists in Canada. The tenure *en fief* in Canada signifies nothing like it—meaning only that the seigneur, like a lord of the manor, possesses an estate, which in Canada is called a seigneurie, much like that which in England is called a manor, the difference being in some matters favourable to the seigneurie*. Under the seigneur there are certain tenants, called *censitaires*. The seigneur, holding of the king, pays him certain dues and fines; the tenant, holding of the seigneur, pays him a rent. Now, respecting this rent there is no complaint. The obnoxious incidents of the tenure are those of which we are now about to speak. Upon every transmission *by sale* of the censitaire's *holding*, to use an English law phrase, a fine is due to the seigneur, much in the same manner as in England is the case with copyholds. The fine is

* The seigneur has no jurisdiction of any kind, like the lord of the manor, though Lord Stanley seemed to suppose that he was still a judge as well as landlord.

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one-twelfth of the purchase-money: this fine is termed *lods et ventes*. Besides this, the seigneur, if he pleases, may himself take the land, paying the whole purchase-money: this is called his *droit de retrait*. Furthermore, the *parens* (relations) in certain degree of the censitaires have also the power of preventing the estate going out of the family, if they please, by themselves purchasing it: this is called the *retrait lignager*. The seigneur, also, within his seigneurie, has the exclusive right, under certain conditions, of grinding the corn of his tenants. This last power exists in many places in England.

Now, that this tenure is a bad one we acknowledge: the Canadians acknowledge the same. It is chiefly bad for the same reason that tithe in England is bad; it taxes improvement. But because the tenure is a bad one, that is no reason for robbing the seigneur, by depriving him of his rights without a fair compensation; neither would it justify the interference of persons ignorant of the laws of Canada, who, by their ill-judged endeavours to remedy the evil, would create one yet more mischievous. The Canadians, by their representatives, say that they are exceedingly desirous of rendering the tenure of land a beneficial tenure: they are willing, and even desirous, to devote their best endeavours to that end; but they most strenuously deprecate the interference of the imperial legislature in such matters, and assert, that by the ignorant attempts of our legislators on this side of the Atlantic, they have been deprived of the power of effecting the end desired. The case of the tithes in England is one precisely analogous to this of the tenure *en fief* in Canada. The English people demand a change of this property; the legislature desire to change it; but it is said that there are great difficulties connected with the subject, and therefore delay has arisen. The case has been precisely the same in Canada. The tenure or fief, be it remembered, is not obnoxious on the additional ground of being a tax for service, which in some cases is not desired, and in others not rendered; therefore, in this case, there is not that strong and pressing reason for immediately changing it which exists in the case of tithes. Moreover, the great body of the people are willing that their representatives should act with care, and without haste—they do not press them to hurry on a change; they are willing to wait until all precautions shall have been taken to render the change efficient and beneficial. But suppose that some one should state that the delay on the part of the English Parliament respecting tithe was a proof that they were attached to old and mischievous institutions—that they were wholly behind the present enlight-

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ened age, and that therefore we should solicit the assistance of the Congress of the United States to aid us in legislating on the matter of tithe. Such a proposition would very properly be scouted, and on the same grounds so ought to have been the interference of the English Parliament in the matter of Canadian tenures.

While the peculiarly enlightened friends of Canada are complaining of these tenures, and attempting to remedy the evils arising from them, they have by their attempts introduced a greater mischief than any that could result from the existence of the old law. By introducing the law of England, they have produced so great a confusion in the law, as to render every title insecure; and further, they have introduced the right of primogeniture. This right is contrary to the prevalent feelings of the people of America: it is contrary to all the institutions of the land, and creates disgust amongst all classes of the people. The House of Assembly, therefore, feel themselves justified in resisting the interference of England, and are not fairly chargeable with bigoted adherence to their own customs, because they will not consent that persons ignorant of their institutions and circumstances should attempt to improve them.

The religion of the people of Canada, of French origin, is Catholic; but no one is compelled to pay a Catholic priest who is not of that creed. The priest has a tithe (not a tenth, however); but this tithe is seldom, if ever, imposed against the will of the farmer. The priesthood are an exceedingly inoffensive and exemplary race of men. There is no religious animosity existing among the people; and, as is the case in the United States, Jews, Catholics, Protestants, Presbyterians, Methodists, Shakers, Quakers, &c. &c., all live together in perfect amity and good feeling. No one who knows Canada dreads any religious intolerance at the hands of the Canadian people.

Now then, if we consider the situation of the Legislative Council — if we recollect that it is unconnected with four-fifths of the population who are of Canadian origin—if we remember also that it has no connexion with the English population living in the townships—that, moreover, the members of the Council are not large landed proprietors, it must be plain to us, that they are not in any way connected with any large or important class of the population. The Legislative Council is a small collection of persons, who, with their own families, and the official persons who live in Quebec and Montreal, form a party. Their power consists in the negative voice they have in the legislature, and the support of the Colonial-office. Deprive them of the first, and they would be without a hold in the

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country. They would sink at once, and be forgotten. The potent aid of Downing-street would be wholly incapable of giving them strength or influence.

If we exclude the consideration of the peculiarity of the law respecting tenures, the situation of the people of Upper Canada as respects their government is precisely similar to that which we have here described as the situation of those of Lower Canada. Lord Stanley, indeed, vehemently denied this. The House of Assembly of Upper Canada shall answer him. They also have had a committee of grievances, and the catalogue is the same as that framed by the House of Assembly of Lower Canada. The following are extracts from the seventh report of a select committee, appointed by the House of Assembly to inquire into grievances.

'It appears, therefore, that the Legislative Council, as at present constituted, has utterly failed, and never can be made to answer the ends for which it was created; and the restoration of legislative harmony and good government requires its reconstruction on the elective principle.

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'The affairs of this country have been ever, against the spirit of the constitutional acts, subjected in the most injurious manner to the interferences and interdictions of a succession of colonial ministers in England, who have never visited the country, and can never possibly become acquainted with the state of parties, or the conduct of public functionaries, except through official channels in the province, which are ill calculated to convey the information necessary to disclose official delinquencies, and correct public abuses. A painful experience has proved how impracticable it is for such a succession of strangers beneficially to direct and control the affairs of the people 3000 miles off; and being an impracticable system, felt to be intolerable by those for whose good it was professedly intended, it ought to be abolished, and the domestic institutions of the province so improved and administered by the local authorities, as to render the people happy and contented.

'Such appears to have been the constitutional liberty conferred upon us by the 31 Geo. III. c. 31, by which the British legislature enabled us to preserve "the peace, welfare, and good government of the province," reserving to his Majesty, as the head of the empire, the power of disallowing any colonial act incompatible with national treaties, with the rights of any other colonies, or with the commercial or general interests of the empire. Such a system of government, securing to the people inestimable blessings, would rather durably enlarge than impair the commercial relations with the parent state, in exchange for which we receive protection; and could in nowise prejudicially affect any benefits now yielded to her, except the loss, if loss it can be called, of that patronage, the partial and impolitic distribution of which has ever proved unsatisfactory and injurious to the colony.

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'The history of all colonies shows that there has been too much inatten-

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tion in the British government in the selection of governors, it being considered a matter merely of patronage with the colonial minister in Downing-street. Men, from the too long possession of lucrative power, whatever at first might be their relative stations, soon acquire a community of interests, and thus identified in the purpose of sustaining each other in office, they have, in this province, made common cause against that redress of our grievances, and that conciliation of the public mind, and that economy of the public wealth, which are equally dictated by justice and wisdom.

'Although the members of the Executive Council seem, from their own accounts, to render no benefit to the country, receiving, however, a salary from it, yet a very different duty is imposed upon them by the 31 Geo. III. c. 31, called the Constitutional Act, from which it appears they are appointed expressly to advise his Excellency upon the affairs of the province. This they have never done satisfactorily. As far back as the first session of the tenth Provincial Parliament, the House of Assembly expressed their dissatisfaction to his Excellency, Sir John Colborne, in the most constitutional mode of doing so, at the opening of the session of the Legislature; and in the following year the same sentiments were again frankly conveyed to his Excellency, in the answer to his Speech from the Throne, by a solemn declaration, that the Executive had long and deservedly lost the confidence of the country. In the hope of their just constitutional wishes being attended to, the people patiently waited for relief; but the relaxation of their vigilance, which some remaining confidence in his Excellency unhappily produced, has only served to bring disappointment, and to afford a further opportunity for the accumulation of the abuses which pervade all our institutions.

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'It is not this act alone of which we complain, though it may serve to illustrate our condition; but the whole system has so long continued virtually in the same hands, that it is little better than a family compact. Abuses have grown up so as to be interwoven with every thing; and these abuses are concealed, or palliated, excused, and sustained, by those who are interested to uphold them, as the means of retaining office, for their private, and not for the public good.'

In this situation of affairs, Lord Gosford and two commissioners are about to proceed to Canada, to inquire into the grievances of the Canadian people, and report thereupon. What is likely to be the result of this inquiry?

Our answer is, that let the commission make what report it pleases, one only result can follow; and that is, *the demands of the House of Assembly must be acceded to.*

1. An Elective Council must be granted to the people, and the present Legislative Council abolished.

2. The whole of the revenue must be placed entirely under the control of the people of Canada.

3. The Judges must be made responsible to the Provincial Legislature, and not to the King.

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If these things be done, we may keep the two Canadas for some time to come; if they be refused, our dominion will cease within a very few months after the people shall have become convinced that the government of this country has definitively determined not to grant them.

A province situated like Canada, by the side of a flourishing Republic, is not to be held as Ireland is, by the force of our armies. Ireland is close by our side—she is surrounded by the sea—has no powerful neighbour near. But Canada is 3000 thousand miles distant; America is at her side, and one short campaign would be sufficient to drive the English army into the sea. Let our rulers ponder on these things, and beware how they resist the just demands of an excited and powerful people. J. A. R.

Art. X.

PROSE FICTIONS AND THEIR VARIETIES.

IT is generally allowed, that the science of criticism was never perhaps, since the birth of literature, more utterly neglected and unstudied than it is in England at the present day. Were it not for the weekly reviews, literary criticism would be a non-entity. But reviews published weekly have to gratify the expectations of readers who desire a catalogue of everything published within the week, and who would be far from inclined to read a philosophical essay every Saturday. Yet without philosophy, and without detail, although it is possible to write a clever article, it is not possible to write an accurate criticism. It rarely happens, therefore, that the why and because of censure or of praise are given at any length, and the critic contents himself in laying down the law without any satisfactory reference to the principles of his legislation. Even many of the most celebrated writers of the age can scarcely be said to have drawn forth any elaborate criticism. No one has been more largely reviewed than Sir Walter Scott, and yet there is not, so far as we know, any standard and acknowledged analysis of his merits and faults. We are not told in what he is an example, or in what he is a warning. The man is great, and the work is admirable: then follows the series of extracts, and a peroration about the 'great magician.' As with Scott, so with Southey and with Moore. It was not thus that Aristotle criticised Euripides. But, perhaps, above all works, prose fictions have been the least definitely analysed; they are the most popular, they are the most numerous. During six months in the

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year 'another and another still succeeds:' they are extolled, or condemned; but by what rules? Would it not be advisable to classify these prolific creations; to assign the rank of each class, and of each individual in its class, and apportion the appropriate degree of praise to the grade which the class or the individual occupies? As no works have, perhaps, so general a moral effect upon the widest circle of readers, it would be well to know what in a work of fiction is moral and what immoral. As in no part of the intellectual heaven there are so many mansions, it would be convenient to know in which of them each work is entitled to claim a lodgment. Were this the case, we might hear less often the hacknied phrases of 'unexceptionable moral,' and 'admirable for the class which it belongs to.' Before you talk of a moral, you must know profoundly the science of morals; before you speak of a class, you must have mastered the science which teaches you how to classify.

The vulgar mode of judging of a fiction is right in the main, namely, to consider that it has gained or failed of its end in proportion to the interest it excites, and the permanent effect that it bequeaths. But a critic should explain that interest may be excited by various means, and that, supposing the interest to be the same, it is according to the means employed that a fiction may be an immortal work, or merely a most readable novel. If one author interest you, merely by a succession of well-conceived intrigues, and mysterious adventures, and if another interest you as much by the fascination of characters painted with truth and power; by the mechanism of the heart; by a living representation of our passions, and of their consequences; there can be no doubt that though the interest may have been equal in both works, in the one it has been an interest excited by far loftier genius appealing to far deeper affections, and producing much more lasting and influential effects, than that excited by the other. It is not in the degree of interest which their art creates, but it is in the materials from which the interest is composed, that Mrs. Radcliffe is inferior to Richardson, Monk Lewis to Goldsmith, Lope de Vega to Shakspeare.

This, though a distinction so self-evident, is not sufficiently kept in view; and nothing is more common than to hear from both reader and critic that one work is as interesting as another, and therefore as good, without reader or critic considering for a moment how far the sources of the interest are analogous.

We must then so far apply to Romance the rules of the Drama as to allow that the highest and noblest species of interest in-

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fiction is that derived from the profundity of the writer's knowledge of the human heart; from our delight at the discoveries he effects; our desire to see how certain events will operate upon certain characters; our sympathy with the passions he paints; our admiration of the subtlety, and refinement, and novelty of his reflections upon the motives and sentiments which he analyses so faithfully; in short, from his skill in explaining the mysteries of our nature, and so perfecting that knowledge of ourselves and of our mind, the attainment of which is the great moral end of all the Philosophy and all the Religion of Literature. This is the noblest and sublimest source from which the power of interesting us can be drawn, nobler than that of the subtle and elaborate mechanism of Plot, which we allow to require no inconsiderable genius. The plots of Shakspeare are often incomplete, and even improbable, rarely systematic and condensed. But it is the charm of his characters; your longing to see how such persons will act, and what will become of them; and your desire to be shown in them the mirror of your own heart, that make the intense interest of his plays. His beautiful poetry alone would not create that interest, and had he written in prose the interest would have been little less intense.

With a master in the art of creating this kind of interest, the delineation and dwelling upon a single character is one of the most efficient means he can employ. The more he concentrates our attention the more he rivets it; and as in bringing one actor very prominently on the stage it would be impossible that he could atone for the want of variety and contrast, except by the art with which he chains us to the character itself, making us even dissatisfied with any scene from which it is absent; so works of this nature not only demand the hand of a master, but are often the most triumphant tokens of his skill. Thus it is with the Coriolanus and Hamlet of Shakspeare, with the Don Quixote of Cervantes, with the Gil Blas of Le Sage. The whole work is as it were but the dress, the pomp, and circumstance of the one character. Nay, take away the character, and the work *is not*—the character is the work! This is also the method chiefly employed by Godwin for conveying his great knowledge of the darker metaphysics of character.

It is from the highest sources that the author of 'Mandeville' and 'St. Leon' draws the art of interesting us; but his power is not always equal to the material he employs. He seeks to interest us by the highest order of interest, but sometimes he fails to interest us at all; he frequently becomes too minute and too prolix. Besides, his metaphysics are somewhat too

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gloomy to be wholly true—our nature does not quietly acknowledge, but, on the contrary, perpetually struggles against his deductions; and the impression he leaves with us fails somewhat of the moral effect he intends, because it is so painful to the memory, that we endeavour to forget it. Still, whatever our opinion of his success, it is always in the highest class of fiction that Godwin takes his place, and by the rules applicable to the highest class only is he to be judged. As in all the highest grades of literature success is the most difficult, so in the metaphysical analysis of the heart it is rarely that an author produces an interest sufficiently intense. He is too apt to indulge in tedious minutiæ or over-refined reflection, and to consider interest a secondary consideration. But a great genius does not commit these errors, and great geniuses alone attain the highest triumphs in the highest rank. No matter how glorious the machinery at his command, the fiction must thoroughly excite our interest—must absorb—must carry us away, or the Author has mistaken his powers. You must judge Glover's Leonidas by the rules of the Epic, because it is the epic he has attempted: you judge Gray's Elegy by the rules of the Elegiac; you have no hesitation in allowing that Glover has attempted the higher class of poetry, nor that Gray is the higher poet. But there are novelists who are admirable delineators of character, and who yet deal not with the metaphysical workings of the heart; who dissect not the passions; who paint, but do not anatomize: these are less profound, less philosophical, and, therefore, in the true sense, less moral, writers than the first, and attempt not the loftiest grade in the mastership of their art. But perhaps their complete success in what they do attempt renders the homage paid to their genius a more popular, and even a more deserved homage than that which we accord to those who have not been equally successful in the highest grade. And hence the celebrity of Goldsmith and of Scott. Neither of them is a metaphysician, neither of them traces, step by step, causes and their effects; neither of them deals with the less obvious and familiar feelings, or the mightiest explosions of the passions; neither of them has given us the noble jealousy of Othello; the hesitating guilt of Macbeth; the thrilling perplexities of Hamlet; the doting madness of the grey-haired Antony:—they would have failed even in a Lovelace, a Clementina, a Clarissa: nor could either of them have achieved that immortal contrast, so consummately moral, of Blifil and Tom Jones. But in representing the external effects of inward motives, the plainer and more common operations of the mind; the coarser and more

popular feelings, and the more familiar springs of action, their success has been perfect and unrivalled. And in the case of Scott, this success has been accompanied by so artful a story, by so inimitable a humour, by so comprehensive a knowledge of the varieties of every-day life, and by so prodigal and brilliant a poetry of incident and description, that we feel that if others have sought for interest from sublimer materials; if others have evinced a faculty more purely intellectual, none have exceeded the triumphs he has effected, or surpassed the genius he has displayed. Like Voltaire, his versatility has obtained him the throne which no single work, not even his best, could have won him ; and he can afford to stand upon the second step of the ascent, for, with but one certain and two doubtful exceptions, he still towers pre-eminently above those who have forced their settlement on the first.

Next to the analysis of character; the sympathy and the terror; the curiosity and the wonder, that are to be drawn by a master from the movements of the Passions and the struggles of the Intellect, the highest source of interest is perhaps in the perfect conduct of a Plot. And this is an achievement of which very few are capable of judging; few have learnt sufficiently the principles which will enable them to decide where the conduct of the Novel differs from that of the Epic and the Drama, and where it agrees; few consider enough what species of fiction the author has attempted; whether the narrative or the satiric, the philosophical or the tragic; the every-day life of the novel; the exuberant poetry of the romance; and, therefore, nothing is more common than to find both the teacher and the herd asking from one kind the incompatible attributes of the other. But whatever be the species of fiction which the author selects—symmetry and order, and a *probable* concurrence of events (according to the measure of probability which the author demands) are essential to the art of his plot. The delight that we derive from art is, indeed, one of the most purely intellectual we can enjoy,—what art is in painting and sculpture, art is also in fiction: by charming our judgment we feel that it insensibly elevates our imagination. The first care of the author should be, at the commencement of his story, to make us aware what degree of faith he asks us to repose in him. Begin with the Caliph Haroun Alraschid, and you prepare us to grant you our belief in the genii; but begin with a ball at Lady Rosebank's, and we have no confidence in you if you introduce us in the second volume to a fairy Voltaire manages this work of preparation with infinite skill—he lets you know, from the first page of the Candide, that to

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understand his satire you must yield to his extravagance—you would have thought it not improbable (for it would have been in harmony with the series of the events in which he has engaged you, for the time, to believe), if the author had killed six brothers in a page to make way for the seventh. With Voltaire, it might have been a master-piece of the exaggerating order of satire, either on the pursuits of the brothers, or on the improbable occurrences that happen every day. But when in an earnest matter-of-fact tale, in which our interest has been excited by believing that the characters, and others like to them, actually existed, Scott sweeps away six of the Osbaldistones to make room for Rashleigh, we are shocked and displeased. We see a want of art in so abrupt and hasty a recourse to an improbable chance for which we are so wholly unprepared; and even the fine picture of Rashleigh's death loses its terror, because we have just before been awakened from our implicit credulity in the truth of the narration. An inartificial plot, however, is far from the characteristic fault of the author of 'Rob Roy;' on the contrary, some of his plots are models of their kind, and in the dramatic form of fiction have never been rivalled for the progress of their interest, the machinery of their intrigue, and the wonderful and unrivalled skill with which the author brings naturally and easily into rapid contrast the widest diversities of character, and the most opposite situations of life. To acknowledge the greatness of his skill in these respects, we have only to remember 'Ivanhoe,' 'Kenilworth,' and 'The Fair Maid of Perth.' Perhaps the last, though far less gorgeous and poetical than either of the former two, is, in the conduct of the story, the most symmetrical and skilful of all his romances. That work contains also a character conceived in a more intellectual and philosophical spirit than perhaps any other to be found in Scott—a high and noble nature struggling against the infirmity of physical cowardice. We do not think that this original and philosophical conception is made the most of: in Goethe's, or even in Godwin's hands, it would have been a more profound, and finished, and consummate creation; still it indicates the eminence Scott would have attained in the Metaphysical Fiction, had his genius been early inclined to the self-concentrated and brooding investigations by which alone the *entire* mastery of such fiction can be achieved.

When with the completeness of a grand and elaborate plot, a lofty and poetical design is united, we obtain what the Germans entitle the Prose Epic. This was the aim of the great author of 'Telemachus;' and despite the stiffness and statue-like coldness

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of the characters, that work will live as long as the language. It is worth a thousand Henriades, and is in fact the only approach to the true epic which the French have attained. The plots of Scott do not belong to the Epic, but to the Drama; and though they breathe more of the melo-dramatic than the tragic, he may be considered, if not the first inventor, the first great teacher, of the Dramatic Romance.

The third class of prose fiction is that in which the passions, though touched are, perhaps, but feebly aroused—in which the characters, though natural, do not breathe and burn—in which the plot, though perhaps well and skilfully sketched, is not conceived with a deep invention, or elaborated with the richest colours and finest touches of art—but in which a certain sentiment or moral, philosophically conceived, is conveyed with grace or with eloquence, with earnestness or satire, with simplicity or wit. In this description of fiction the French are peculiarly happy. They abound in tales in which the harmony between the incidents and the intended moral cannot be exceeded. The only question is, whether the moral be really salutary and useful. This is all we ask in reading Voltaire and Marmontel: we allow the pleasantry and the skill to be inimitable; we are delighted with the means employed; but are we satisfied with the end to which they lead us? This is the misfortune of all fictions, written like fables, for the sake of one peculiar and single moral: is it quite sure that what seems moral to the author will be moral to the reader? How debated a science that of morals still is! How few of us agree upon its more subtle deductions! After we leave the preliminary principles, not to rob, not to murder, not to lie—principles so acknowledged that it is not worth while to write books to prove them—in what wilds of controversy we are plunged! and this especially with social and political morals, in which there are parties so violently opposed to each other. What seems prejudice to one is common sense to the other—what is common sense to me, may seem the most perverted and wilful immorality to my neighbour. Who are agreed as to the moral of Miss Martineau's political tales, or Balzac's social ones? This is a misfortune not to be removed until all persons think alike; and, imperfectly conscious of this, many excellent and well-intentioned readers take refuge in religion, deeming that work only to be moral which directly and incessantly refers us to the doctrines of the Gospel. But this would reduce our fictions, as well as our drama, to the narrow pale of theological discussion; and in limiting our circle, we should not shut out the evil; for, in theology, even more than in morals, there are innumerable distinc-

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tions and endless disputes. We may address Christians; but we shall enrage sects. Many writers, too, the most intensely reverential, would shrink from decorating fable from the scriptures, and quoting the Bible in a delineation of the passions—many would shrink from writing such mosaics of Holy and Profane—but how many more would refrain from reading them! We should shut out two classes of readers, the scrupulously devout,—and the seekers after amusement who recoil before the semblance of a homily. The introduction of religion is therefore neither necessary nor pertinent to moral fictions; and, in fact, there is no code of morals which does not include as much of Christianity as is suited to the purposes of fictitious illustration. Hence Miss Edgeworth has been unjustly blamed for not making her morality scriptural: there is more practical Christianity in her Tales for the Young than in all Hannah More's writings put together. No religious novels have ever attained a permanent rank, unless we except the allegory of Bunyan (in which the religion almost vanishes from the eye of the reader); and we should have lost all the glorious and purifying ethics of fiction, if we had refused the moral of those who advised with us as friends rather than rebuked us as preachers.

For short tales, that aspire to a philosophical purpose, and a permanent influence, a definite and single moral is perhaps generally advisable. It obliges the author to elaborate, to polish, and to condense, to carry to his task more lengthened thought, and more concentration of purpose, than if he were writing without an object, and trusting merely to his characters for the chance of a moral. His Q. E. D. must be before him, and he rejects every episode that does not tend to the solution of his problem. In tales of a few pages, there is so little space for those minute and detailed developments of human nature, from which the grandest morals are drawn, that if they omitted to convey one moral, they would probably convey none; and so fail in that eternal requisite of imaginative writing of the higher grades, which commands us to ennoble, to ameliorate, to instruct. But in works of sufficient length, this object is ordinarily the best accomplished, rather by the moral *tendency*, that silently affects the whole, than the moral *end*, ostentatiously tacked to the catastrophe. For the reader will perceive, that there is all the difference in the world between the latent tendency of a book, and its avowed object. Suppose that I make the moral end of a novel the punishment of adultery, and that, in working out this end, I paint, in the most attractive colours, the pleasures that attend the crime,—suppose the pleasures affect you more than the penalty, and you feel that you would brave

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the last to enjoy the first, then, although the moral end of my book is unexceptionable, its moral tendency is most pernicious. Suppose, again, that my moral end appears to prove that roguery always thrives best in this world, it is certainly a very perilous maxim; but suppose that, by the way, I make you so loathe roguery, and so admire integrity, even in misfortune, that you close the book with a contempt for prosperous dishonesty, and a hearty and passionate desire for virtue, whatever its reward,—there can be no doubt, that though the apparent end, detached from the text, would be objectionable, the tendency of the whole is admirable. It matters, therefore, little what the direct and obvious moral of the fable may be, but it matters every thing that the indirect and latent tendencies should be good. Hence we see, at once, why profound thinkers find many of those works to be divinely ethical, which appear to the superficial as having no relation to morality: hence it is that Shakspeare, that Homer, that Goethe, that Cervantes are moral, not because their mighty works are illustrations of single maxims, but because, in their countless and thick-clustering *tendencies*, they make us wiser, and loftier, and better; they fill us with beautiful and gentle, with grave and with aspiring thoughts. The wings of the imagination are never excited heavenward, without bearing the soul along with it. To increase the knowledge of ourselves and of mankind is to be a moral writer; to enlarge our experience of the true consequences of actions, and the true influence of motives, is to be a moral writer; to put us more on our guard against the specious errors of others, or the cunning devices of our own hearts, is to be a moral writer. Nay, by innocent and graceful fancies, to beguile our sorrows, to lull us from our care, to smooth the wrinkles on the sick man's pillow, to soothe our pain, or to delight our leisure, this also is morality—it is the Charity of the Intellect. These various beneficial results all combined in most, make the great moral of our more enduring fictions, and render to the Invention the cathedra of the Reason.

To recapitulate the substance of the above observations—the first, or highest order of interest which a writer of fiction can impart to his work is that which is derived from the profound and Shakspearian mastery of the workings of the heart—metaphysics, as it were, put into action; the second is that derived from the survey of a lower and less philosophical class of character, painted rather for scenic effect than minute investigation; the third is that which we derive from a skilful and artistical plot; and the fourth is that derived from the harmony between the events of fiction, and the same specific end to

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which they conduct.—These last are what are usually called Philosophical Romances.

A vast variety of works, heterogeneous and confused, succeed to these classes—but these it is not necessary to classify. Doubtless, to many readers, novels, with lords for the actors, and Almacks for the scene, will afford the keenest interest: others demand a bandit—some revel in adultery—and others cannot rest without a ghost. A few such works, it is true, resolve themselves into some one of the classes we have described, and have either character, plot, or philosophy, to recommend them: if not, however keen the interest derived from fashionable dialogue, or unconnected but vivid adventures, or mysterious appeals to our superstitious feelings, it is an interest of so mean and vulgar an order, that we must suffer its creators to remain unplaced and undistinguished—the mob of the court. Yet how often have we seen such works, especially in France, rated equal to the highest, merely because they had for a moment, from coarse and exaggerated descriptions, afforded an equal excitement! It is easy for an author of some little invention, and some little power of diction, to *excite* the reader. But the question is, do you excite only his curiosity to know how such and such events will terminate, or do you interest his heart, his imagination, his soul, in the thoughts, the passions, the characters of your creation? Is it the painful and nursery-like curiosity attached to the 'Bleeding Nun,' or is it the awe—enchaining the intellect and reason as well as the fancy, and elevating even while it humbles—that breathes from the terrors of 'Macbeth'?

Most of the French romance writers of the present day, though some possess no inconsiderable power, appear to put it to no other use than that of exaggerating to the utmost both words and things. They escape entirely from Nature, and rushing to the stately palace of Art, they grope about her entrances, while they fancy they have won to the recess. Look to the 'Hans d'Islande' of Victor Hugo: the hero is represented with the universal knowledge of the wiliest diplomatist, and the habits of a wild beast. He has the claws of a tiger, and the tastes of a cannibal, killing men for the satisfaction of drinking their blood out of a skull; yet, withal, he knows all the affairs of cabinets and the intrigues of state. Can such anomalies, however vigorously painted, be ranked amongst acquisitions in the knowledge of character? Can plots which turn upon such characters be at once natural and noble? Can the tendency of such creations be to exalt or to instruct us? No: the genius of the author may raise the

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school for a moment out of obscurity, but the school itself remains inherently and eternally low: it is like the paintings of the Chinese or the idols of the Egyptians—the talent of the artist may be great, but the performance is barbarous. You cannot admire the colours if the bud is as big as the tree; and in seeing a figure with a hundred pair of bosoms, you can only lament that so much good granite has been wasted. The 'Notre Dame de Paris' is certainly far superior to 'Hans d'Islande.' It has made the most of the Unnatural School, and will long be a proof of what talent can effect for a work in which the characters never could have existed, and the incidents never could have happened. As for the pupils of the same school, which the French so ludicrously call the Romantic, they have the same vices as Victor Hugo, without the same energy—feeble debauchees, the victims of the excesses to which they would allure the public. These are they who cry out against the stately masterpieces of Corneille and Racine as deviations from nature. Alas, what face of nature do we behold in 'Barnave?' Despite the rigidity and coldness of the great French writers of the last century, they had at least majesty and grandeur. They were not vivid painters, but they were admirable sculptors. Their art was the minister of nature, though it was nature in marble. But these men have called the Hermione from her pedestal, to tattoo her with the ornaments of a savage. Wishing to beautify Nature, they distort her into a monster.

The ordinary herd of fictions by which the name of Novel was long degraded from its proper rank beside the Epic and the Drama, the circulating-library volumes of our fathers, in which incidents were strung together without end or aim, so that they treated of love and adventure, and now gave us a meeting of robbers, and now a meeting of lovers, a stab in the breast, or a kiss of the hand, have somewhat of an ancient and semi-classical origin. The Greek novels, making allowance for the difference of manners, are of the same nature, amorous and bustling, incoherent and meaningless. From them sprung however the beautiful chivalry of the Arcadia, the embroidered quaintness of the Euphues; and to them may be traced the French romances, that grafted knight-errantry on classical ground, and fascinated the much-enduring and patient coteries of the court of Louis XIV. It is singular too that the learning of modern translators has enabled us to discover a very strong similarity between the Greek tales and the novels of the Chinese; though the latter still more resemble the old French romances, delighting us with an abundance of knights and dragons, besieged

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castles, and distressed damsels; nothing can exceed the coyness of the ladies, or the valour of the lovers; yet in China, apparently, there is little enough of love, and nothing of valour. But the favourite reading of an age or country is not always an index (save by contraries) of its character. Charles II. adored the Cassandra, and his profligate courtiers enjoyed the outrageous virtue of Dryden's tragedies no less than the licentiousness of his comedies, or those of Etherege and Farquhar. We have two passions in fiction: in the one we love that which is most opposite to the realities around us, in the other we love the closest resemblance. Hence, at the same time, we ourselves could favour the knightly delineations of Scott and the fashionable tales of Miss Edgeworth.

We must except from the general contempt due to the Greek novels the exquisite story of Apuleius, which is of the same philosophical and sarcastic tendency as the romances of Voltaire; and if falling short of the nerve and polish of the great Frenchman's satire, and still more of the inimitable epigram of his style, it excels even Zadig in eloquence and poetry. Witness the Mystic Dream, in which Isis reveals her majesty; and, above all, the lovely and immortal episode of Cupid and Psyche.

We must conclude, but not without once more reminding the writer of fiction, who understands the uses of his calling, and pursues it in the spirit of an artist, of the great aims which, in the present age, are open to him. He has at his will the most popular, the most universal, the most efficient means of promoting the Science of Social Ethics. The drama has now transferred its functions to the novel. The novelist is in possession of a stage crowded with eager listeners, and which he may—if so gifted and so aspiring—devote to images created, indeed, by the fancy, but appealing to the intellect. He who accomplishes this, his proper object, while he obtains the popularity of the poet, will earn the homage of the teacher. He will charm, and he will command. B.

Art. XI.

THE GOVERNMENT AND PEOPLE OF AUSTRIA.

AUSTRIA is a country little known—and the reason is obvious. No books containing exact information respecting it are suffered to make their appearance there. The censorship of the press is active, and, above all things, discountenances the diffusion of any useful knowledge. Moreover, the

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Government is carried on completely in the dark, so that few even of the Austrians themselves have the means of knowing anything authentic about it, and those few do not speak out, because they are precisely the party most interested in concealing the truth. The prying and inquisitive traveller is anything but a favourite in Austria. A rich stranger is tolerated in the capital, where a crowd of spies always watch him, and prevent his making indiscreet inquiries; but if he wishes to go into the interior, where there are fewer spies, he must procure a passport; and it is the police which gives it, or rather which refuses it. We recollect an instance of a friend of ours, a physician, who troubled himself very little about politics, but who wished to make a tour in Styria. 'What do you want to do in Styria?' he was asked by the commissary of police; 'Sir, I make a pursuit of botany, and wish to examine the plants of that province.' 'For God's sake,' was the answer, 'don't throw away your money so foolishly: you will find all the plants that grow in Styria, and plenty of others besides, in the herbarium of our Museum of Natural History, or indeed in the shops of any of the principal druggists in Vienna.' Another of our acquaintances, a nobleman, whose only object was to amuse himself, wished to make an excursion into Hungary. 'But what are you going to do in Hungary?' 'Merely to make a pleasure excursion; I have been told that the country is very beautiful, particularly towards the end of spring.' 'Sir, you have been greatly misinformed—it is a most hideous country; remain here at Vienna, where you will find no lack of pleasure.' The only persons to whom they show any consideration are French travellers, who go into Hungary to buy leeches, and who merit this indulgence by performing their journey with much greater expedition than Imperial Austrian diligences. In 1821 the Government published a law, by which all foreigners were dismissed from their professorships at the public schools, and even prohibited from being employed as teachers in private families.

We have in our possession some interesting information relating to Austria, collected in a great measure in the country itself. This we shall make the basis of the following article.

The power of modern states depending almost entirely upon their revenues, we will begin with the financial system of Austria.

The Government is accountable to no one for the manner in which it expends the public money, and it never volunteers an explanation. All such matters are hid in impenetrable obscurity from those who contribute the money. But as unlimited

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liberty of spending is not all that is necessary, there must first be money to spend. The Austrian Treasury, according to Lichtenstein, has a fixed annual income of one hundred and fifty millions of florins, or fifteen millions sterling (ten florins of Vienna being equivalent to one pound.) In this sum are not included the temporary and irregular items of revenue, which, together with the preceding, form a total of 205,400,000 florins. But the principal resources of Austria are paper money and loans. The Government may issue notes at discretion, and it issues them with profusion, for paper is not costly. These abundant resources, however, do not suffice for the wants of the Government; it is obliged to contract loans, of which it pays the interest by fresh loans: the end of all which is——Bankruptcy; and bankruptcy is not a new thing in Austria. It sustained one in 1811, and another in 1818; and the circumstances are so instructive, that we cannot resist the temptation of laying some of them before our readers.

In 1811, Austria found herself in a position of something more than mere embarrassment. Her issues of paper-money (called banko-zettel) had reached the amount of one thousand and sixty millions of florins. The national debt, contracted by loans, amounted to much about the same sum. The expedients which were adopted to remedy this state of things were such as might be expected from a Government which can do exactly as it likes. To-day it found convenient to take under its charge all the plate belonging to the churches; to-morrow it requested of its faithful subjects a forced loan of seventy-two millions of florins. A *tax* of from 30 to 50 per cent. was laid upon all colonial produce; the postage on letters, and the other taxes on communication, were tripled; copper coins were struck, of the size and weight of a halfpenny, and circulated at the value of thirty kreutzers, or tenpence; in a word, the Government went to such lengths, that in the space of fifteen years a full tenth of all the property, moveable and immoveable, throughout Austria, passed into its hands. But all expedients failing to improve the condition of the finances, the Government had recourse to the final measure promulgated in the letter-patent of the 15th of March, 1811. This letter-patent reduced, first of all, the paper-money to a fifth of its nominal value. The whole quantity in circulation was declared to be 1,060,798,753 florins; and this, by a stroke of the pen, was reduced to 212,159,750 florins. The 'banko-zettel' were not to be current any longer than to the end of January, 1812; before which period they were all to be exchanged and realized; but realized in what? why in a new description of paper-

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money, which the Government called 'Einlösungs-scheine' (or notes of acquittal). These the Government expressly declared would be of the same value as the silver currency, and consequently ought to be received at par. But notwithstanding the positive assertions of the Government (which were something like those of Peter, in the 'Tale of a Tub'), the new paper-money soon fell to one-half, and even at last to one-third of its nominal value; whereby the creditor, who had already lost four-fifths of his due, found the fifth which was left reduced to a fifteenth. This was a second and final bankruptcy, which the Government legalized by the decree of 1818—a decree fixing the value of the new paper (einlösungs-scheine) at 40 per cent. of their nominal value in specie; that is to say, two hundred and fifty florins in paper were declared equal to one hundred florins in silver; and at that value they continue to circulate at the present moment.

The Government itself lost nothing by this operation; for at the same time that it depreciated the currency to one-fifth of its value, it augmented the taxes five-fold. From the date of the promulgation of the letter-patent, the ancient amount of taxes was to be paid in the new notes, or, if paid in the 'banko-zettel,' they were only to be received at the reduced value fixed by the letter-patent.

The same instrument (the letter-patent of 1811) made an equally equitable adjustment of the public debt. The interest of the debt was reduced one-half, and the reduced interest was paid from the date of 15th May, 1811, in 'einlösungs-scheine.' These notes, as we have already described, ultimately fell to one-third of their nominal value, and thus the interest of the debt was soon reduced to one-sixth. It is true that the Government did not cut down the nominal amount of the capital of the debt; but as the price of stock depends upon the interest paid, the national creditor, who disposed of his stock, would of course obtain in the market a sum proportioned only to the reduced interest which he received. This measure brought destruction upon all public establishments and charities, as well as upon the fortunes of minors; all of whom the Government had previously obliged to invest their capital in the national funds.

This was not all. The letter-patent 'adjusted,' in like manner, all private contracts from the year 1799 downwards. The amount of liability for sums due on account of legacies, sales, purchases, contracts, money borrowed, and all similar transactions, was fixed anew by the government, in accordance with a scale, which varied in amount for each year, from 1799 to

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1811. The privilege was thus accorded to all debtors in the Austrian States to follow the example of the Government, by becoming bankrupts, and defrauding their creditors. It must be added, that there was much more honesty among the subjects than in the Government. Many abstained from availing themselves of this disgraceful permission, and paid what they owed according to the letter and true meaning of their engagements.

The manner in which the letter-patent* was promulgated was

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* Did the Government improve its financial condition by this famous bankruptcy? Two years later (April, 1813) the Government added to the two hundred and ten millions of 'einlösungs-scheine,' forty-five millions of a new description of paper, called 'anticipations scheine' (or certificates of forestallment). This sum, during the two last years of the war with Napoleon, was augmented to four hundred and sixty-seven millions. Thus the quantity of paper-money in circulation was about seven hundred millions, or nearly as much as before the issuing of the letter-patent in 1811.

France was conquered; peace was established; Austria regained the territories which she had lost, and acquired, moreover, new and extensive possessions; France was likewise obliged to pay her a considerable indemnity. What were the effects of these fortunate events on the finances of Austria? In the course of a few years after, 1816, Austria contracted three loans, one of twenty, and another of thirty-six millions, with Rothschild; and, lastly, one of thirty-six millions with other bankers. All these loans were contracted under the pretext of redeeming the paper-money. Now what was the nature of this redemption? The operation was intrusted to the national bank. The bank redeemed, from 1816 to 1824, in all, 416,113,625 florins of paper-money; but, for five-sevenths of this paper-money, not specie, but bills bearing one per cent. interest, in cash, were given. This was merely substituting one paper for another, a paper bearing interest for a paper not bearing interest. For the remaining two-sevenths, bank-notes were given, which could always be converted into specie at the cash-office. These two-sevenths, however, it may be supposed, were really redeemed, but even this was not the case. We have already stated, that the Government contracted loans in order to redeem the paper-money. For example, from the 1st of July, 1823, to the 31st December, 1825, the Government paid, for this purpose, to the liquidation fund, thirty-five millions, the produce of one of the Rothschild loans. This loan was contracted for at 80 per cent., exclusive of a commission of five per cent., at a loss of, therefore, in all, 25 per cent.; nor was this all. At the same time that the Government redeemed a portion of its paper currency, it issued new bills at long dates. Thus the redemption was completely illusory. The amount of Government obligations which was cancelled in paper money, re-appeared, much augmented, in other forms of debt.

The national bank obtained its charter on the 25th of July, 1815, for a period of twenty-five years. At the commencement, its capital consisted of 100,000 shares, of 500 florins each, which were received 100 florins in cash, and the rest in paper money. As soon as 1,000 shares were disposed of, the bank was intrusted to the management of the shareholders, who elected eight directors. Their capital, therefore, consisted of 100,000 florins (or £10,000.) in cash, and the rest in depreciated paper. Some of the most respectable bankers in Vienna assisted this enterprise with their names, in the hope that it would prevent the paper currency, a portion of which they had in their possession, from becoming entirely valueless. The respectability of these names was the cause of such success to the bank, that from 1822 to 1826 alone, it transacted business to the amount of 3,000 millions, which gave a clear profit of 310 florins for each share of 500 florins. The Emperor Francis had taken one-half of the shares. The Emperor Francis was a man who never risked his private funds with the Government; he lost nothing by its bankruptcy, and died the richest individual in Europe. The imperial family generally save, one year with another, *four* millions of florins, which they afterwards place out to the best advantage. The bank was an

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not less extraordinary than its contents. The decree was signed on the 20th of February, 1811. It was sent with the greatest secrecy, carefully sealed up, to all the governors, presidents, &c. of the different kingdoms and provinces composing the empire, who were ordered to open the despatches on the 15th of March, at four o'clock in the morning. The decree was to be proclaimed one hour afterwards, and at seven o'clock all the world, 'great and small,' were to conform immediately, 'without making the slightest remonstrance,' to this new financial ordinance. These may be called peremptory orders. Thus the letter-patent was issued at the same moment in all parts of Austria, the drum beat, and the people obeyed in silence. Judge if a country is difficult to govern, where measures similar to these are enacted, and the people obey 'without the slightest remonstrance.' It will be admitted, that Metternich need not be an extraordinary genius to get through his task with tolerable credit.

The military system of the Austrian Government next calls for our attention.

Austria, as is well known, is made up of a variety of countries, each of which has its peculiar language. In some German is spoken; in others Italian, Bohemian, Polish, Hungarian,

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institution independent of the state, and therefore the rich individual Francis, in his private capacity, did not hesitate to confide to it a portion of his property.

The bank only issues notes for the value of which it is answerable, and which are immediately convertible into cash. In addition to its own capital, the Government makes over to it the funds appropriated to the liquidation of the debt, and to the redemption of the paper currency. It pays its dividends and meets all its engagements regularly. As we have already stated, the bank is wholly independent of the state; it adds no new guarantee to the solvency of the Government. It is true that the bank is charged with the liquidation of the debt; but it does not guarantee the payment out of its own funds; it is merely the agent of the government for making the payments, for which the Government has placed funds at its disposal. The security, therefore, of the public creditor consists only in the solvency of the Government itself. We have already shown, that what the Government calls a liquidation of debt, is merely a transfer of funds from one head of account to another. The public debt and the other pecuniary engagements of the Government, instead of diminishing, are gradually augmenting. The expenses always exceed the receipts. The Government supplies the deficiency either by an issue of Government securities, or by loans: a new loan of eighty millions was recently talked of. If a war should break out, the chances of which were uncertain, the credit of Austria would be destroyed. The bank would certainly be affected; for as its funds are composed in a great degree of government paper, the depreciation of that paper would proportionally reduce the value of its capital. When we remember that the shares of the bank, which are the basis and the measure of the credit of the Austrian Government, fell during the insurrection in Naples, from 1220 to 640, and did not recover their former value till after the successful result of the expedition sent thither, and moreover that, during the first three months of the war between the Russians and the Turks, they fluctuated from 1080 to 1005, it would be easy to imagine what would be the result of more important and serious war. Bankruptcy, in that case, would be inevitable; at least this is the general opinion in Austria. The Government understands its situation very correctly; and for this reason it is at present so pacific, although it has a most numerous, and, above all, a most obedient army.

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and Wallachian. The soldier of one country is garrisoned in another, where the inhabitants can no more understand him than he can understand them—an arrangement which prevents any treasonable communications from taking place between them. But this system does not end here. The officers who are placed over these soldiers are taken from a third nation, that they may not be able to understand either the soldiers or the inhabitants—an excellent method for preventing their entering into any plots for the overthrow of the Government. But the poor soldier pays very dearly for this most sagacious policy. To give an instance. The word 'Kerem' means, in Hungary, 'I intreat you,' and would naturally be the first word that an Hungarian soldier would make use of when threatened with punishment. His officer would not take the trouble to ask the meaning of the word, and would probably confound it with the energetic oath common among the Hungarians, 'Terem,' a literal translation of the favourite oath of the French: the soldier, therefore, would be indebted to the word 'Kerem' for an increase of his punishment by at least some five-and-twenty additional stripes. This actually occurred so frequently that the celebrated Mathias *Rath* made it the subject of some very severe animadversions in a newspaper which he was at that time conducting. But as this newspaper was also written in Hungarian, it cannot be supposed that the officers were much the wiser for it; nor would it even then have done much towards ameliorating the condition of the soldier, for, as the cudgel is the principal instrument employed in his education, there will always be plenty of reasons recommending its application. The officers are the privileged class in the army. They have unlimited power to use the cudgel*; but, in another point of view, the privileges of the officers have some limits, especially one, which is this, that '*the superior officer is always in the right as against his inferiors.*' An instance will illustrate this. The major of an Austrian regiment showed such cowardice, in a battle that occurred during the last war, that his brother officers, on their return home, made it the subject of a complaint to the government. The complaint being received, the officers were told that, as they made the accusation, they must prove it, and must produce their witnesses. All the officers who had taken part in the battle had signed the accusation, to the number of thirty-five. Now the military code of Austria forbids all private soldiers and non-commissioned officers from giving any evidence whatever against one of their officers, because such

* The non-commissioned officers who are charged with the infliction of this punishment always wear by their side a cane, in token of their high calling.

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a power, in the eyes of the government, would endanger the sacred doctrine of subordination. There were therefore no witnesses to produce, and the complaint was accordingly dismissed. But the matter did not rest there. 'Your complaint,' said the government to the officers who made it, 'having been proved to be unfounded, all of you who put your names to it have been guilty of a conspiracy and revolt against your superior. The conspiracy is proved; for we have in our hands your calumnious accusation, and all of you have incurred the penalties of an act of public insubordination.' Accordingly, four of the officers were sentenced to four years' imprisonment, and every one of the thirty-five who had signed the complaint was struck off the lists of the army, and deprived of his rank and all claim to a pension. This step reduced almost all of them to a state of complete destitution. An acquaintance of ours, when in Hungary, gave a dinner to several of these poor fellows, at the end of which he presented each of them with a piece of gold, which they did not refuse to accept.

From what we have said concerning the financial and military systems of Austria, it might be imagined that it is ruled by a despotic monarchy, where the government may do what it pleases. But such is not the fact. In a really despotic government, everything depends upon the caprice of the prince or his ministers. Now, let us examine whether in Austria the emperor or his ministers are invested with any such unlimited power.

The Emperor Francis, who recently died, not only exercised no influence in the management of public affairs, but actually had not the liberty of appointing the servants who waited on his own person. One day he gave a man called Stehli a positive promise of the place of *heater of the rooms* in his palace (Kammerheitzer). On the day appointed Stehli presented himself to take possession of his important office; but great was his astonishment, when the emperor came in person to inform him that 'Metternich had unfortunately otherwise disposed of the place.' Poor Stehli, therefore, was obliged to walk off without anything better than the positive promise and his royal master's expressions of regret. Other anecdotes of the same nature are told at Vienna. The emperor was acquainted with a Frenchman, of whose capacity and information he had a high idea, and to whom he had repeatedly promised some suitable situation. He was really serious in this intention, and spoke to Metternich about him. The next time he saw the Frenchman he said with a sorrowful air, 'Monsieur, I am very sorry; but the thing is not possible. Metternich says that we do not want

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clever men here.' ('Wie braüchen keine gescheidter leute.') Nevertheless the Emperor Francis was by no means void of intelligence. He had very good natural abilities, considerable information, and withal an excellent disposition; so that we must not be too ready to assume that the ridiculous insignificance of the emperor arose entirely from a want of capacity on his part, or from any prodigious superabundance of intellect in the person of his prime minister, Metternich. Some persons who are well acquainted with M. de Metternich do not hesitate to pronounce him a man not at all above mediocrity. We neither affirm nor deny that proposition. We have other authorities to prove that the chief power in Austria resides neither in the emperor nor in his minister, whoever he may be; and history is at hand to clear up any doubts.

Joseph II., one of the immediate predecessors of the Emperor Francis, was a man of firm character, of indefatigable and almost marvellous activity, and of talents far above the ordinary level. He was his own prime minister. He would not submit to the ascendency of any one of more energy or talent than himself, but combined in his own person the emperor and the minister. His only object was the welfare of his people, so much so, that his successors, who detest his very memory, could not help inscribing on the monument of brass which they raised to him at Vienna, 'Josepho Secundo qui saluti publicæ vixit, non diu, sed totus*.' If those who may be looked upon as his enemies say this of him, its truth can hardly be contested. Joseph II. not only had the intelligence and activity requisite for governing, but he employed these faculties for purposes which ought to have ensured him the concurrence and good wishes of all his subjects. And yet, what was the result of his efforts? At his death he saw the greater part of his people either in open revolt, or on the point of breaking out into revolt. It is not necessary to suppose that he was poisoned by the Jesuits. The feelings which it was natural that he should experience, and which he did indeed most acutely experience, towards the end of his career, when all his dearest hopes had been cruelly blighted, were sufficient to hasten his death. And by whom were his hopes blighted? By the clergy and the nobility. These are the real masters in Austria, and the people of England can conceive the nature of their power. Austria is governed upon Tory principles, and the only difference between the two countries is, that in Austria those principles reign entirely uncontrolled.

We will first of all say a few words respecting the clergy,

* 'To Joseph the Second, who lived for the welfare of his people, not long, but wholly.'

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though we shall show that the church there, as well as in England, is but part and parcel of the power of the aristocracy.

The Emperor Joseph II., who established by law throughout his dominions the toleration of all denominations of Christians, found, on his accession to the throne (in 1780), 2024 monasteries, containing 63,000 persons, male and female, who had taken religious vows. This number, in the course of eight years, he reduced to 36,000, and suppressed 700 monasteries. After his death, his successors restored almost everything that he had abolished, and things are now pretty nearly in their former position. At the present moment there are in Austria 17 archbishops, with 82 bishops under them. The number of monasteries, abbeys, and chapters is enormous. They possess landed property which is said to yield 200,000,000 of florins annually. To this must be added the 'Religious Fund,' which was formed out of the effects of the monasteries suppressed by Joseph II., and has been further augmented by subsequent donations. This fund produces an annual revenue of 2,500,000 florins, which is most strictly appropriated to the purposes of the Catholic Church.

All the dignities and lucrative places in the church establishment have been for centuries, and still are, the mere appanage of the great families, who in many places derive from them yearly incomes of upwards of 500,000 florins. The wealth, therefore, of the church constitutes, in point of fact, a great part of the wealth of the nobility. All other lucrative places, in the army, in the civil government, about the court—indeed, wherever money is to be gained—are in the hands of the nobility*. All this is merely in addition to their ordinary private fortunes, for the greater part of the landed property of the empire belongs to them. The higher nobility, under which title we include only such families as have clear annual incomes of at least half a million of florins (some have as much as three millions), derive their possessions either from the feudal times, from revolutions, from the spoliation of the heterodox during the religious disturbances, or from some of those acts of favour which a despotic prince bestows upon those who serve him obsequiously, or upon those of whose power he stands in dread. The great nobility is composed of about one hundred families, who are all Catholics. Next in order come about three times that number of families, who live in great affluence; and, last of all, a host of poor ones, who are hangers-on of the great nobility or the government.

* In 1817, it was calculated that throughout the whole of Austria there were 64,000 individuals belonging to the church; 475,000 nobles; 280,000 persons in public employments; 800,000 military; and 20,020,000 peasants: there are therefore plenty of opportunities for making money.

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The richest families are those of Lichtenstein (which has an income of 1,500,000 florins), of Grassalkowicz (which has 900,000 florins), Esterhazy (2,000,000 florins), Schwartzenburg, Trautmansdorf, Colloredo, Lobkowitz, Dietrichstein, Palfz, Batthiaz, and Erdödz. The influence of wealth belongs wholly to the nobility, and they take care to exert it for their own private use, themselves contributing hardly anything to the public expenses. This, no doubt, arises from the circumstance, that Austria has not merely one imperfect constitution, like France and England, but several. The greater part of her states, Hungary, Transylvania, Galicia, Bohemia, Lombardy, and all her German provinces, have each of them its constitution; and the nobility and clergy, being the only classes represented in the assemblies, have shifted all the taxes on the shoulders of the peasants and serfs, and other '*villains*' of the empire. If we look back and enumerate all the different elements which compose the power of the nobility in the Austrian states, we should arrive at the following results:

The nobility fill all the high offices in the church, and the vast army of the inferior clergy march completely under their orders. The clergy are the superintendents of public instruction. The professors, even in the schools of learning, are all monks or priests; and the pupils are at that early period trained in such habits of obedience as to render them at a future time attentive to the instructions of the confessional and the pulpit. Through the clergy, therefore, the nobility direct the whole morality and intellect of the people; if, indeed, their education can be said to have left them anything deserving the name of intellect.

The nobility furnishes the army with officers. The soldiery, utterly brutalized by the continual application of the cudgel, are instruments which they can wield at their pleasure. By means of the army, the nobility are in possession of the physical force of the country.

From the nobility are taken the ministers, and all persons employed in the civil department. Whatever may be their malversations or crimes, there is no justice* *against* them; and the

* A noble personage at Vienna violated, under circumstances of peculiar horror, a young lady, the daughter of an officer in the army. Fear and shame in a few days put an end to her existence. All Vienna was up in arms. But this personage was a M. de Kaunitz and a cousin of M. de Metternich, and his only punishment was a notice to quit the Austrian dominions. He went to Paris and lived very agreeably there, until sent to St. Pelagie for debt—where he was still to be found only last year.

It is true, that a *Count* Bebeznaz, in the time of the late Emperor, died by the hands of the executioner. He had murdered his own father—but this was a *crime against the person of a nobleman,* his father being a Count as well as himself; so that, after all, his punishment was in strict conformity with the leading principle of Austrian justice.

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influence of office enlists on their side a variety of other interests which add much to their moral influence.

The nobility has almost an exclusive possession of the land of the kingdom, which ensures to them the voluntary services of a multitude of persons whom they keep in their pay, while the peasant is in the condition of a serf, which gives them a complete property in his person and his labour.

Finally,—*The nobility compose the legislative assemblies.* By means of these assemblies they are enabled to protect and secure all their privileges, and to dispose of the money of the remaining portion of the population, which resides in towns, and is composed of those free men who are neither serfs nor in the personal service of the nobles.

What remains then?—Nothing. The nobility are everything; all things in the state are at their disposal—men, money, patronage, the church, the army, and the law. From this it will be seen how Austria was enabled to maintain her long and ruinous wars against revolutionary France. It was the nobility that promoted them and supported them throughout. They fought for the good old cause. In a word, these were *conservative* wars. The emperor and his ministers are all-powerful as long as they are conservatives—as long as they maintain religiously all abuses as by law established, and content themselves with their share of the public plunder. The machine of government travels on smoothly enough, and by its own *impetus,* along the old ruts—but whoever shall attempt to strike out a new line for it will infallibly fail, be he minister or emperor. Joseph II., who was both, did fail: and why? He introduced religious toleration, and abolished several monasteries—this set the *clergy* against him. He tried to abolish slavery, to establish a fairer distribution of taxes, and to render all classes equal in the eye of the law—this set the *nobility* against him.

The nobility thus possessing everything, there remains nothing for them to desire, and this explains why Austria is so stationary. The Austrian government—the Austrian empire itself—is the *nobility.* Every reform would injure some of their interests, and assuredly they will not labour for their own loss. All considerations resolve themselves into individual interests—or family interests—or, at most, into provincial interests. Austria has no existence as a nation, as a whole. It consists of a number of countries, which, by a caprice of chance, have been united under one name, but which have nothing else in common. If, instead of having several constitutions, it had but *one,* the interests of the majority would probably prevail

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over merely local interests; the different countries would by degrees amalgamate, and Austria become a united nation. At present it is no more than an agglomeration of heterogeneous elements, which a breath of wind may any day blow asunder.

Now, suppose such a thing to happen—what new state or states would spring up from the ruins of Austria? This question leads us to an examination of the political condition of the principal countries of which Austria is composed. These are of the number of five, and if arranged according to their respective importance will follow in this progressive order—German-Austria, Italian-Austria, Polish-Austria, Bohemia, and Hungary—which latter is beyond dispute the principal member of the Austrian empire.

The Italian possessions add to the extent of Austria without adding to her strength. Lombardy costs more than it yields. A numerous army is always necessary to keep down its population; and the government, in the hope of gradually winning the affection of the inhabitants, favour their industry and commerce, even to the detriment of its German possessions. The silk manufactures of Lombardy are very injurious to those of Vienna; and as its goods enter duty free into German-Austria, an active contraband trade has sprung up between Lombardy and France, which does much harm to the German provinces. Meanwhile, do these Italians attach any great value to these concessions? Can they, indeed, when they reflect that Venice, which is a mere fraction of their territory, in her last days of decrepitude, possessed ten times the wealth and the power that Austria will ever be able to confer upon the whole mass of her Italian possessions? One solitary consolation only remains to them; it is, that on the 24th of April, 1815, Austria gave a constitution to Lombardy, the emperor *only* reserving the power of making laws, of regulating the taxes, and of 'excluding such deputies from their Assembly as show themselves unworthy of the confidence which has been reposed in them.' The Polish possessions have been a most fatal acquisition to Austria, which will one day set her at variance with Russia, or perhaps with regenerated Poland.

Galicia also received a constitution by letters-patent, bearing the date of April 23, 1817—or rather, we should say, an Assembly of States, for the Emperor Francis objected to the word *constitution*.*

The representatives are chosen by the clergy, the higher and

* This hatred went so far (say folks at Vienna, and who would doubt their authority?) that he once turned away a favourite physician, for telling him, in the course of a conversation on the subject of his health, that he had a good *constitution*.

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the lower nobility, and the towns. The share of the towns was, however, confined to two deputies from Lemberg, until 'the Emperor should think fit to extend the right of representation to other towns.' The Emperor determines what taxes shall be imposed, and the clergy and the nobility how they shall be apportioned; not forgetting, in the apportionment, their own especial interests.

Bohemia was a powerful country when it was governed by its own kings, but its nationality and its power were overwhelmed in the torrents of blood which Austria caused to be shed there, during the religious wars of the sixteenth and seventeenth centuries. The peasants are in a state of slavery, or borne down by the grinding weight of taxation.

The whole future fate of Austria rests upon the German provinces and Hungary. The German possessions contain the favoured population—the ruling portion of the community, and for whose benefit all the rest of the empire is managed. The House of Austria owes its aggrandizement exclusively to its German possessions, which indeed obtained for it the dignity of chief of the German empire, and thereby the disposal of the whole military force of Germany. Austria has lost her influence in Germany, partly through Napoleon, who substituted independent sovereigns in the place of princes merely subordinate to the Emperor, and partly through Frederic the Second, who created a kingdom in Prussia, which at the present moment really governs and dictates to all Germany.

The influence of these German possessions does not extend beyond their own limits; and in any estimate of the resources of Austria, they must only be reckoned at their own value. The population of the Archduchy, Styria, and the Tyrol, is between three and four millions; and, consequently, below that of Bavaria, which, among the German kingdoms, is but *second rate*. It is true that Austria has, in the aggregate of her entire empire, a population of Germans amounting to eight millions; but then those who compose the remaining four or five, either form an insignificant fraction of the countries in which their lot is cast, or are entirely amalgamated with them.

The Germans are detested by all the rest of the population, who recognise in them the men who have oppressed them for ages. This hatred goes so far, that if German-Austria were to throw off its yoke to-morrow, it would not carry with it any other province of the empire. Like the nations which we have before mentioned, the German provinces have each a distinct constitution; but it would be wasting time to ex-

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pend it upon constitutions which put no restriction whatever upon the will of the monarch, and only give a power to the clergy and the nobility of exempting themselves from taxation; and of preserving inviolate their extensive privileges. The Government of Austria, which plods along mechanically in the old paths, does not seem to perceive the complete change which the last century has brought about in the situation and importance of its German possessions, or it certainly would remove its seat into another of its territories, which is far more fertile in resources, namely, Hungary.

If, in other parts of the empire, the nobility have great weight, in Hungary they are everything. The diet of 1808 declared the number of noble families in that country to amount to 90,000, and in 1817 there were estimated to be in Hungary (including Transylvania) 376,000 individuals belonging to that class. The whole population is at this moment estimated at twelve millions. In Hungary, however, there are no gradations among the nobility, but they have all precisely the same privileges; and this circumstance, coupled with their great numbers, renders them not so much a privileged class as a distinct nation, which, in the present condition of Hungary, represents, fairly enough, the interest of the whole; and, under an aristocratic form, exhibits many of the elements of genuine liberty. If we were to content ourselves with a superficial glance, we should see in that country nothing but a system of exclusive privileges of a most obnoxious kind. But we will go through the subject more in detail, and begin by tracing the causes that have produced this prodigious number of nobles.

The Maggyars, or Hungarians, came from Asia, and settled in Europe during the ninth century, between the Greek and Franco-Roman empires. The victorious warriors divided the country among themselves, and became its nobility. The noble was bound to take arms in defence of his country. When such an emergency arrived, a sword steeped in blood was carried about from village to village; at the sight of which every noble flew to arms. If he refused, he forfeited his property; and if he hesitated to give that up, his body was ripped open with the very sword whose summons he disobeyed. The Maggyars extended their possessions by fresh conquests. No one was compelled to join in any offensive war; but every one who was attracted by the hope of gain or glory enrolled himself in these expeditions; by participation in which, those who were not noble before, acquired nobility. The conquests were divided among the warriors of the victorious army, who thus constituted the nobility of the new acquisitions. The 35th

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article of the 11th chapter of the Laws of St. Stephen explains the origin of a third class of nobility. This was at the time when the Turks were perpetually harassing Hungary by their incursions. In every county in Hungary, a certain share of the land was parcelled out among the serfs and peasants, who in return were obliged to be always under arms. They formed regular troops of soldiers, called 'Jobaggiones castri.' At a subsequent period these were all enrolled, and took their place among the rest of the nobility, and accordingly were obliged to take up arms only when their country called them. The nobility, therefore, were nothing but a national army; which, however, never showed itself, except in times of public danger. This state of things continues up to the present day. Every noble, who is in a condition to bear arms, is bound to enrol himself in the army whenever the emperor makes war. This is called the 'Insurrectio;' and the only difference between ancient and modern times is, that whereas formerly the noble was called upon by his country—he is now called upon by the emperor, in whom is vested the right of declaring war.

The Hungarian nobility, then, compose the national army of Hungary. All other classes are forbidden the use of arms—the peasants expressly so, by a law passed in 1514. And this is very natural, for it is arms that confer nobility; which is not there an empty title, but carries with it privileges of vast importance. The noble has a seat in the Diet, where he votes for the imposition of taxes, from which he is himself exempt, and makes laws to exclude all other classes from any share whatever in the government of their country. He has the perfect control of his person and his property; and the king can make no law without the consent of the nobles—a maxim which they have expressed in the following formula:—'Non de nobis, sine nobis.'

In the official language of the Diet, the peasantry are styled the 'misera plebs contribuens.' They have no rights and no property, and are excluded from all civil as well as all military employments. A certain number of towns (to the number of fifty, if we are not mistaken) are permitted to take rank among the nobility, by a very amusing fiction. The whole town, whatever may be its population, (take, for instance, Pesth, which has 50,000 inhabitants,) is supposed to form one *collective noble*, or nobleman corporate.

No citizen can fill any office, civil or military: he cannot even defend a cause against a person of noble rank, or sue him before any tribunal. The town only, in its capacity of COLLECTIVE NOBLE, has a right to go to law with its equal; that

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is to say, with a noble. This *collective noble* has a seat in the Diet, to which he deputes some one of his members; but this delegate being generally a noble, chosen by the magistrates, who are almost all noblemen themselves, represents at the Diet nobody but himself, and thus the poor town gains very little by the happy invention of a *nobleman corporate.*

Is it possible to conceive a country more stationary—more conservative than Hungary? And when we read such accounts as these, must we not imagine that we are living at least as far back as the twelfth century? When an Hungarian is reproached on this head, he replies with a sarcasm, 'How do you think we can ever move forward, while Austria is on one side of us, and Turkey on the other?' Every body, however, does not address the same reproaches to them. There are people who have thought it necessary to warn them not to indulge too much the fatal passion for innovation. The late Emperor Francis, in one of his excursions, made the following reply to a deputation from one of the Hungarian counties:—'Totus mundus stultisat, (the Emperor must have been a modest man, not to have made an exception in his own favour,) et relictis suis legibus, constitutiones imaginarias quærit—vos constitutionem a majoribus acceptam illæsam habetis, amatis illam, et ego illam amo.' The only thing that does not please us in this learned oration is, that the Emperor has expressed his veneration for the wisdom of ancestors in rather too modern Latin. However, we must excuse him, for this was a declaration of love—'Et ego illam amo!' and, on such occasions, one's wits are somewhat confused. What was it, then, that inspired the Emperor with this wonderful affection for the old constitution of Hungary? Perhaps the words which the Hungarians address to their king at his coronation: 'Be it known to your Majesty, that the last day of our constitution will also be the last of your reign.' This explains the matter a little. The Hungarians, however, do not affirm, that the Emperors of Austria have much love for their constitution; and for this good reason, that it is not an imaginary, but a substantial one. Let us see what powers it gives to the emperor, or rather to the king, for that is always the name by which the Hungarians designate the head of the state. The tenth article of the law of 1791 is of the following tenor:—

'Leges ferendi, abrogandi, interpretandi potestatem in regno hoc Hungariæ Partibusque adnexis—salva articuli viii. 1741, dispositione,—(this article enumerates the fundamental laws, which can in no case whatever be changed,) legitimè coronato Principi et Statibus ac ordinibus Regni ad Comitia legitime confluentibus, communem esse, nec extra

illa exerceri posse, Sua Majestas ultro ac sponte agnoscit, ac se jus hoc Statuum illibatum conservaturam, atque, prout illud a divis suis majoribus acceperat, ita etiam ad Augustos suos successores inviolatum transmissuram, benigne declaravit: Status et Ordines Regni securos reddens, nunquam per Edicta, seu sic dictas Patentiales, quæ alioquin in nullis unquam Regni Judiciis acceptari possunt, Regnum et Partes adnexas gubernandas fore; expeditione Patentialium ad eum duntaxat casum reservatâ, ubi in rebus, legi alioquin conformibus, publicatio debito effectu hâc unicâ ratione obtineri valeret. Proinde, forma Judiciorum, lege stabilita aut stabilienda, auctoritate Regiâ non immutabitur, nec legitimarum sententiarum executiones mandatis impedientur aut per alios impediri admittentur; nec sententias legitimas fororum judiciariorum alterabuntur, imò nec in revisionem regiam, nec ullius Dicasterii politiam pertrahentur; sed per, secundum conditas hucusque aut in futurum condendas leges, receptam Regni consuetudinem, Judicia per Judices absque discrimine Religionis deligendos celebrabuntur: Executionis autem Potestas non nisi in sensu legum per Regiam Majestatem exercebitur.'

The power of making laws is shared between the king and the states; but there is another restriction which we must not keep out of view, namely, that the king must be 'legitimè coronatus.' And this is of some importance; for at his coronation the king is obliged to swear, that he will religiously observe the fundamental laws, and *all other laws to which a Hungarian noble owes obedience.* Thus the king is not looked upon as anything more than another nobleman. This calls to our mind a conversation which we once had with a Hungarian lawyer. We asked him whether there was any law in Hungary against a king who infringed the constitution. 'Most certainly,' he replied, without hesitating for a moment; 'in book ii. chapters 35 and 51. of St. Stephen, it is said, that *any one* who sets himself up against the welfare of the country shall be punished with death.' The king, it seems, would be included in a law made against *any one.*

Joseph II., who did not wish to fetter himself by the Coronation Oath, in the works of reform which he meditated, would never be crowned at all. This omission, however, was of no advantage to him. He was obliged, before his death, to revoke every measure that interfered with the privileges of the Hungarians. That people, on account of his having omitted to be crowned, always characterized his reign as an *interregnum;* and the great nobles used openly to talk of the 'Filum ruptum successionis.' This was a phrase of serious import. The titles by which Austria acquired possession of Hungary are of a very disputable nature; and, therefore, it never did hold its possession peaceably before the eighteenth century. A sort of

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a truce was then agreed upon between the two contending parties, which has continued in force up to the present time. There was, in particular, one question of law upon which they never agreed. The Hungarians maintained that their monarchy was elective; the emperors, that they were kings of Hungary by hereditary right. However this question, by the uninterrupted succession of the Emperors of Austria, had fallen into desuetude, until Joseph II. revived it. He never having been crowned, the Hungarians say that he was not their king; and that, by his means and in his person, the hereditary succession being terminated, their throne is elective, and they might look out for a king elsewhere. It is true that, since the death of Joseph, the Hungarians have not again mooted this point. But the anecdote which we are about to relate will prove the importance still attached to that consideration. An Austrian professor, at the University of Graetz, had written a history of Austria, which he submitted to the censorship at Vienna. The celebrated Mons. de Gentz, who was the informing mind of Prince Metternich, had the examination of it. The professor (whose name was Schneller) had in his manuscript the following passage:—'It is certain that many Hungarians looked upon the reign of Joseph II. as an interregnum, on account of his having omitted to be crowned; and some even carried their boldness so far as to talk of the "filum ruptum successionis."' Mons. de Gentz, by the side of these words, made the following annotation:—'These delicate questions must not, and ought not to be entered upon at the present moment. Even to allude to them in public is a *criminal* impertinence *(ist frevelhaft)*, since it can only do harm.' The *imprimatur* was refused, and the work could not be printed in Austria.

The cabinet of Vienna are afraid of Hungary. Its constitution is very much in their way, but it would be dangerous to attack it openly. They have, however, made attempts to undermine it; and we shall see how far they have succeeded. The Catholic bishops are all on the side of Austria. They are nobles, and therefore exempt from all taxes. It may easily be imagined, that the government can have no great regard for these immunities of the nobility, who possess immense property; in fact, all the property of the kingdom. The government has more than once made very touching representations of the condition of the unhappy peasantry, and talked much and often of the good of the state; but, touching as such descriptions could not fail to be, when coming from so paternal a government as that of Austria, the Hungarians still turned a

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deaf ear to them. M. de Metternich is not a man who easily loses patience. He put his mind to the rack, till at length he hit upon an expedient, which he deemed an infallible one. Knowing the wonderful effect which example has upon men, he induced the bishops to consent to pay a yearly contribution, and they have paid it for the last eighteen years. And what said the nobles? They contented themselves with quietly observing, that the bishops were traitors, who betrayed the nation and sold their birthrights, and were a disgrace to the name of noble. The scheme was no doubt excellent, but fortune did not favour M. de Metternich. The nobles find fault with all that the bishops do, or submit to. The Catholic bishops, in addition to the fee on their appointment, which they pay to the emperor, pay another to the pope. This, say the nobles, is betraying the independence of the country. And the sixty-fifth paragraph of the law of 1495 says, 'that every bishop who shall make any payment whatsoever to the pope shall be sewn up in a sack and thrown into the water.' This law has never been abrogated, but for a century past there has not been an instance of a bishop thrown into the water, although they have undoubtedly been guilty of violating the express laws of the country. If a bishop dies intestate, all his private fortune goes to the Exchequer. If he makes a will, he can only dispose of a third of it—one-third going still to the Exchequer, and the rest to the fund for the religious instruction of the priests. The nobles say that the bishops have, in this particular, also made a sacrifice of one of the dearest privileges of their order, who have by law the unlimited disposal of their persons and property. The bishops have certainly made valuable concessions to the government; but by these very acts they have lost all influence over the rest of the nobility; and their support is of no value to the government, beyond what they contribute in the shape of money. The towns are placed immediately under the jurisdiction of the emperor; they may indeed be looked upon as portions of Austria, in the middle of Hungary. The government increased rapidly the number of 'royal free towns,' each of which sends, as we have before observed, a deputy to the Diet. And we have also observed, that this deputy is almost always a noble; so that here again is a failure. The towns, moreover, have little power, are very poor, and have few means of improving their condition. Hungary is perhaps the only country on the continent whose resources, if properly managed, might equal those of France: and yet the Austrian Government does not draw from her more than twenty millions of florins—a mere trifle, when we consider that the

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Grand Duchy of Austria, small as it is, and with only a million of inhabitants, yields full as much.

The Austrian government, which is never backward when the question is to put its hands into the pockets of the people, made a sly attempt to catch a *little* of this money, which it had no direct means of getting at. It surrounded Hungary with Custom-houses as if it had been a foreign state, and subjected all goods which had to pass from that kingdom into the other Austrian dominions to a heavy duty. Thus, for example, tobacco and wines, the two principal productions of Hungary, are subjected to duties which amount to a complete exclusion. But if this expedient may possibly put a little more money into the pockets of the Government, on the other hand it checks the development of the commerce and industry of Hungary, which must naturally operate most to the detriment of the towns where commerce and industry are usually to be found; the Government, therefore, by its own measures, renders it impossible for the towns of Hungary to arrive at such a state of opulence as would ensure them any political importance. The nobles, on the other hand, looking upon these towns as so much Government property, and as opposed to all their exclusive privileges, do all in their power to prevent them from increasing in magnitude and power. The consequence of all this is, that the Government not only does not acquire any fresh influence through the towns, but actually loses some; since they furnish it with opportunities of showing to the Hungarians how much it dislikes the existing constitution of Hungary, as well as the numerous and powerful class which rules there, and thus creates for it new enemies.

The Government, however, has still remaining a third ally, in addition to the bishops and towns, in the persons of the most important part of the nobility, the *haute noblesse*. Men are usually not satisfied with being as great as those around them; they wish to be something different from others; they hunt after marks of distinction and privileges.' We have already said that the laws of Hungary recognize no distinctions among the nobles; they form but one class. The cabinet of Vienna gives titles, and decorations, and ambassadorships, and other such honours, to the great families which compose the Upper Chamber, together with the clergy, and the Palatine or Viceroy, with some of his principal officers. The first Chamber, then, which is called the House of Magnates, is completely royalist, it is the House of Courtiers. The second Chamber, or House of Deputies, embodies the democratic elements of the constitution; but whenever it attempts to extend them, it is sure to

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find the House of Magnates step in and prevent its progress. The assistance, however, which the House of Magnates brings to the Crown is confined to this negative kind of support. The Crown looks with an evil eye upon the immunities of the nobles, by the destruction of which it would gain in a financial point of view, and, moreover, considerably in influence; because, forcing the nobility to contribute to the wants of the Government would be to reduce them to a state of dependence upon it. But the great families being themselves the party most interested in preserving these immunities, the majority of the House of Magnates will be a long time before they assist the Government in abolishing them.

Another thing which impedes the action of the Government is the 'Insurrectio' (already alluded to); an institution which is intimately connected with the question of the immunities of the nobles, and which is the fundamental question in Hungarian politics, so far as concerns the relations between the court of Vienna and Hungary. We cannot evade the necessity of speaking a little more in detail on this head.

The Insurrectio, as we have already said, subjects the nobility to any military service to which the Emperor may call them *in case of war*. But the army thus formed is not merely a set of disciplined troops, without any rights, and entirely dependent on the Government. It is a national army, composed of free men; it is a power whose pleasure must be regarded, and which can, upon occasions, dictate terms to its own superiors. If the Government were to weary the patience, and excite, to a certain pitch, the discontent of the Hungarians, might not this army, once brought together, turn their swords against the Government? On the other hand, although they are only liable to be called out *in case of war*, yet, in order that they may be fit for service when so called upon, they have, and must have, some sort of permanent organization; and, this being the case, they would perhaps form as quickly at their own suggestion as at the call of the Emperor. The institution is a dangerous one, and was never much liked by the Government. Besides, the cabinet of Austria is too peaceably disposed to require such an army against any foreign state. It only needs them against its own subjects, and that would hardly be *a case of war*, and the word *insurrectio* would not sound well on such an occasion. The Government, therefore, does its best to exonerate the Hungarian nobility from this dangerous obligation, but they never have shown any disposition to benefit by this paternal kindness. The Government, therefore, set to work in a more round-about way, and partly succeeded. This happened in 1715, under

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Charles VI., or rather under Prince Eugene, at a time when Austria had attained its highest pitch of power, a reason to which more than any other sort of argument the Hungarians yielded.

The government said to them—'Circumstances compel us to keep up a standing army; but we would by no means, on that account, subject the nobility to inconvenience, or infringe any of their privileges. We should be quite content with an army composed of your peasants, your serfs. They will cost us some money; but we ask nothing of the nobility except simply the power of levying a tax upon the peasantry, the "misera plebs contribuens."'

But the question was, what sort of a tax was this to be? Was it to be a tax on landed property? The peasant occupies, but he does not own, the land. If a rich nobleman has so many sons that his house is not large enough to hold them, he, without any ceremony, takes away the estate of his peasant in order to make up a sufficient patrimony for them. A tax, therefore, upon the land occupied by the peasant might, at some future period, fall upon a noble, who never pays taxes. The government, therefore, received permission to tax the moveable property of the peasant, and the buildings which he erected upon his land, and which belonged to him. This tax, which was called 'contribution,' in 1716 brought in 2,800,000 florins; in 1723, 1,920,000; and at the present moment brings in 6,000,000. The nobles themselves collect this tax, and hand it over to the government. The latter is thereby saved the expenses of collection, but is, at the same time, prevented from knowing, with any precision, how much the peasant could afford to pay.* The nobles have no interest in making the sum large. They favour, therefore, the peasant as much as they can; and thus the whole odium of the tax falls upon the government, while the peasants become more attached to the nobles, looking upon them as their protectors.

It remains to mention in what manner the government procures the men who compose their standing army. Is it by a conscription founded on a regular enumeration of the people? The nobility have taken good care to prevent such a regulation. The government does not at this moment know officially what is the real population of Hungary. The conscription lists of 1817

* Joseph II. sent engineers into Hungary to make a survey of the kingdom, which was to serve as a basis for a general land-tax. This measure gave extreme dissatisfaction to the Hungarians; and if Joseph had not revoked the measure, a revolt would infallibly have taken place. His commissioners had, at the same time, numbered every house with a peculiar red mark. The nobles persuaded the peasants that this was done because the emperor intended to take away their houses, and give them to his Germans. The peasants were not long in rubbing out the marks, and showed that they were quite ready to march under the banners of their masters, if it should come to blows.

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give to Hungary, including Sclavonia and Croatia, 8,063,680 inhabitants, a number certainly much below the truth. Moreover, the levies are regulated by the diet, which always higgles about it, and does all it can to give the government the smallest possible number of recruits. This is another opportunity which the nobles have of acquiring the attachment of the peasantry. They never assist the government in enlisting the troops: it is therefore obliged to have recourse to impressment, and an impressment of the most odious kind. In the middle of the night a village is surrounded. The father is torn from his wife and children; the son from his parents; they are dragged away in droves, and never again behold their homes. They are separated for ever from all that is most dear to them, and die in the service, by death alone rescued from that cruel bondage.

The Hungarian peasant, like every other Hungarian, is passionately attached to his native land. It is forbidden, under severe penalties, to sing or play any of their national airs in the neighbourhood of barracks in which there are Hungarian soldiers. If such airs meet their ears, they tremble, become infuriated, and more than once blood has flowed in consequence. Poor fellows! they are incomparably the best soldiers in the Austrian army: they have no fear of death—for they have nothing more to lose.

The whole odium of this system likewise falls on the government; and the peasant looks upon the noble as his tutelary angel, from whom he is one day to look for deliverance from this frightful oppression; and he has some reason for this hope. The nobility have conceded to the government, much against their own inclination, the right of taxing and enrolling the peasantry. But these concessions may still be revoked. The nobility have constantly refused to embody them in their code of laws—they have never taken upon themselves any share in their enforcement, and never will, unless upon compulsion. 'The Hungarian soldier,' say they, 'is lost to his country when transplanted to a foreign clime, where he forgets the language and the customs of his fathers; and, in return, we have sent amongst us foreign soldiers, for the express purpose of introducing here their language and their habits—that they may destroy our nationality, and with that our liberty.' And these are not unmeaning words. The diets of 1825, 26, and 27, and those of the most recent date, have strongly insisted on an alteration of this state of things. It is the occasion of all the quarrels which the Hungarians have with the Court of Vienna—the cause of all their energetic representations. In it is comprised the modern history of Hungary. The desire of laying before our readers all that is necessary for the right under-

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standing of this subject must lead us to the consideration of another important question.

The government of Vienna treats Hungary exactly as a foreign state. Thus we have seen above, that they have established custom-houses round its frontiers, and laid duties upon all its productions when imported into other parts of the empire. The Hungarian, in return, looks upon Austria as a foreign country; he knows nothing of the empire of Austria; he only recognises the King of Hungary, and no other name will he give him, unless he is speaking of him in hatred or scorn. The Hungarians have not forgotten their national history; they know that Hungary was once a far more extensive country; a considerable part of their territory was lost by the conquests of the Turks—Bulgaria, Wallachia, Servia, &c. The King of Hungary must swear at his coronation that he will do all in his power to restore to them their ancient possessions.

The Austrian monarchy is perishing of old age and inanition. Are there any means by which it could prolong its existence, and acquire a new and vigorous life? Yes: by giving liberty to its people. It is the cabinet that keeps every one of the nations and tribes in weakness, because it fears that they would turn against it, were they to become strong, by the improvement of their internal government, and the growth of their industry and trade. It is true Joseph II. tried the experiment; endeavoured to promote the improvement of the empire, and failed. But his very failure has been a benefit to the cause. Before him nothing had been done; a second attempt would be far easier. Besides, Joseph succeeded in part; he succeeded in his German provinces. The Germans received his reforms with gratitude. In the German provinces the peasantry are no longer serfs; those provinces are rich, highly civilized, and, it might almost be said, happy: in literature and knowledge, Vienna is not inferior to Berlin. All this is the effect of the measures of Joseph II. Joseph laboured for the Germans, and the Germans loved him and supported him. But this was the very cause of his disappointments elsewhere. In labouring for the Germans, he set the Hungarians against him. At that time the Emperor of Austria was still Emperor of Germany, and still retained influence over the German states. But Germany is now lost to him for ever: his power in Germany is limited to the country about Vienna. The strength of the Austrian monarchy is in Hungary. The attempt to make the German provinces the central point of the empire is now mere folly. If the cabinet of Vienna had one grain of prudence and intelligence, it would quit Vienna and fix the seat of government at Ofer, at Pesth, or even at Belgrade. It would make the empire

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a Hungarian monarchy: it would adopt in good faith the Hungarian constitution; which is not a demòcratic but an aristocratic constitution, and would still leave to the court ample opportunities for abuse of power. At present Hungary is weak: but why? Because she is divided into two parties, a Hungarian interest, and an Austrian interest, which exhaust their strength by perpetual dissensions, and paralyse all measures of improvement. If the Austrian interest were to disappear, there would be peace, and the strength she has lost she would rapidly recover. Nor would Austria be any loser by the change. Dalmatia, Galicia, and Bohemia formerly belonged to Hungary: were the Hungarian constitution extended to those countries, they would all merge in one great and powerful Hungarian kingdom. As for the German and Italian provinces, the policy of Austria should be to treat them as colonies to be turned to as much account as possible, but which it is impracticable to unite on equal terms with the ruling nation. Those two countries can never amalgamate with Hungary.

Art. XII.

PARLIAMENTARY PROCEEDINGS OF THE SESSION.

IN the Postscript to the first Number of this Review, published while the Melbourne Ministry was in the process of formation, we explained why that portion of the House of Commons, who are entitled to the appellation of thorough reformers, ought not to connect themselves officially with any ministry which could be composed from the materials now existing in public life; and we described the attitude of support, but of qualified and distrustful support, which it appeared to us most consistent with the principles of the thorough reformers, and most conducive to their usefulness, that they should maintain towards the new administration. We believed that the Whigs would propose, on one or two important questions, measures considerably more extensive, and better calculated to facilitate further improvements, than would be proposed by any Tory ministry. On this ground, we wished that the Whigs should remain in office. That they were prepared to concede any improvements but those so urgently demanded by the public, that no government, raised to power by the public will, could refuse them without the immediate loss of office, we did not believe; nor, with regard to the greatest part of the evils which affect our social state, did we believe that the Whigs were, less than the Tories, attached to the evils, or less terrified at the remedies.

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The course which we recommended has been that which the thorough reformers, both in the press and the House of Commons, have adopted. And that it was the advisable course, the conduct of the ministry has ever since been affording fresh proofs. To say nothing of minor matters, the Ministers have afforded us an opportunity of judging of them in regard to four great questions: the Corporations, and the Irish Church, the Ballot, and the Taxes on Knowledge. On the first two subjects their conduct has given ample reason why the complete reformers should support them; on the two latter, ample reason why that support should be, as we have already expressed ourselves, qualified and distrustful.

We are more desirous, on the present occasion, to dwell upon the favourable, than upon the unfavourable side. Yet, before we enter into an examination of the two measures which constitute the claim of the present Cabinet to the support of Reformers, we must make a few observations on the two other great questions just alluded to; because we deem it important that the Reformers should be under no mistake concerning the probable duration and limits of the co-operation which is practicable between themselves and the Whig Cabinet.

We shall begin with the Taxes on Knowledge, because it is the subject on which all we have to say will be soonest said.

This great question the former Melbourne Government left as a kind of legacy to the present. It was understood, and, by a distinguished member of that Government, proclaimed on more than one public occasion, that the ministry intended to take off the newspaper stamps. The subject has been strongly pressed upon the present ministers since their appointment; numerous petitions against these taxes have latterly been presented to parliament; but, to all interrogations on the subject, ministers have returned evasive answers. The people ought to make them understand, that by their conduct on this question they will in a great measure be judged, and that the sentence is only suspended until their budget is produced. The language which they have as yet held on the subject is little honourable either to their sincerity as reformers, or to their discernment as statesmen. They are told that these taxes are the grand hindrance to what no one will look his fellow-creatures in the face and deny to be the very most important end which any persons in public trust can aim at—the instruction of the people. They are told that, by reason of these taxes, the people, who are willing to be instructed, cannot get instruction, and those who are willing and desirous to instruct the people are debarred the means of giving them instruction. Now, to such a proposition placed before them upon such

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grounds there are several answers which they might have returned. One was, 'It is right; let us do it:' and this would have been the wisest and most virtuous answer. Another was, 'It is not right; let us not do it:' and this might have been an honest, and would not have been an absolutely silly answer. Our ministers have contrived to find a third, different from either: 'It is right; but we do not know whether we will do it or not.' Mr. Spring Rice expressed his agreement in all the doctrines of those who object to the tax; but the glass-manufacturers also wanted to get *their* tax taken off, whereby we may drive a thriving trade in glass with all Europe; and the question must lie over until Mr. Spring Rice can decide which is best, an export of glass, or an instructed people.

What kind of statesmanship is this? The taxes on the diffusion of knowledge are either a positive good, or their existence is a violation of the first duty of a government; the most sacred claim of a people. Satisfy yourselves which of the two it is, and act accordingly; but for very shame, give over treating the question of the civilization of your people as a question of revenue—a question where the government is to find 400,000*l*. And this when, in four years, five millions of far less objectionable taxes have been taken off.

Before our next publication, ministers will have been forced to explain themselves categorically on this subject. For the present, we shall say no more upon it.

Ministers have declared their unabated determination to resist the Ballot. We view this declaration in a very serious light; and we think the importance of it will manifest itself more and more to all eyes.

A government which is determined to oppose the ballot must end by a coalition with the Tories. Without the ballot there will, in two or three years more, be a Tory parliament. We are unable to conceive how the evidence of this can be resisted. The majority of the electors, both in the old and in the new constituencies, are in a state of complete dependence upon the wealthy persons of their neighbourhood. Of these wealthy persons, a vast majority are Tories. The Reform Act did not change human nature. It did two things: it introduced into the constituency a large body of new electors, not yet corrupted by the foul influences; and it inspired the electors with an enthusiasm, which induced them very generally to brave those influences, and disregard the mandate of those who could do them good or ill. So stood the case in 1832: but in 1834? In two years, this effect of the Reform Bill had so spent itself, that the Tories, and those who were willing to act with the Tories, obtained within thirty of a majority of the Reformed House.

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The elections of Devonshire, Staffordshire, and Inverness-shire, were subsequent to that time. This the Tories call re-action. We call it the natural working of the constitution established by the Reform Bill; a constitution, which enables the people to carry all before them when driven by any violent excitement; but compels them, through the publicity of the suffrage, to exercise that power under pains and penalties, which prevent it from being ever exerted on common occasions, or in quiet times.

What did Lord John Russell and Lord Howick, the two ministers who made themselves spokesmen against the ballot, say to this? They said, it was true there had been intimidation, gross intimidation, and, in the election which had just taken place, that of Lord John himself, intimidation beyond all former precedent; if it were let alone, however, perhaps it would cease of itself! Public opinion, and the growth of intelligence, would in time restrain, nay, according to Lord Howick, had already restrained, and were restraining, the intimidation, every day more and more. A hopeful and cheering view of human affairs, truly; but, like most of the maxims of the Whigs when they are talking like Tories, they have been somewhat late in finding it out. Why abolish the rotten boroughs? Why not trust to the growth of intelligence, and the power of public opinion, which were acting upon the boroughmongers, every day more and more? Why turn out Sir Robert Peel? Would public opinion, and the progress of intelligence, have been without effect upon that minister? What need of a police? What need of laws, and courts of justice? Cannot you rely upon the growth of intelligence, and the influence of public opinion upon the thieves? What need of an army or navy? Why not disband our forces, and trust for our protection to the public opinion of Europe?

It is time to have done with these propositions for giving uncontrolled mastery over the people to an irresponsible few, and trusting to public opinion to prevent them from abusing it; these fond anticipations, that men will not do what is in accordance with their interest, and with the opinion of all those whom they care for, out of deference to the opinion of those for whom they do not care. Intimidation in elections will increase, not diminish. It will be greater in the next general election than in the last, as it was greater in the last than in any preceding. Not the intimidation, but the feelings which make men resist intimidation, will diminish. He who has once voted against his conscience, will have less and less sense of degradation in so voting, every successive time. There are persons who believe that a great and salutary effect will be produced upon the parliamentary elections by Corporation Reform.

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We believe that it will produce some, but nothing like a decisive effect. Though the corruption and intimidation, hitherto exercised by corporations, were to cease, there are ample means both of corruption and intimidation in other hands, and by these the municipal elections themselves may be perverted, and through them the corporation property again brought into corrupt hands. If Corporation Reform strengthen the ministry at elections, it will be chiefly by rekindling some sparks of the expiring enthusiasm; an effect which is in its nature evanescent, and cannot be reproduced. No ministry can continue exciting the people to a fresh fit of enthusiasm every year.

We repeat, then, that without the ballot we shall speedily have a Tory parliament; and that the present ministers will have to decide, whether they will support the ballot, or abandon office to the Tories, or coalesce with the Tories on their own terms. The exact time when this decision must be made it is impossible to foresee, but by no power can it be postponed for more than a year or two. When it comes, which course will the ministers choose? Probably they will not all of them make the same choice. The problem will then be reduced to its simplest terms: Who is for the aristocracy and who for the people, will be the plain question. Ought the government, or ought it not, to be under the complete control of the possessors of large property? Those of the ministers who think that it ought, with nearly the whole of the Whig aristocracy, will combine with the Tories in a determined resistance to all further extension of popular influences. Those who think that it ought not, together with two-thirds of those members of the House of Commons who now support the ministry, will form a powerful Opposition party, resting upon the people. The contest will then be short and sharp, between the two principles which divide the world, the aristocratic principle and the democratic; and in such a 'stand-up fight,' he is an indifferent prophet who cannot foresee that the victory will be with the side where the strength is growing, not with that where it is waning.

In the debate on Mr. Grote's motion, the complete reformers made an exhibition of boldness, concert, and parliamentary talent, which greatly raised their character in the House, and ought to convince them what a power they might wield, if they, who are the most instructed portion of the House, were not, unhappily, (with some meritorious exceptions,) the least enterprising and energetic. The votes showed a considerable increase in the number of the avowed supporters of the ballot, since the last division two years ago. But a still more encouraging symptom, to those who were present, was the temper of the House: the manifest favour with which the proposition was re-

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ceived, by all except the Tories and the immediate adherents of ministers; and the tone of confidence in their strength, we might almost say of triumph, assumed by its supporters. Though the question was lost, it might have been supposed that they knew it was about to be carried, so completely were all the signs of conscious superiority on their side.

We shall now state, as briefly as possible, our sentiments on the two great measures of reform to which the ministry have, in our opinion rightly, postponed for the present session all minor questions. We mean, of course, the Municipal Corporation Bill, and the Bill for reforming the Irish Church.

We regard both these measures as, in point of principle, of the very highest moment; and from one of them we expect important practical benefit. The importance of the other consists chiefly in the principle which it recognises.

We regard the Irish Church Bill as the final blow to the superstition (once so strong, but which has of late been so rapidly wearing out) of the inalienable character of endowments, and, in particular, of ecclesiastical endowments. For the first time, the popular branch of the legislature has sanctioned the principle, that, saving all existing life-interests, Parliament has the right, paying a reasonable, and no more than a reasonable, regard to the original purposes of endowments, to deal with the surplus as it deems most expedient. The House of Commons have once deliberately announced this principle in a solemn resolution, and are about to pass a bill in which the power so claimed by them is actually exercised.

Considered with regard to its direct object, as a measure for reducing the sinecure church establishment of Ireland, the bill has two great defects. The first is, that it *is* a bill for the reduction of the sinecure church, and not for its total extinction. A measure of that extent, we believe, would not have been in advance of the public mind. No rational supporter of a church establishment now attempts to justify an inconsiderable minority in imposing their church upon the majority, or one nation in imposing theirs upon another nation. Even to attempt it is such an act of tyranny, as no nation ever submitted to but from the fear of the bayonet. Nothing can justify retaining the Irish Church, even on the most moderate scale, unless all other sects are to be established and endowed likewise.

From the present ministers, however, we looked for no measure beyond a diminution of the monstrous establishment: nor do we blame them for not proposing what the House of Commons probably would not have passed. But the bill they have proposed curtails only one part, and that the least overgrown part of the establishment: it reduces the number and emolu-

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ments of the parochial clergy, but leaves the bishops and the deans and chapters untouched. Ten bishops and two archbishops seem rather a costly instrument of superintendence for the religious instruction of eight hundred thousand persons. Several English bishops, a body whom few persons consider to be either overworked or underpaid, have singly the charge of dioceses containing much more than that number of communicants. If there is to be an endowed Church of Ireland, one bishop, with a fitting number of archdeacons, would be an amply sufficient allowance of superior clergy for such an establishment.

If, however, to make the reduction include the hierarchy as well as the parochial clergy, would have endangered the success of the bill in the House of Commons, ministers are not to be blamed for stopping short where they did. The contest at present is not for the details, but for the principle. The battle is to be fought with the House of Lords, and any ground, if it be but of tolerable width, will do well enough to fight that battle upon. The Bill is a challenge of the House of Lords to mortal combat. We believe that the challenge will be accepted, and that, though the struggle may be protracted, this victory will be the final one.

On the Bill for the reform of Municipal Corporations our remarks will extend to greater length, because the subject is of greater complexity, and is one of those on which details are all-important. In dealing with the Irish Church, or with the taxes on knowledge, there is a straight path before us: only deal destruction sufficiently wide, and you cannot be wrong: there is a simple test to judge what measure is the best; it is that which destroys the most. But on the subject to which we are now about to advert, Parliament have not only to destroy, but to rebuild: they have to construct a local government: a task the execution of which involves most of the leading principles of the art of politics—a work not very dissimilar in its nature, and only second in its importance, to that of framing the constitution of a state.

It has fared, however, with ministers in this instance, as it usually fares with the statesmen of this generation when they attempt to be reformers. The destructive part of their measures is almost always good, but the constructive part bad. This has been the remark made by the best judges on most of the Whig reforms. It is remarkably applicable to the Reform Bill itself; and it is applicable to the Slave Bill; to the East-India Bill, to the Bankruptcy Bill, and in general to all Lord Brougham's law reforms, which have swept away much that is bad, but substituted nothing which, in the opinion of those

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most competent to judge, is fit to stand as part of an improved system. The reason is obvious. Public men have now a work to perform, requiring far greater study and preparation than the works which devolved upon their predecessors, and this study and preparation they have not bestowed. They come to their task with minds not properly furnished. They can destroy, because to destroy is easy; even to perceive what deserves to be destroyed is generally not difficult; though this they seldom see until all the world is crying shame upon them for not seeing it. But to rebuild is a work of science; it demands a comprehensive survey and philosophical analysis of ends and means; and as they never have made any such survey, or performed any such analysis, they have no rule to go by but the rule of all unscientific craftsmen, the rule of thumb. By that, accordingly, they regulate themselves, and do, with as little alteration as possible, what others have done before them.

The destructive part of the Municipal Corporation Bill is of signal excellence. It tears down, with no unsparing hand, the old abomination. In the constructive part there is also one point of great merit—the liberal measure which has been dealt out of popular privilege. The ministry have shown no foolish distrust of the people. For the extension of the suffrage to all householders they are entitled to great praise; and if to this had been added the ballot, the responsibility of the town-councils to those whose interests are committed to their charge would have been nearly as complete as could be desired.

While, too, the town-councils are chosen by, and amenable to, the community, all other town-officers, except those intrusted with the administration of justice, are chosen by the town-councils*. This is judicious. In local, as in general government, we are of opinion that the people should elect the body which is to control the executive, but should not elect the executive functionaries themselves; for all executive duties require some peculiar capacity (appropriate aptitude, as Mr. Bentham was accustomed to style it), of which the people cannot judge previously to trial; and the fittest person may possibly not present himself, unless it is the special duty of somebody to search him out.

We have now mentioned the principal points which appear to us worthy of commendation, in the municipal constitution provided by the Bill. We proceed to the less pleasant duty of pointing out the cases in which, for want of accurate and comprehensive principles, previously known, and well-digested in their heads, ministers have only been the servile copyists of the errors of their predecessors.

* The only other exception is the auditors, who of course could not be chosen by those whose accounts they are appointed to check.

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Local government consists of two parts—administration and judicature. There must be a provision for the management of the collective interests of the local community, and there must be a provision for the administration of justice. The provision made in this Bill for local administration consists of the mayor, the town-clerk, and the town-council; the provision for justice consists of the mayor, the magistrates, and the recorder.

To begin with the administrative body—the first thing that strikes us is, that instead of a committee for the dispatch of business, ministers are creating in every considerable town a debating club. Such is the necessary effect of making the council so numerous—reaching from sixteen to (in the case of Liverpool) the number of ninety members. This is courting the very mischief which the greatest pains should have been exerted to keep out. In parliament, the evil of long speeches must be submitted to; for this reason among others, that it is part of the office of parliament to be an arena for the promulgation and mutual collision of political opinions. But the town-council-room is meant to be a place of mere business, and business of a very commonplace kind: the members therefore should not exceed the number who can discuss and transact business by conversation round a table. We think they ought never to exceed thirty.* If the body is much more numerous, non-attendance will be the general rule, and the most important business will often be left in the hands of the few whose assiduity is stimulated by some private interest; while, on any occasion which brings the whole body together, its time will be wasted in declamation, and the real business of the town will be done carelessly, or not done at all.

We should have preferred that the election by wards had been universal. Requiring the electors to vote for the whole body at once, almost ensures their adopting the list tendered to them by some active and stirring junto in the town; or if they attempt to choose for themselves, they will choose carelessly, and give a vote to any one who asks for it: for men will take the trouble to make a conscientious selection of one or two persons, but not of twenty or fifty. Another consequence, which has been pointed out by several members of the House, is, that when there are two parties, the weaker of the two will be deprived of all influence in the formation of the town-council. And an additional inconvenience, incident to this, is, that if, in the interval between one election and another, the

* In the French town-councils the usual number is fifteen; but the French councils have little to do except to vote money. They have not, properly speaking, the administration of the affairs of the town: that is reserved to the *maire*, an officer selected from the municipal council by the Crown, and responsible to the Crown for his acts.

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stronger party becomes the weaker—a revolution which parliamentary elections prove to be of frequent occurrence—there will be a sudden and abrupt change of the whole body, to the interruption, so far as they are concerned, of all public business. It is, probably, to avoid this evil, that the plan has been hit upon, of partial renewals, one-third of the council going out every year—a most infelicitous *juste milieu*, which unites the inconveniences of a long and those of a short period—annual elections, and only triennial responsibility.

The mayor is not to be the mere chairman of the town-council, but has important administrative (not to mention judicial) duties devolving upon himself. If this be right (and, with respect to the administrative duties, we do not say that it is not right), it appears to us most injudicious that the mayor should be changed every year. This is blind imitation of the corporation of London, and most of the old corporations. It is a contrivance for having the chief administrative officer always in leading-strings, never out of his apprenticeship. As soon as he begins to understand his business you dismiss him, and bring in another who is still raw, and fit to be a screen for the town-clerk: who, on this system, will pull the strings of the puppet, who is to be called the mayor, but whose sole office will generally be to shelter the town-clerk from responsibility.

The provision made for the administration of justice is more faulty still. It is a considerable improvement, doubtless, on the old system; but it has most of the defects which we are accustomed to see in the judicial institutions of our country, and it has them for no reason that can be perceived, except that we are accustomed to them.

What is wanted for purposes of judicature, is a local judge, transacting (under appeal to a properly-constituted tribunal in the metropolis) *all* the judicial business of the district, and *no* part of the administrative business. Judicial and administrative duties should never be united in the same hands; for they are different sorts of business: they require different qualities, different kinds of men: the mode of choice suitable to the two kinds of officers is different—so are the checks, and the kind of responsibility; and the experience of all nations testifies to the importance of keeping those to whom the business of judicature is intrusted free from intermixture in the other affairs of the world, that the administration of justice may be pure, not only from the reality, but even from the suspicion, of partiality.

The principle of the separation of judicial from administrative duties is adopted in part by the Bill, but in so limited and inconsistent a manner as shows that the framers have no due sense of its importance. And the provision for judicature is altogether insufficient.

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There is to be a local judge, under the name of a Recorder, wherever the town-council express their desire for one, and their willingness to pay him a sufficient salary. This is so far good. What did the ministers next? They looked round, to see what provision for local judicature had been made by the wisdom of our ancestors; and they found, that it consisted of a court, which decided no civil, and only some classes of criminal cases, including neither the greatest nor the smallest, and which sat only once a quarter. Without looking any farther, our ministers determined that the local judge whom they are about to create shall decide only these same sorts of criminal cases, and that he also shall only sit once a quarter. But why, if a local tribunal be useful in one sort of criminal cases, will it not be useful in another? and if useful in criminal cases, why not also in civil? and if it be good that justice should be accessible once in three months, why not on every day of the year? Why must the redress of wrongs be delayed, and why must innocent people linger in prison, while the Recorder who is to try them at the next sessions is practising as a barrister in London? These are questions which the framers of the Bill have not asked themselves. They would have found them not only asked, but answered, in the writings of Mr. Bentham, the great teacher in this department of practical politics. There are many branches of the art of government on which sufficient light has not yet been thrown; there are others, on which the best ideas which exist are scattered through a hundred writers: but procedure, and judicial establishment, are subjects of which the alpha and omega are to be found in Mr. Bentham; and it is perfectly disgraceful to any one who, in this age, attempts to legislate on those subjects, not to be familiar with his views on a branch of politics, the philosophy of which he may be said to have created.

So far as respects civil justice, and the higher criminal cases, the Bill leaves matters as it found them, and recourse must still be had to the courts in London, or to the judges of assize. For those cases, again, which are considered too small to be tried by the Recorder, the Bill provides a class of judges called magistrates, who are to have the powers of justices of peace, except those usually exercised by the quarter sessions. These magistrates are to be selected by the Crown, from a number of persons to be recommended by the town-councils. We would suggest a more distinct explanation in the Bill of the cases in which magistrates are to be liable to removal. They should be removable by the Crown, on an address from the town-council.

The powers of these magistrates, like those of all persons

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who, in England, are called by that name, or by the equivalent one of justices of the peace, are a monstrous jumble of administrative and judicial functions. They have summary jurisdiction in small cases. They have the power of committing prisoners to take their trial at the Sessions or the Assizes; a function, stupidly classed in common language under the head of Police, but which is strictly judicial. It is a preliminary trial of the prisoner, for the purpose of ascertaining, not whether he is guilty, but whether there is sufficient presumption of his guilt to require that he be put upon a more formal trial. And the consequence of an unfavourable verdict, on this preliminary investigation, may be the infliction of a severer sentence, in the form of imprisonment previous to trial, than would be inflicted on proof of guilt, for some serious offences. These preliminary investigations are, therefore, acts of judicature, in the strictest sense. They require judicial qualities, as exalted as any other kind of judicial business, and ought always to be performed by a person called a judge. The only functions which are really of police are the simply executive ones, the enforcement of the laws by interposing *before* an offence is committed, and the apprehension of the offender *afterwards*. Of the heterogeneous functions of the magistrates, these are the only ones which require a distinct set of functionaries. The judicial business of the magistrates, whether of conviction or of committal, should be turned over to the Recorder, converted into a local judge always resident on the spot. It is a rule of the utmost importance, that no one is fit to try the smallest cases who is not fit for the greatest; for the small cases are quite as difficult, concern a much larger portion of the community, and are far more liable to be neglected, or slurred over, because they attract so much less of the attention of any but the parties immediately concerned.

The proposal, that the mayor should be *ex officio* a magistrate, and that he should be the local judge in the absence of the Recorder, is so monstrous, that we cannot believe it will be persevered in. It is a complete departure from the principle which the Bill to a certain extent adopts, that of withdrawing all judicial powers from the functionaries who carry on the local administration. The mayor is the very head and front of the administration: in all the business of the town-council he is a principal party, and he has many administrative duties peculiar to himself. To crown all, this union of public functions of the most difficult and important kind is delegated to an officer who is to be changed every year; and in the smaller towns, to which the Crown is not to give magistrates except on special application, the mayor will often be the sole magistrate. We cannot

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easily conceive a worse. It will be, in reality, some mitigation of the mischief, that a permanent officer, the town-clerk, will generally dictate to the mayor all his acts, himself screened from being answerable for them.

The above are, we conceive, the principal objections to the detailed provisions of the Bill*. Amendments have been placed on the order-book of the House of Commons, calculated to force the discussion of almost all these points; and we trust that the complete reformers, many of whom are well acquainted with the subject, will not let slip such an occasion for impressing upon the public many of the most important principles of organic legislation. That there are those among them who will not neglect the opportunity, we have reason to be assured.†

But, after every abatement which the above considerations call upon us to make, from an estimate of the merits of this measure, it is still entitled to the character of being one of the greatest steps in improvement ever made by peaceable legislation in the internal government of a country. And we would rather waive the assertion of any or all of the objections to which it is liable, than expose the Bill itself to any jeopardy. But we fear no such result. On the contrary, we are convinced, that the more decidedly the reformers show that this Bill is not their ultimatum, and does not come up to all their wishes, the safer it will prove from mischievous defacement in the Tories' House. Were the Reformers to let the Tories believe that with the present measure they are fully satisfied, it might tempt them to try whether we may not be satisfied with less. It is the safest, as well as the most direct and plainest course, to evince to the enemy that the improvement this Bill gives us is barely enough, and that there is not a particle to spare. A.

* In the above strictures, many unavoidable coincidences of sentiment will be found with one of Mr. Roebuck's Pamphlets, which is dedicated to this subject, and with some excellent articles in the 'Globe.' Both writers have done great service, and it is gratifying to us that our opinions are confirmed by such competent authority.

† Since the observations in the text were written, some of the amendments have come on for discussion, but have been negatived, we regret to observe, without a division. This is a grievous mistake on the part of the reformers. Their object was, not to carry their propositions, but to force public attention to the subject; and this is only effectually done when motions are pressed to a division. It was thus only that Mr. Hume succeeded in making the impression upon the public mind which so wonderfully accelerated parliamentary reform. We regret that Sir John Hobhouse should have lent himself to the vulgar misrepresentation to which we are so much accustomed from the Whigs, that to propose improvements in a measure is to endanger or obstruct its passing.

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